

Minutes
City Council Meeting
January 21, 2020
7:00 p.m.

Members present were Mayor Terry Merritt, Council members Taft Matney, Carol King, Michael Reynolds and Dale Black. City Administrator Brandon Madden and City Attorney John Duggan were also present. Councilwoman Diane Kuzniar was not present due to a death in her family.

1. Call to order- Mayor Merritt
 - a. Invocation- Councilman Matney
 - b. Pledge of Allegiance- Councilman Matney
 - c. Welcome- Mayor Merritt
2. Proclamations and Presentations
 - a. Mauldin Recreation Football 12U
Certificates were presented by the Mayor.
3. Reading and approval of minutes (Pages 3-9)
 - a. City Council Meetings –December 16, 2019; Special Called- January 6, 2020
Councilwoman King made a motion to approve the minutes with Councilman Matney seconding. The vote was unanimous (5-0).

Councilman Black made a motion to approve the special called minutes with Councilwoman King seconding. The vote was unanimous (5-0).

4. Public Comment- None
5. Report from City Administrator
Recognition of City Staff
 - a. Police Officer and Civilian Employee of the Year
Chief Turner recognized Luke Rohaley as Civilian Employee of the Year and Daniel Turner as Officer of the Year.

Brandon brought two events to Council's attention. This Thursday there is a model opening at Maplewood Retirement Community. There will be a Chamber Business Expo on February 27th.

6. Reports from Standing Committees- The reports are on file.
 - a. Finance and Policy (Chairman Reynolds)
 - b. Public Safety (Chairwoman King)
 - c. Public Works (Mayor Merritt)
 - d. Economic Planning and Development (Chairman Matney)
 - e. Building Codes (Chairwoman Kuzniar)
 - f. Recreation (Chairman Black)

7. Unfinished Business

- a. Consideration and action on request to Abandon Road S-1115 (EPD)- Final reading (Pages 10-21)- Chairman Matney made a motion to accept this ordinance on second reading. This will allow our legal counsel to start proceedings to close road S1115 and notify property owners. This is the frontage road at Owens Lane and Main Street. Councilman Black seconded the motion and the vote was unanimous (5-0).
- b. Consideration and action on rezoning at 501 E. Butler Road (Building Codes)- Final reading (Pages 22-36)- Councilman Black made a motion to accept this on second reading. The property is currently zoned C1 and is requesting to rezone to RM. This property is 5 acres next to City Park on East Butler Road and will be townhomes. Councilwoman King seconded and the vote was unanimous (5-0).
- c. Consideration and action on Amendment to Sec. 8-62, Compliance with Laws (Building Codes)- Final reading (Pages 37-40)- Councilman Black made a motion to accept this ordinance on second reading. It cleans up our code regarding references to Greenville County Planning. Mauldin has its own Planning Commission. Councilman Reynolds seconded the motion and the vote was unanimous (5-0).

8. New Business

- a. Consideration and Action on Annexation at Loblolly Circle and Laurel Drive (Building Codes)- First reading (Pages 41-65)- David Dyrhaug said there were some questions about a traffic study for this property. The results of the study have recommendations that the driveways be designed with DOT and Greenville County standards, minimum site distances at the entrances to be maintained, and standard stop signs and stop bars installation. There are plans to widen Loblolly Circle and realign the intersection of Loblolly Circle and Ridge Road.

This annexation is composed of 3 parcels. The first is 1307 Loblolly Circle, owned by Kimberly Rogers and is 6.1 acres. The property is currently zoned R7.5 in the County and would be RM City. Councilman Black made a motion to accept this on first reading. Councilman Matney seconded the motion and the vote was unanimous (5-0).

The second is owned by River of Life Romanian Church at 405 Laurel Road. The property is 5 acres. The property is currently zoned RMA in the County and would be RM City. Councilman Black made a motion to accept this on first reading. Councilwoman King seconded the motion and the vote was unanimous (5-0).

The third parcel is owned by Martin and Rivea at 403 Laurel Road and is 2.9 acres. The property is currently zoned RMA in the County and would be RM City. Councilman Black made a motion to accept this on first reading. Councilwoman King seconded the motion and the vote was unanimous (5-0).

- b. Consideration and Action on Small Cell Wireless Facilities Ordinance (Building Codes)- First reading (Pages 66-89)- This is for 5G technology. The City Attorney came back with some information on this that committee should look at. Councilman Black made a motion to send this item back to committee with Councilman Reynolds seconding. The vote was unanimous (5-0).
- c. Consideration and Action on Planning Commission appointment (Building Codes- Only requires one vote (Pages 90-98)- This is an appointment to Elizabeth Wiygul's seat. The seat expires in June 2020. Council appointed Chris Paglialunga.
- d. Consideration and Action on Authorization to Proceed on the Sale of Old/ Damaged Equipment (PW)- This item only requires one vote (Pages 99-101)- Councilman Reynolds made a motion to allow Public Works to advertise and sell the listed old/damaged equipment on Govdeals. Councilwoman King seconded the motion. The vote was unanimous (5-0).
- e. Consideration and Action on City Park Playground Agreement with Cunningham Recreation (PW)- This item only requires one vote (Pages 102-112)- This item is for installation of playground surface and equipment at City Park. Staff brought forward two options from Cunningham Recreation. Councilwoman King made a motion to install option 1. Option 1 was chosen because it is different from what is at our other parks and we want to offer our citizens different park experiences. \$146,369 will be the cost out of \$250,000 that was previously budgeted by Council.

Councilman Black requested that a swing be added to option 1 after some feedback he has received from citizens. He also noted the playground is next to the parking lot. He would like a fence installed around the playground to keep the children safe. Currently the agreement calls for a wood chip surface. Councilman Black would like Council to consider the installation of a turf surface, which is easier to maintain. Either surface would be ADA accessible.

Councilman Matney said these items would significantly change the amount of money expended and we have a responsibility to find out how much these changes will cost before the vote.

Joe reported that we have two quotes for the fencing. One is about \$5,000 and one was a little over \$6,000. A swing would probably cost around \$3,000.00. The option 1 does call for a swing, but it is a disk-type swing. Joe

said he does not know how much the turf would cost, but we would have plenty of money left in the budget to absorb these extra costs. Mayor Merritt asked if the surface at City Center was installed. Joe said they are almost complete. Mayor Merritt said there is some extra material. If it is not going to be used, maybe we could use it at City Park. Joe said he would check on the status of that.

Councilwoman King asked about ADA accessibility and the turf surface. Joe said all the equipment is ADA accessible. The wood chip and turf surfaces would both be ADA compatible.

Councilwoman King rescinded her motion.

Councilman Matney made a new motion to hold this item on the floor until pricing for a new surface and the other items mentioned are received. Councilwoman King seconded the motion and the vote was unanimous (5-0).

- f. Consideration and Action on Potential Moratorium on Types of Discount Stores (EPD)- This item only requires one vote (Pages 113-117)- This would be a moratorium on small box discount stores. We have several of these types of stores within a two-mile radius of city hall. The moratorium would allow staff some time to review the zoning ordinance and land use codes and recommend ways to handle these types of businesses. Chairman Matney made a motion to put a moratorium in place for six months to provide staff with time to review its land development code and zoning ordinances as it relates to this type of development. Councilwoman King seconded the motion.

Councilman Black said any projects already in the works and permitted would not be affected by the moratorium. Chairman Matney said that was correct. He does not believe there are any such projects already permitted. Councilman Reynolds asked if six months was enough time for staff to review our current regulations. Chairman Matney said if it is determined that staff needs more time, the moratorium could be extended. The vote was unanimous (5-0).

- g. Consideration and action on addendum to Goodwyn Mills Cawood task order (EPD)- This item only requires one vote (Pages 118-123)- City Council is requested to authorize the extension of the terms of the GMC agreement an additional 12 months to allow GMC to provide cost analysis on the proposed Swamp Rabbit Trail Pedestrian Bridge over 385 with the cost of the extension approved at the standard hourly rates included in the original agreement. Chairman Matney made the motion to approve the extension. Councilman Black seconded the motion and the vote was unanimous (5-0).

9. Public Comment

- a. Anne-Marie Smith- I live at 505 Miller Road. Thank you for allowing me to speak tonight. I care about this City. I think a big part of the future is preserving its legacy. Part of this history is the Fowler House at 317 Miller Road. It is the oldest house in Mauldin in the city limits still standing. It is in the Mauldin Legacy Book. There are only three houses left standing in this book. It was built in 1909 by Walter Fowler and originally had 35 acres. The family auctioned it and it was bought by Bill Goodman in 2010. It was to be fixed up, but his situation changed and in 2014 it was allowed to run down.

It was then purchased by a company called Metal Chem, who purchased the warehouse behind the property at Ellwood Court. They stated they only needed 50 feet of the backyard so they could extend the loading dock, but they had to purchase the whole property. If the City could obtain the house and half of the backyard, I think it would make a historic Chamber of Commerce, Mauldin Historical Society, and museum. I know the pictures look really bad, but if you could get a tour and see how much potential it has, it would be an asset to Mauldin. It is part of Mauldin's legacy. Thank you. A lot of our history is going away and it is a very important home.

- b. Charlie Graydon: I live at 948 Fargo Street. I have been a resident since 1976. I have a couple of things. First, Mr. Reynolds, congratulations on your election. Ms. King, on your re-election. I pass my condolences to Miss Kuzniar on the death of her loved one. That is tough. I know, I have been there.

Two or three things about the City Center. This past weekend, there was a big article in the Greenville News with our new Mayor on the front page smiling at us, talking about the new development and using our taxes for infrastructure. In November, I stood right here and talked to Mr. Black, Miss King and the ex-Mayor and they swore no taxes would be used. Now we have Mr. Mayor saying we will use future taxes to pay for it. I would like to have a consensus of Council tell us the truth.

We have been told fee in lieu of taxes, bonds, and in November the bond attorney said no bank would float a bond based on expected revenues. Mr. Matney was chairman of that committee at the time. I would like to hear a consensus tell the citizens where we stand. We were supposed to have sold seven acres to Contour and that has not happened. They were supposed to put \$50,000 in escrow. I don't think that has happened yet. The corner up here on Butler and Main is split between the City and... I can't say his name. Is the City going to buy that other corner? The old Taco Bell is sitting empty. The seven acres we were supposed to get \$3.25 million for, where do we stand? Today, right now. The due diligence period is expired as of December 31st. I didn't know that. I thought we had 60 days from October 30th. We still lack a lot of answers that you need to resolve. I hope with the new Mayor and new Council members, we will have better transparency.

I came through Simpsonville the other night and their new place on Burdette corner was bursting with people. They were sitting in a nice new restaurant that took six months to put together. The Vaughn Feed Store will be a new restaurant and outdoor venue for people. They have what Mauldin doesn't have. Existing infrastructure. They just have to renovate a little. Fountain Inn was the same way. Mr. Broad knows that because he was there. We don't have that. We have to build from the ground up. These 24 acres out here will be put at one of the busiest intersections in the County- 276 and Butler Road. Those other two towns have Main Streets that are off the interstate. I came in a little late tonight and had to park at the bank. What will we do if we open a retail center? What will we do about the parking and traffic? I hope this current administration addresses some of these issues.

Is Contour still on board with us? According to the agenda that was published, you are supposed to vote on a contract extension tonight. That was on the internet today. That is what Cindy put out. It is what is on the agenda. No one knows what is going on. Look at it. It is on the internet online. I didn't print it out.

Can you answer those questions, Mr. Mayor?

Mayor Merritt: I can have a discussion with you. Your questions have been duly noted and Mr. Madden can get back with you with answers.

Charlie Graydon: I appreciate your extending me longer than 3 minutes. I guess I am a hard-boiled egg rather than a soft-boiled egg. Thank you for your time. I really do hope we have a more transparent administration.

Ray Atchinson: 115 Old Keith Court here in Mauldin. I came from Detroit 23 years ago to get this warmer weather. Some of you know my wife is seriously ill and has been for several years. We woke up one morning with a terrible headache that lasted all day and into the night until we woke up again the next day and she said, "Ray, we have got to do something." We called the fire department and asked if they could check the premises.

I was looking for one guy, and before I could turn around there were 3 rigs and 7 people at my house. They were in every room checking oxygen levels. We both had terrific headaches. When they got ready to leave, they said we didn't find anything, your house is clear, but if you find anything, call us and we will be right back. I wanted to bring that to your attention. In minutes they were there with three rigs and seven people. That probably cost a lot of money, but they came to two old guys. I want them to know how much we appreciate it. They did not miss a trick. Kindness, professional, thorough, friendly people and were very serious with what they did.

I think we should acknowledge the department and the Fire Chief for having these kinds of people to serve our community. I would like to give them a hand for what they do for our community.

10. Council requests- Councilman Matney advised Council that this past Friday night, Mauldin High School raised over \$128,000 to support Safe Harbor without corporate sponsors. There are a lot of bright spots in the future.

11. Adjournment- Mayor Merritt adjourned the meeting.

Respectfully Submitted,

Cindy Miller
Municipal Clerk