

Minutes
Building Codes Committee
May 4, 2020
6:00 p.m.
5th committee meeting

Members present were Chairwoman Diane Kuzniar, Committee members Dale Black and Taft Matney all present remotely. Business and Development Services Director David Dyrhaug was present remotely and City Administrator Brandon Madden was present onsite at city hall.

1. Call to Order- Chairwoman Kuzniar

2. Public Comment- None

3. Reading and Approval of Minutes

a. Building Codes Committee Meeting: April 6, 2020

Councilman Matney made a motion to approve the minutes with Councilman Black seconding. The vote was unanimous (3-0).

4. Reports or Communications from City Officers

a. Budget Review- David said the department has 34% remaining and the budget is in fantastic shape.

b. Department Reports

i. Boards and Commission Application Notice- The department is accepting applications for the ZBOA and the Planning Commission. This item will come to committee next month.

ii. Permitting & Licensing Software Update- The department has begun looking at different software packages. They have tested about 10 different ones. David will issue an RFP and put review of the proposals on the committee agenda next month.

5. Unfinished Business

a. Construction Noise Standards- At the March 2, 2020, Building Codes Committee meeting, the Committee asked staff to explore alternative regulations pertaining to construction noise. At the April 6, 2020, Building Codes Committee meeting, staff presented to a few options for the committee's consideration. In addition to making no change, these included:

Adjusting to the City of Greenville's standard which prohibits construction noise after 9:00 p.m.

Consider a daylight savings adjustment which generally allows construction to persist longer into the day during daylight savings time.

Consider different restriction of hours depending on the type of equipment being used (i.e. noncommercial/nonindustrial tools versus commercial/industrial tools); or

Consider different restriction of hours depending on the nature of the activity (i.e. ongoing construction versus short-term activities).

At the April 6, 2020 meeting, some interest was expressed for adjusting to the City of Greenville's standard. There was not really any interest indicated for the other alternatives presented.

Staff has recently discussed this with the President of the Greenville Home Builders Association. He indicated that he was not concerned if the City of Mauldin adjusts its restriction on construction noise beginning at 9:00 p.m. instead of 10:00 p.m. Chairwoman Kuzniar was present during the discussion and Mr. Dey asked if there could be an allowance for an emergency repair or in a situation like someone is painting and has a deadline.

Councilman Matney said he agrees with the considerations from Mr. Day and has no problems supporting the 9:00 p.m. restriction. David said this ordinance only pertains to noise, so any activities that do not produce noise do not fall under the ordinance. Emergency situations also do not fall under the ordinance.

Councilman Black asked if these hours would pertain to commercial and residential activities. David answered yes.

Councilman Matney made a motion to forward this to council with the 9:00 p.m. recommendation. Councilman Black seconded the motion and the vote was unanimous (3-0).

b. Small Wireless Facilities Discussion- This is a complicated issue. David said he sat in on a Greenville County discussion on this and they are concerned about the possible conflict with some of their existing ordinances. MASC has a model ordinance and David has presented some different options. The City could make some revisions from the comments from AT& T and Verizon. Staff may recommend a workshop with several involved parties. Councilman Matney said a stakeholder workshop might be the direction committee should go in. Wireless providers are definitely important, and we should see if we can align our goals with them.

Councilman Black said he had asked about co-location of the towers at a previous meeting and the AT&T representative said it was not possible. He wants to look into that possibility. This would entail one utility pole with many providers on it. The providers could decide amongst themselves who would pay what to the City for usage of the pole. Chairwoman Kuzniar said one pole with a lot of stuff on it might not look too good, but maybe separated poles that all were uniform would look better. She agreed that the workshop would be a good idea. This would give us an opportunity to see

what the vendors are looking to do and allow Council to ask questions. Staff was directed to schedule a workshop.

Councilman Black asked if there is any pressure from the vendors to get this done quickly. David said there is one application from a vendor that is anxious to get approved. AT&T has submitted an application for a location on West Butler Road. This application could be taken up separately by Council as a lease agreement. Councilman Black asked how this would affect other vendors. David said he thinks that has been the practice in other communities and we could consult our legal counsel. Chairwoman Kuzniar asked how soon AT&T wants to put up the pole. David said they have asked several times and would have liked it done yesterday. Councilman Black asked if it was in our city limits. David said yes.

Councilman Matney said we have already done something similar to this with Verizon. Considering AT&T's application would not prevent us from coming up with standards. He does not have a problem with considering this one item. Chairwoman Kuzniar asked if AT&T would erect a pole or are they going to use an existing pole. David said he thinks it is a new pole but would need to go back and check. Chairwoman Kuzniar said what is in the packet shows various poles. Some are nice and some are not so nice.

Councilman Matney made a motion to send this item to Council to consider AT&T's request. Councilman Black seconded the motion. Councilman Black said this would be with the understanding that the regulations could change with subsequent applications. Councilman Matney said we did something similar with Verizon a couple of years ago. Councilman Black said he thought that had something to do with fiber optic. The vote to send this item to Council was unanimous (3-0).

6. New Business

- a. None

7. Public Comment- None

8. Committee Concerns- None

9. Adjourn- Chairwoman Kuzniar adjourned the meeting.

Respectfully Submitted,
Cindy Miller
Municipal Clerk