



CITY COUNCIL MEETING

MONDAY, SEPTEMBER 21, 2020 | 7:00 PM

City Council will meet at 7:00 p.m. in Mauldin City Hall Council Chambers, 5 East Butler Road

Please note that members of the public may attend this meeting in-person but are encouraged to participate remotely through Webex. Please visit the City's website at <https://cityofmauldin.org/your-government/meeting-minutes-agendas/> to access the meeting via audio and videoconferencing.

AGENDA

- 1. Call to Order** Mayor Terry Merritt
 - a. Invocation
 - b. Pledge of Allegiance
 - c. Welcome

- 2. Proclamations and Presentations**
 - a. Justin Romero Proclamation (Page 4)

- 3. Reading and Approval of Minutes** Mayor Terry Merritt
 - a. City Council Meeting –August 17, 2020 (Pages 5-19)

- 4. Public Comment**

- 5. Report from City Administrator** Brandon Madden
 - a. Employee Recognition

- 6. Reports from Standing Committees**
 - a. Finance and Policy (Chairperson Reynolds)
 - b. Public Safety (Chairperson King)
 - c. Public Works (Chairperson Kraeling)
 - d. Economic Planning and Development (Chairperson Matney)
 - e. Building Codes (Chairperson Kuzniar)
 - f. Recreation (Chairperson Black)

- 7. Unfinished Business Ordinances - Second Reading** Councilor Kuzniar
 - a. An ordinance to provide for the annexation of Property owned by Access 100, LLC, and located along Old Laurens Road by one hundred percent petition method; and to establish a zoning classification of I-1, Industrial, for said property (Pages 20-29)

- 8. New Business**
Standing Committee Items
 - a. Tire Amnesty (Pages 30-31) Councilor Kraeling
 - b. Vegetation Management Procedure (Pages 32-44) Councilor Kraeling
 - c. Resolution approving the Sale and Transfer (Pages 45-50) Councilor King
 - d. Police Canine Purchase Update (Pages 51-52) Councilor King
 - e. Take Home Vehicle Request (Pages 53-55) Councilor King
 - f. Funding Assistance Agreement (Page Councilor Matney
 - g. Approval of Capital and Operational Items (Pages Councilor Reynolds

Committee of the Whole Items

h. Cultural Center Auditorium Renovation (Pages 56-62)

i. Project Crustacean (Pages

Mayor Terry Merritt

9. Public Comment

Mayor Terry Merritt

10 Council requests

11. Adjournment

Proclamation

WHEREAS Justin Romero has been a Mauldin Police Officer for a year and a half; and

WHEREAS, Police Officers are so important for the safety of our community; and

WHEREAS, Police Officers are sometimes called upon to give medical aid as first responders; and

WHEREAS, Upon arrival at a cardiac arrest, Greenville County EMT James Clardy stated that he observed Officer Romero giving the victim chest compressions; and

WHEREAS, EMT Clardy stated that by starting chest compressions, Officer Romero aided in the resuscitation of the patient; and

WHEREAS, Officer Romero's tireless efforts to protect the people of Mauldin are an inspiration, and he serves as a model for all citizens;

NOW THEREFORE BE IT THEREFORE PROCLAIMED that the City of Mauldin is proud of the actions of Officer Justin Romero, who helped save the life of one of our Mauldin residents with his quick thinking and actions.

Done and ratified this 21st day of September 2020.

Mayor Terry Merritt



Minutes
Mauldin City Council
August 17, 2020
7:00 p.m.

Meeting Location: Mauldin City Hall, 5 East Butler Road, Mauldin, SC

Council Members in attendance: Mayor Terry Merritt, Council members Taft Matney, Carol King, Jason Kraeling, Michael Reynolds, Dale Black, and Diane Kuzniar

Others in attendance: City Attorney Daniel Hughes and City Administrator Brandon Madden

1. Call to Order

Mayor Terry Merritt

- a. Invocation- Councilmember Carol King
- b. Pledge of Allegiance- Councilmember King
- c. Welcome- Mayor Merritt

2. Proclamations and Presentations- Constitution Week Proclamation

Mayor Merritt read the proclamation.

3. Reading and approval of minutes

- a. City Council Meeting –July 20, 2020

Mayor Terry Merritt

Action: Councilman Matney made a motion to approve the minutes with Councilwoman King seconding.

Vote: The vote was unanimous (7-0).

4. Public Comment- The rules pertaining to public comment were suspended regarding time limit and combining both public comment periods.

Hannah McSherry: I just would like to ask for confirmation on the change in rules. Am I still allowed to defer my time to a different speaker?

Mayor Merritt: You are not.

Hannah McSherry: Ok, so what you are saying is that what happened in this courtroom a month ago when people all spoke and donated their time so that the Mayor could have twenty minutes, are you telling me one month later, the City is changing the rules and limiting me so that I only have five minutes, and I cannot donate my time to someone else?

Mayor Merritt: The decision I made last month was not in our rules. I was asked when I briefed the public, and based on what I was asked, I looked to see what other bodies do, I have never been asked that before, and I made a decision. It was not twenty minutes; there was no speaker that went longer than 13-14 minutes. After studying it this month and getting advice, what I am saying is the rules for tonight.

Hannah McSherry: So, I may not donate my minutes to Bruce Wilson so he can be heard?

Mayor Merritt: You are allowed 5 minutes, and now you are down to four.

Hannah McSherry: Am I allowed to donate my minutes to Bruce Wilson?

Mayor Merritt: No, ma'am.

Hannah McSherry: Ok. I would like to ask why I may not pass my minutes to Bruce Wilson and everyone else was allowed to do so a month ago.

Mayor Merritt: I just explained that.

Hannah McSherry: Ok, could you explain it again, sir? I really want to hear it. To me, it makes it look like you are again taking action that is silencing the voices that are trying to be heard on this matter. I am a long-standing member of Greenville, South Carolina, and what is going on here in the City of Mauldin is absolutely disgusting. And you are not allowing folks like me to donate time to Bruce Wilson and you are again trying to silence his voice. That is unacceptable. We are stating today that we are calling for Dale Black to resign.

It is my understanding that you, Dale Black, have apologized. I want to say to you today that this isn't church. We are not living in a time where you and all of your friends, and the Mayor, spoke out and you said you are sorry. It is just not enough. You are holding a political office, an elected office. You do not speak for all of the people in the City of Mauldin. Step away from your office, Councilman Black. You have proven to the City of Mauldin that you cannot speak for everyone. You are sorry, I get it, but this isn't church. You cannot come in here and serve the City of Mauldin. Your actions have hurt people. We are going to keep coming in here and telling you that you need to resign. You need to step aside and make room for others that can come in here and speak confidently that we are all being treated fairly and that black lives matter. You can't sit at the table and say you are sorry and keep going. I get it, you weren't raised that way. I get it. All

your friends came to bat for you and wanted to explain that you weren't racist, I get it. But part of your process is to step down. Part of your learning process for all of us in here, is that you need to step down. Someone else can take a seat at the table and treat people fairly. Black lives matter and your actions continue to not match up with representing folks and we are going to continue to stand here and continue to call for you to step down. I get that you are sorry. Your sorry isn't enough, your tears aren't enough; we need action. We need you to step down for someone else to represent the citizens of Mauldin.

I would like to give the rest of my time to Bruce Wilson.

Mayor Merritt: It is not allowed. I already told you that.

Hannah McSherry: I would like to give my time to Bruce Wilson.

Mayor Merritt: You never gave us your address.

Ms. McSherry: I ask that Bruce Wilson be allowed to speak.

Mayor Merritt: Please state your address.

Ms. McSherry: I would like for Bruce Wilson to please be allowed to speak. I am not playing games here, sir. He has the right to speak. We knew this would happen. I got here early to be first to speak. It is not ok. It is not ok for you to make these rules so that all the people who came to sing a song and lick the boots of Dale Black will think it is ok. We are not ok with it. It is not ok with us to be silenced. You are silencing Bruce Wilson. Do better Mauldin. Do better Mauldin. You need to resign, Dale Black.

Mayor Merritt: Would you state your address for the record?

Ms. McSherry: I believe my time is up.

Jennie Neighbors: Good evening. Thank you for letting me speak. On July 6th, the Council accepted Mr. Black's resignation of Mayor Pro Tempore and voted unanimously to formally censure and admonish Mr. Black. Several council members have called for Dale Black to resign from Council and Mauldin residents have protested through public comment. My address is 1 Cade Court, Mauldin.

What does not matter is that Dale Black has apologized for his posts. Nor does it matter whether his friends consider him a good person. What does matter is that Mauldin is made up of 25,000 residents and people who cross all races, ethnicities, religions, socio-economic lines, and Mr. Black decided it would be a good idea to seek out, find and post racist comments. Not just one post, but multiple posts that were intended to humiliate and dehumanize and mock black people and other people of color. A simple apology does not fix this. Saying that these types of racist content are protected under the 1st Amendment does not fix this. Taking

responsibility for what he did which means resigning from his post is what will fix this. Mr. Black has undermined his personal moral authority and the moral authority of the City Council. You don't have any more moral authority.

Leaders must be accountable for their actions and words. Mr. Black in one of his many racist posts says that the NAACP and several other civil rights organizations are as racist as the Confederacy. The NAACP was founded in 1908 in response to anti-black violence such as lynching and city-wide massacres of black people by white mobs. According to Alexander Stephens, the Vice-President of the Confederacy, the Confederacy was "founded upon the opposite. Its foundations laid, its corner stone rests upon the great truth that the negro is not equal to the white man. That slavery and subordination to the superior race is his natural condition." The NAACP was necessary because of the principles that animated the Confederacy and caused untold suffering to the middle passage through slavers and Jim Crow and to today here in Mauldin as we see black people and their allies continuing to fight for racial equality and just representation. It is the same struggle.

Remember when you were sitting in history class and you thought you would be the good one when you were reading it? Guess what you are looking it now? It is the moment for everyone here. Who do you think you are? This game playing is an affront to the citizens in the council room, an affront to Mauldin citizens and to democracy. In our town of Mauldin, we have people who are not being represented by Mr. Black by what he said. By something that has a racist, horrible violent history. Mr. Black needs to resign. Think about who you are and what you want Mauldin City Council to be and the city to be. That is where you are right now. Make no mistake about it, this is that moment. I, for one, am disgusted that the City in which I am a resident has this type of decision making. It is unconscionable and horrific. It is the same history.

Dr. Vardry Freeman: I am the Pastor at Poplar Springs Missionary Baptist Church which is located at the borderline of Simpsonville and Mauldin. 42% of my congregation live in Mauldin. I have nothing written down, so I don't know if I have five minutes in me. I want to deal with three things- intro, content, and conclusion. I love Mauldin. I know there are many that speak about Mauldin that know nothing about Mauldin. I am a product of Mauldin and Mauldin allowed me to be who I am through the members of this community that wrapped their arms around me. I was afforded a great education at Mauldin High and I was able to participate and become a student athlete. From there I was able to do what every kid dreams about and that is to take my talents to play on Saturdays. There is something about Mauldin. I met my wife at Mauldin High, and we have been married almost 30 years. I bought my first house in Mauldin. There is something about the essence of this City that drew me back. Family, friends, and good camaraderie. But now I have been put in a position to just not lead a congregation, but lead people. Just like Moses, I have to listen to my people.

There is a book called The New Jim Crow and I advise you to put it on your shelf. It is by Michelle Alexander. We understand Jim Crowism and what it was, but the new Jim Crow is a shadow through our body language, verbiage, and how we feel tension in the atmosphere when we walk in a room. It causes dissention from what we are trying to get to. In the book it talks about what we are dealing with right now. The oppressed are being oppressed in a different way. I have witnessed oppression and so has my family. The question is what do you do after you have been oppressed?

Mr. Mayor, there is opposition in this community. One part of the book calls for rebellion and revolts. I believe that is knocking on the door in our fair City. We recognize this and asked you the question what are we going to do about this? As a man of God, 1st Timothy tells me to lead a peaceable life and to respect authority. This is not about one genre, creed, or color of people, but I stand up here representing a melting pot of not just my church but everyone who believes in Christ, Mohammed, or Buddha. I stand representing those who have been oppressed. But I stand here tonight, and I ask you the question, what are you going to do? The reply was we are going to allow this to easily go away. It brought shocking vibes in my heart. Watch it die down, but Mayor and Council, this is not going to die down. It is going to move from one level to the next. I put the questions before those we entrust to guide Mauldin to be a respectable City. What are we going to do? If there is an extraction, what will we fill it with? I am not talking about Mayberry or any other place. I am talking about where we meet each other at the grocery store. We eat at the same restaurants and call ourselves neighbors. One great leader had to do something. He had to apologize.

Rev. Sam Neely: I have lived in this City 44 years. I felt comfortable. I look at what is going on now from a council member who spoke his true feelings a few weeks ago. I do not much about you, but I stand before you knowing your name. I have observed your actions and different views, bigoted actions, narrowmindedness, intolerance, and social media statements compounded with your attitudes. This all seems to be nothing but racist. Racist attitude. I am deeply saddened for our Council and our City. His actions have ceased the City Council from making actions that will move us towards what we wanted to be one of South Carolina's greatest. We thought we would rise even higher. We forced this Council to deal with one of its own from thoughts of residents who do not look or even act like him. Do you know that this City is composed of over 25%? Censure is not enough. I refuse to accept the response of the Mayor and City Council. I understand you don't have the power to remove him.

Let me pause, should Dale Black be removed from the Recreation Committee, or stay on the committee? No comment? Ok. It is difficult to separate one's actions from one's decision making. We will not tolerate racist comments in a quiet way. We must attack it unless it attacks us. It takes a cruel and intolerant person to acknowledge his actions but refuse to remove himself for the sake of the City.

To the Mayor and Council, the Concerned Citizens of Mauldin recently suggested some proposals in response to Mr. Black's actions. We stood with the Mayor in a recent press conference and according to him we have his support. We are requesting the entire Council come together to help us accomplish the goals we have suggested. These are formation of a commission to study racial culture in our City and offer recommendations to create a healthy community when it comes to race. Introduce racial sensitivity training, encourage minority entrepreneurship and minority business opportunity. Encourage racial diversity in city hiring and form a citizens' board with the police department.

In closing, in 1976 as a young man, my wife and I built a house in the Meadowood subdivision. We thought it was a great place to raise our children. They completed elementary school at Greenbrier, and they graduated from Mauldin High School. Daily I receive calls from them and others in our nation and state asking how are you doing? They are still in disbelief of the actions within the City of Mauldin and nothing, literally nothing, has been done about it.

Mayor Merritt called for Mr. or Ms. Lay, but there was no response.

Bruce Wilson: I am Bruce Wilson, 14 Freestone in Greenville. I want to thank you all for allowing me to speak tonight. I want to address the Mayor directly and respectfully before I ask again for Mr. Black to resign. Mr. Mayor, the first of this year, a lot of times I take my children with me. I believe there is a misunderstanding of me. I think you look at me and because of white privilege, no disrespect, you believe you have the right to tell me to sit down. I believe it is because you look at me and you see the Black Lives Matter logo, a black man being vocal, and a community activist. What you fail to realize is that I am a father of three young children. A single father. My daughter is seven years old. She usually attends meetings like this with me. I usually bring her because she told me one day she wanted to be president.

At the first of the year, I took her to a City meeting in Greenville. It just so happened the Mayor Pro Tempore was Lillian Fleming. The Mayor was out that night and she was conducting the meeting. My little girl said she wanted to be Mayor and to see a black woman in that chair. They were voting on a proposal I had made for a hate crime ordinance and it passed unanimously. As we were leaving, a Councilman came up to me that I had never met. He bent down and told my daughter "you should be proud of your father because he just made a lot of people safe."

I brought my daughter to this meeting last month hoping to show her how government works. I was hoping to show her that she won't have to march and protest like her father because government works. You stole and robbed that from her when you done what you done. You allowed your ego to overshadow this body. I just want you to know that. It was shameful. It put me in a position to address this Council in a way that I did not want to address you. I want to

apologize to this Council for how I addressed this Council, but it was forced upon me.

To Mr. Black, there were several individuals that gave their time to a former Mayor. He was very- spoke highly of you. He said several times that you voted to hire a black City Manager and you were patting yourself on the back. In fact, this whole chamber probably was. But I am here to say to the Mayor and Mr. Black, how dare you? How dare you say you hired him because he is black? I think you hired him because he was the best man for the job. Don't pat yourself on the back for hiring him because he is black, pat yourself on the back for hiring the best person for the job. You have not overcome. It is alright to have a black City Manager, but until you get a black Mayor, then you can pat yourself on the back. Until you get rid of the systemic racism, that will not happen.

Mr. Black, when you put racist things on your Facebook page you think it is ok. When your friends make racist comments that you laugh at, just know that this affects the community. It affects black people as a whole. I know you think, and you do, have the right, I shouldn't say right, the Constitution gives you freedom of speech, but with that comes responsibility when you are an elected official. It is one thing when people go out and say things that hurt other people's feelings, but it is another thing when elected officials do. Even in my position as someone on TV and an activist, I know my words carry consequences, so I do my best to tame them. I am very vocal, but I tame them. I don't use language like riots, I don't use language like burn something down. I know there is one young person that pays attention to what I say and might do something. So, when you put racist things on your page, that uplifts the racist people in the community. Because you put that on your page, you may not be a racist, but the racists believe that you are. That is what the problem is.

There was a vote last month on a mask ordinance. Some voted up and some voted it down. When it came to Mr. Black's vote, I had to think about it. Was he voting against it because he knows the Covid virus affects people of color more? Any time he makes a vote we have to wonder if he is doing it in the best interest of the community or to hurt the black community. That is why he needs to resign.

Minister Clarence Thornton: I reside at 114 Darby Street in Greenville. I would like to ask as a minister that Dale Black resign because deep down, we know it is the right thing to do. Mauldin has a race problem. Don't let Mauldin be like Selma. Somewhere down the line we have to address the race problem. Racists need power, money, and law to exist. No racist can hurt you if they don't have power, money, or the law. When they first started holding us back as a people, they implemented laws that would keep us back. Al Sharpton said it is laws to keep the knee on our neck. Racists need money. They have position. I remember not too long-ago Bruce had a protest downtown about the monument and the racists that wanted to carry confederate flags. They brought assault rifles to a peaceful protest. I remember Dylan Roof who took a 9 mm and killed 9 people.

that same confederate flag- look at the lynchings, murders, and rape that have happened.

Mr. Black's words have consequences. The Bible talks about choices. When God asked Moses to speak to the rock and Moses got mad and he hit the rock. God forgave him but Moses was not allowed to enter the promised land because actions have consequences. What we are saying now is there are consequences for your actions. Your neighborhoods no longer have trust in you. It was racist. The whole Council meeting last session was racist.

I remember when we were fighting for the Martin Luther King holiday and Jesse Jackson came to speak. Greenville County Council did the same thing. Their racist friends came together, and they wouldn't allow Jesse Jackson to speak. This Council did the same thing. The same way they did Martin Luther King holiday, they got a MLK holiday. I want to let you know the games that you play, you are playing with God. You have God's men out here now. You don't just have anybody; you have God's people. This is a rebuke on God. It is a rebuke on God. You have made a mockery of God's men. Made a mockery of God's servant. I have never seen anything like it in my life. We talk about God but make a mockery of Bruce and the ministers. Not let them speak. Have you no shame? The power of life and death is in the tongue. Words have consequences.

Mauldin is setting itself up to be the next Birmingham and the next Selma. As Jesse Jackson said so eloquently, "we will not give up, we will not give out, nor we will not give in." John Lewis said good trouble. When our leaders make racist comments that hurts and tears down the community. If we can't trust you, how can we trust the laws and decisions you make? I thank you for some of the things you did do, but what happened last time will not be repeated. I can't make you love me. Darkness can't cast out darkness, only light can do that. Hate can't cast out hate, only love can do that. Thank you and have a God blessed evening.

Alyssa Karr: I am AJ Karr. I am a student at Mauldin High School. I am the youth that resides within our County. I am incredibly disappointed in our City's government. It is disgusting. At the last meeting, everyone gave their minutes to the former Mayor. You passed Bruce Wilson because he had spoken before as if that matters at all. Our voices will be heard. The old Mayor wasted so much time that he even played a song into the mic. Is that public concern to play a song in the mic? That is disgusting. There is no room for that in here. As a student at Mauldin High School, I have tried to increase safety at the high school. I am aware of public things, and to see this in my city is disgusting.

I was sad to see Bruce's daughter. She was sad to see her father get skipped. She is not here this week, but I am a daughter, and I am here to stand in the gap as a white girl for his beautiful black daughter. I sat here and did not say

anything. My silence is complicity. Just like every Councilman here. Your silence is complicity. You are allowing yourself to have a racist in our Council that does not stand for any of us. The old Mayor wasted so much time. You allowed everyone to have five minutes, but of course when we want our time, and when we find out we could have donated our minutes, it gets removed. You want to silence our voices and it is clear you do not want to hear our voices. There will be no change until we see people of color who are able to be on our Council and in our government. There will be no peace until there is justice. I would like to ask the Mayor and Council to please do better and hold your people accountable. And Dale Black, you should not be on Council. You don't speak for Mauldin, no one in Mauldin, the youth in Mauldin. We are all disgusted to see that you allow this to go on. I would like to ask you all to do better and to please wear your masks properly. Thank you and black lives matter.

Gracie Karr: I live at 303 Keenan Orchard Drive. I was born here and grew up here. I was here to defer my minutes, but I guess that is not allowed. I think you should be ashamed of yourselves for making that the rule here after the showcase last meeting. We will be here at the next meeting and until Dale Black holds himself accountable and steps down. That's all I have to say. I was here to defer my minutes, but you changed the rules and have shown your true colors. You have no desire or intention to hear our voices. You are looking at me and acting like you are actively listening. I really hope to see the change coming. Your apology means nothing. Doesn't matter if you didn't write the post. You re-shared it. You need to hold yourself accountable. You have people that you are no longer capable of representing. We don't want to hear your opinions and voice. You won't hold yourself accountable and step down. We don't want to hear it. That's all I have to say.

5. Report from City Administrator- Mr. Madden reported that due to a scrivener's error, there are 27 homes in Indigo Pointe that will be invoiced for the pump station fee directly from the City.

Pat Pomeroy sent a report from the chamber. The train show will be rescheduled but will still be held around the first of next year.

Congressmen Timmons and Duncan will hold a Zoom grassroots meeting. More information will be sent out on that.

6. Reports from Standing Committees

- g. Finance and Policy (Chairman Reynolds)- Chairman Reynolds reported previous fiscal year numbers should be out around the first of September
- h. Public Safety (Chairwoman King)- Chairwoman King thanked the police and fire departments for their work
- i. Public Works (Chairman Kraeling)- Chairman Kraeling said he is very impressed by our PW Department

- j. Economic Planning and Development (Chairman Matney)- None
- k. Building Codes (Chairwoman Kuzniar)- Chairwoman Kuzniar thanked BDS. She is getting comments that the staff is very friendly.
- l. Recreation (Chairman Black)- None

Councilwoman King made a motion to suspend the rules to move items 8k and 8l to the front. Councilman Kraeling seconded the motion and the vote was unanimous (7-0).

Action: Mayor Merritt made a motion to consider these two items informally.

Vote: Councilwoman King seconded the motion and the vote was unanimous (7-0).

Action: Bart Cumalander was appointed Recreation Director with a vote from Chairman Black and a second by Councilman Matney.

Vote: The vote was unanimous (7-0).

Action : Brian McHone was appointed Fire Chief Director with a vote from Chairwoman King and a second by Councilman Matney.

Vote: The vote was unanimous (7-0).

7. Unfinished Business

Ordinances - Second Reading

- a. Consideration and Action on an Ordinance to Amend Article 10 of the City of Mauldin Zoning Ordinance by Establishing Special Standards and Definitions for Small Box Variety Stores and Like Businesses and to Establish the Zoning Districts for Which They Can Locate Diane Kuzniar, Chair of Building Codes

Chairwoman Kuzniar reported the ordinance lists "small box variety stores" as a conditional use in the City's commercial districts including CRD, C-1, and C-2. The main conditional standard that applies is a dispersal requirement that no small box variety store shall be located within one mile of any other small box variety store inside or outside the City limits of Mauldin.

Action: Chairwoman Kuzniar made a motion to accept this ordinance on final reading. Councilman Matney seconded the motion.

Vote: The vote was unanimous (7-0).

8. New Business

Ordinances – First Reading

- a. An ordinance to provide for the annexation of property owned by Access 100, LLC, and located along Old Laurens Road by one hundred percent petition method; and to establish a zoning classification of I-1, Industrial, for said property (Building Codes)
- Diane Kuzniar, Chair
of Building Codes
Committee

The City of Mauldin has received a signed petition requesting the annexation of a tract of land pursuant to South Carolina Code of Laws Section 5-3-150. This petition includes approximately 0.45 acres owned by Access 100, LLC, and is located along Old Laurens Road. The applicant has requested that this tract be zoned I-1, Industrial, upon annexation into the City of Mauldin. The applicant has already begun construction of the Access Point Business Park on 53 acres adjacent to this site. The applicant recently acquired this 0.45-acre tract to add to this existing project site.

This property is currently undeveloped. However, the adjacent 53-acre tract in the City of Mauldin is currently being developed for the Access Point Business Park. Phase 1 and Phase 2, which include a 156,000-square foot building and a 158,760-square foot building, respectively, are currently under way. Phase 3 will include a 284,580-square foot building.

Action: Chairwoman Kuzniar made a motion to accept this ordinance on first reading. Councilman Black seconded the motion.

Vote: The vote was unanimous (7-0).

Standing Committee Items

- b. Stormwater Policy
- Jason Kraeling, Chair
of PW Committee

Action: Chairman Kraeling made a motion to pass this policy with Councilman Reynolds seconding.

Vote: The vote was unanimous (7-0).

- c. City Center Shelter Rental Price
- Dale Black, Chair of
Rec Committee

Per its current policy, the City charges \$50 per three-hour block for rental of the park shelters. Given that the shelter along City Center Dr. has a restroom attached to it, increasing the cost of renting the shelter is prudent. For example, Greenville Parks and Recreation on average charges \$100 for a half day rental of shelters with bathrooms attached to it. Greenville Parks and Recreation also states that any facility permit does not give exclusive use of the entire park/facility. Mauldin Recreation recommends a rental fee of \$100 for the rental of the shelter along City Center Dr., which is attached to a restroom. The shelter has two playground areas within six feet. Reserving the City Center Shelter does not give the renter(s) exclusive rights to the playground during their rental period.

Action: Chairman Kraeling made a motion to pass this item with Councilwoman Kuzniar seconding. Councilman Reynolds asked that we look at ways to rent the shelters via internet.

Vote: The vote was unanimous (7-0).

- d. Approval of Resolution for Master Lease Michael Reynolds, Chair of
Finance Committee

Chairman Reynolds said this lease would not exceed \$707,000 and is relating to the financing of vehicles and equipment to be used for municipal purposes.

Action: Chairman Reynolds made a motion to pass this resolution with Councilwoman King seconding.

Vote: The vote was unanimous (7-0).

- e. Audio-Visual System Upgrades for Council Michael Reynolds, Chair of
Finance Committee
Chambers-

City Council is requested to recommend awarding the bid to WH Platt for audio-visual upgrades not to exceed \$120,000. Anything over \$120,000 would come back to committee. Chairman Reynolds asked about electronic voting and Zoom integration and would like to see those included in the upgrades. Chairman Reynolds also asked that Judicial look at what will be installed as well

to make sure it fits their needs. Mayor Merritt asked if both vendors visited the courtroom. Chairman Reynolds said Fusion did, Platt did not.

Mayor Merritt said he has misgivings about the differences in the quotes. Councilman Black said the maintenance fees were different between the two vendors after the warranty period ran out.

Action: Chairman Reynolds made a motion to pass this item with Councilwoman King seconding.

Vote: The vote was unanimous (7-0).

- f. Mutual Aid Agreement and Contract with Carol King, Chair of Public
Clemson Safety Committee

Historically, Mauldin Police Department has been asked by Clemson University assist with events such as football games. This time they have come to us with a new, updated mutual aid agreement as well.

Action: Chairwoman King made a motion to pass this item with Councilman Black seconding.

Vote: The vote was unanimous (7-0).

- g. Police K9 purchase- Carol King, Chair of Public
Safety Committee

Our 14-year-old canine, Paco, will be retiring. We will need a to purchase new K9 in the amount of not to exceed \$8500 from Shallow Creek Kennels,

Mayor Merritt said Paco is home and well with Lt. George Miller.

Action: Chairwoman King made a motion to pass this item with Councilman Reynolds seconding.

Vote: The vote was unanimous (7-0).

- h. Approval of Memorandum of Agreement for Carol King, Chair of Public
of Juveniles (Public Safety)- Safety Committee

This is a renewal of an agreement with the Department of Juvenile Justice. The terms are the same except for the per-day rate may have changed. This is a standard practice.

Action: Chairwoman King made a motion to pass this item with Councilman Black seconding.

Vote: The vote was unanimous (7-0).

- i. Consideration of a Contractual Matter Carol King, Chair of Public Safety Committee

This will authorize the City Administrator to enter into a contract for the purchase of approximately 2.23 acres on Plant Street for the purpose of a new Fire Headquarters.

Action: Chairwoman King made a motion to pass this item with Councilman Matney seconding.

Vote: The vote was unanimous (7-0).

- j. Election of Mayor Pro Tempore Mayor Terry Merritt

Mayor Merritt made a motion to consider this item informally. Councilman Matney seconded the motion. The vote was unanimous (7-0).

Action: Councilman Matney nominated Councilman Reynolds
Councilman Kraeling nominated Councilwoman Kuzniar

Vote: After the votes were cast, Councilwoman Kuzniar was elected Mayor Pro Tempore

- k. Consideration of a personnel matter involving the Recreation Department (Committee of the Whole)- Completed earlier in the meeting Mayor Terry Merritt

- l. Consideration of a personnel matter involving the Fire Department (Committee of the Whole)- Completed earlier in the meeting Mayor Terry Merritt

- 9. **Public Comment-** Combined with earlier public comment Mayor Terry Merritt

10. Council requests

Councilman Matney said he was out this weekend and was stopped by someone who reminded him that there are a lot of new subdivisions under construction here and new residents. Some of them may not know what our guidelines for sanitation pickup may be. He would like flyers added to roll carts instructing residents on our guidelines.

Councilman Reynolds mentioned the condition of the concrete in front of the Miller Road Fire Station. It may need to be addressed. Mayor Merritt said the lady who lives behind that same fire department mentioned that the berm needs to be maintained.

11. **Adjournment-** Mayor Merritt adjourned the meeting at 8:45 p.m.

Respectfully Submitted,
Cindy Miller
Municipal Clerk

CITY COUNCIL

AGENDA ITEM

MEETING DATE: September 21, 2020

AGENDA ITEM: 7a

TO: City Council

FROM: Business & Development Services Director, David C. Dyrhaug

SUBJECT: Annexation of Access 100 Property at Old Laurens Road
*** **FIRST READING** ***

OWNER(S):	Access 100, LLC
TAX MAP NUMBER(S):	Part of 0294.00-01-017.00
LOCATION:	At Old Laurens Road
CURRENT ZONING:	R-12 (County)
REQUESTED ZONING:	I-1, Industrial
SIZE OF PROPERTY:	Approx. 0.45 acres
CONTIGUITY:	This tract is directly adjacent to the Access Point Business Park located on Old Laurens Road that was annexed into the City of Mauldin on October 21, 2019

REQUEST

The City of Mauldin has received a signed petition requesting the annexation of a tract of land pursuant to South Carolina Code of Laws Section 5-3-150. This petition includes approximately 0.45 acres owned by Access 100, LLC, and is located along Old Laurens Road.

The applicant has requested that this tract be zoned I-1, Industrial, upon annexation into the City of Mauldin. The applicant has already begun construction of the Access Point Business Park on 53 acres adjacent to this site. The applicant recently acquired this 0.45-acre tract to add to this existing project site.

HISTORY/BACKGROUND

This property is currently undeveloped. However, the adjacent 53-acre tract in the City of Mauldin is currently being developed for the Access Point Business Park. Phase 1 and Phase 2, which include a 156,000-square foot building and a 158,760-square foot

building, respectively, are currently under way. Phase 3 will include a 284,580-square foot building.

UTILITIES AND SERVICES

All utilities are available including water and sewer. This tract is currently located in in the Simpsonville Fire Service Area. This tract will be served by the Mauldin Fire Department upon annexation.

PLANNING AND ZONING

About the I-1 District

The I-1 district is established to provide for manufacturing, assembly, and warehousing activities. This district includes regulations and standards intended to protect neighboring land uses from potentially harmful noise, odor, smoke, dust, glare, stream pollution, or other objectionable effects.

Comprehensive Plan Analysis

The Future Land Use Map for this tract calls for an employment center consisting of service and industrial businesses. The I-1 zoning district supports this designation in the Comprehensive Plan.

Surrounding Development/Zoning

These properties are surrounded by the following zoning and land uses:

Direction	Zoning District(s)	Existing Use(s)
North	I-1 (City)	Access Point Business Park (under construction)
South	I-1 (County)	Industrial (Moving & Storage, CUI)
East	R-12 (County)	Dalewood Heights subdivision
West	I-1 (City)	Access Point Industrial Park (under construction)

TIMELINE

In July 2020, staff received the signed petition for the annexation of this tract. On August 3, 2020, the Building Codes Committee forwarded this annexation to City Council with a recommendation to approve.

FISCAL IMPACT

The annexation of this tract is not expected to result in any fiscal impact to the City except as far as it aids the Access Point Business Park construction project. The Access Point Business Park will result in a net financial benefit to the City of Mauldin stemming from the collection of commercial property taxes and annual business license fees.

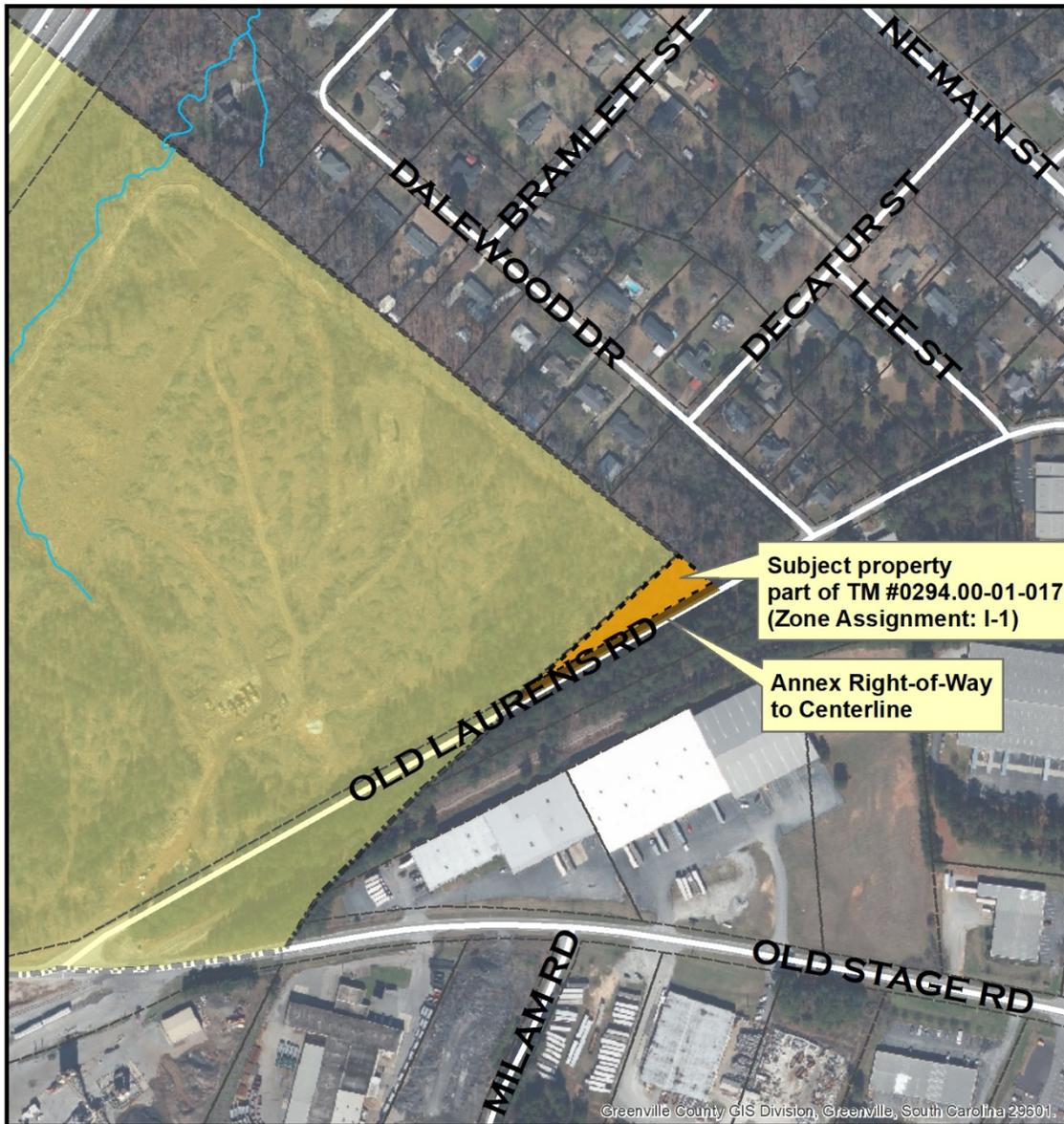
RECOMMENDATION

Consider second reading of the ordinance to annex this property.

ATTACHMENTS

Annexation Ordinance (maps and petitions attached therein)

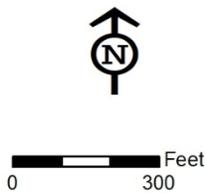
Access 100 Property Annexation Map



Legend

Annexation

-  Subject Property
-  Right-of-Way
-  Mauldin City Limits



Created on July 28, 2020

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AN ORDINANCE TO PROVIDE FOR THE ANNEXATION OF PROPERTY OWNED BY ACCESS 100, LLC, AND LOCATED ALONG OLD LAURENS ROAD (PART OF TAX MAP PARCEL: 0294.00-01-017.00) BY ONE HUNDRED PERCENT PETITION METHOD; AND TO ESTABLISH A ZONING CLASSIFICATION OF I-1, INDUSTRIAL, FOR SAID PROPERTY

WHEREAS, Access 100, LLC, is the sole owners of record title of a parcel of real property containing 0.45 acres, more or less, located along Old Laurens Road, which property is contiguous to the City of Mauldin and is more particularly illustrated in Exhibit 1 attached hereto; and,

WHEREAS, an Annexation Petition, attached hereto as Exhibit 2, has been filed with the City of Mauldin by Access 100, LLC, requesting that the aforementioned property be annexed into the City of Mauldin; and,

WHEREAS, the property to be annexed is contiguous to the City of Mauldin, and is more particularly depicted in Exhibit 1 attached hereto; and,

WHEREAS, Access 100, LLC, constitutes one hundred (100%) percent of freeholders owning one hundred (100%) of the real property depicted in Exhibit 1 attached hereto; and,

WHEREAS, the proposed zoning of I-1, Industrial, is compatible with the surrounding property uses in the area; and,

WHEREAS, the Mayor and Council conclude that the annexation is in the best interest of the property owner and the City;

NOW, THEREFORE, be it ordained by the Mayor and Council of the City of Mauldin that:

1. ANNEXATION: The real property owned by Access 100, LLC, and more particularly depicted in the map attached hereto marked as Exhibit 1, is hereby annexed into the corporate city limits of the City of Mauldin effective immediately upon second reading of this ordinance.

2. ANNEXATION OF A PORTION OF ADJACENT RIGHTS-OF-WAY: All of that portion of Old Laurens Road along the edge of and adjoined to the annexed property shown on the attached Exhibit to the centerline of the afore-mentioned right-of-way is also hereby annexed into the corporate limits of the City of Mauldin effective immediately upon second reading of this ordinance.

3. ZONING ASSIGNMENT: The above referenced property owned is hereby zoned I-1, Industrial.

Terry Merritt, Mayor

ATTEST:

Cindy Miller, Municipal Clerk

First Reading: _____

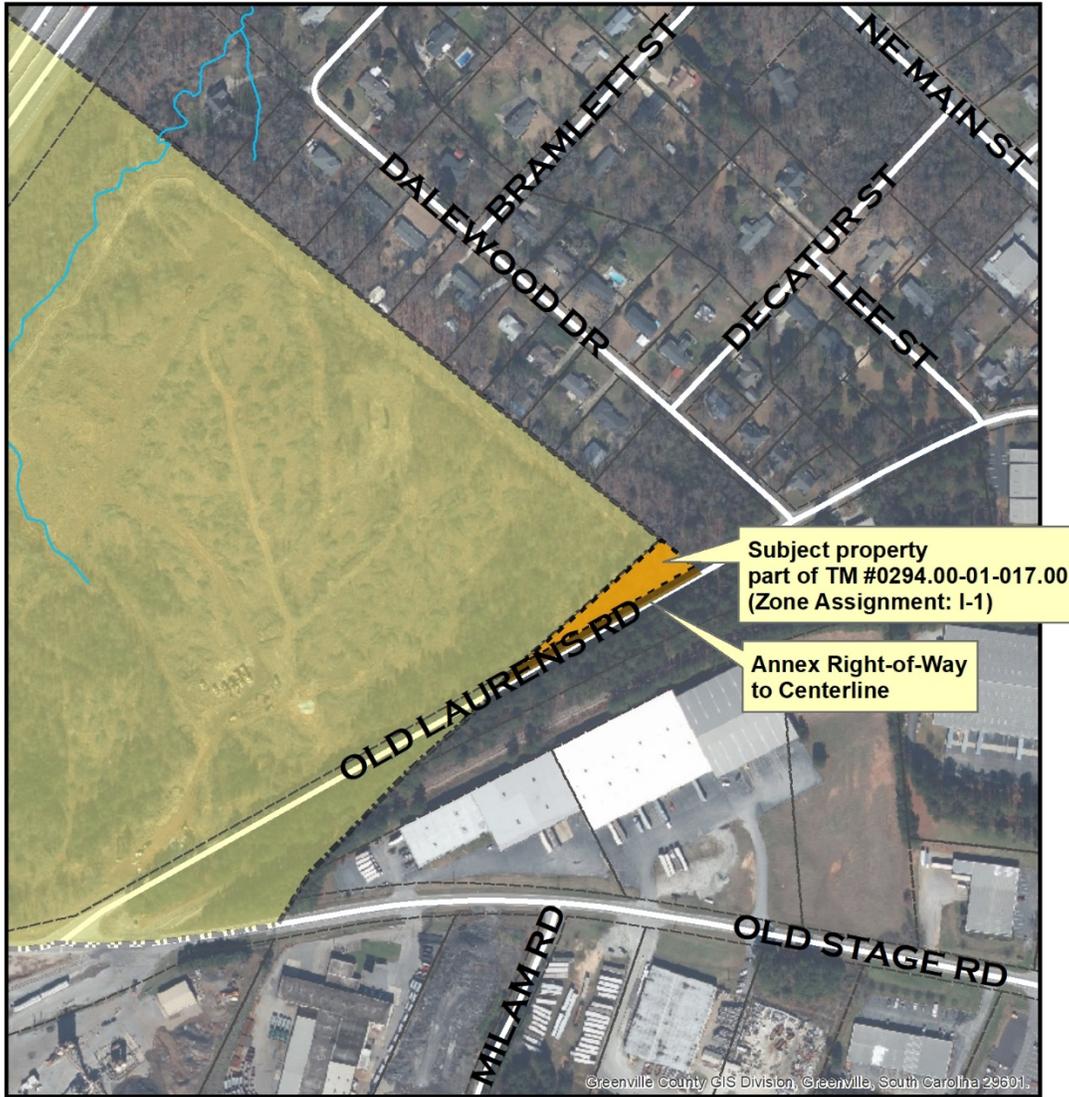
Second Reading: _____

Approved as to Form:

City Attorney

EXHIBIT 1 – ANNEXATION MAP

Access 100 Property Annexation Map



Greenville County GIS Division, Greenville, South Carolina 29601

Legend

Annexation

-  Subject Property
-  Right-of-Way
-  Mauldin City Limits



0 300 Feet

Created on July 28, 2020

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EXHIBIT 2 – PETITION

PETITION FOR ANNEXATION OF A PORTION OF REAL PROPERTY OWNED BY ACCESS 100 LLC, AND LOCATED ALONG OLD LAURENS ROAD INTO THE CITY OF MAULDIN BY ONE HUNDRED PERCENT (100%) METHOD

Petitioner, Access 100, LLC, is the sole owner [freeholder owning one hundred (100%) percent of the assessed value of real property in the area proposed to be annexed] of a portion of a parcel of real property in Greenville County containing approximately 0.45 acres, more particularly described in the property description attached hereto marked as Exhibit A, and the Property Map attached hereto marked as Exhibit B.

Petitioner hereby petitions to annex a portion of their property consisting of 0.45 acres, which is contiguous to the City of Mauldin, into the corporate limits of the City of Mauldin. Petitioner also hereby petitions to assign their property the zoning classification of I-1, Industrial, as depicted in Exhibit C attached hereto, on the Official Zoning Map of the City of Mauldin.

This Petition is submitted to the City of Mauldin pursuant to the provisions of S.C. Code §5-3-150(3) authorizing the City Council to annex an area by the one hundred percent (100%) method.

This Petition is dated this 7th day of July, 2020 before the first signature below is attached.

The Petitioner requests that the portion of the tract described above and shown on the attached Exhibit A be annexed into the corporate city limits of the City of Mauldin and assign the tracts the zoning classification of I-1, Industrial, as depicted in Exhibit C attached hereto.

Date July 7, 2020

ACCESS 100, LLC

The undersigned represents that he/she has authority to bind this entity to this petition, and no other signatures are needed.

By: [Signature]
Name: B. Jackson Hughes, Jr.
Title: Manager

[Signature] Witness
[Signature] Witness

EXHIBIT A

PROPERTY DESCRIPTION

All that certain piece, parcel or lot of land in Greenville County, South Carolina, on Old Laurens Road, being shown and designated as Pt. Lot 75, Dalewood Heights Subdivision on Survey prepared by 3D Land Surveying on 5/15/2020 for Access 100, LLC.

part of TAX MAP #0294.00-01-017.00

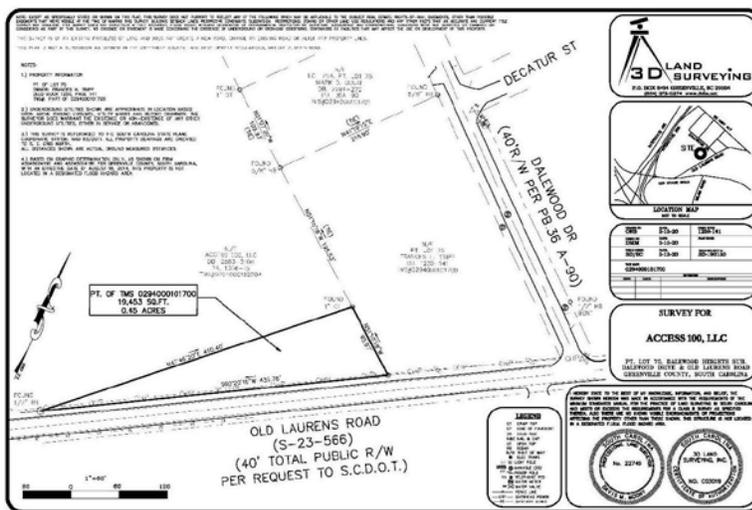


EXHIBIT B

PROPERTY MAP



Legend

-  Subject Property
-  Mauldin City Limits



Created on June 30, 2020

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EXHIBIT C

ZONING MAP



Legend

 Subject Property



Created on June 30, 2020

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CITY COUNCIL AGENDA ITEM

MEETING DATE: September 21, 2020

AGENDA ITEM: 8a

TO: City Council

FROM: Public Works Director, Matthew Fleahman

SUBJECT: Tire Amnesty

REQUEST

To request that the Public Works Committee and City Council adopt a Tire Amnesty program for the scheduled pick up of old tires.

HISTORY/BACKGROUND

The City of Mauldin Public Works Department through its Sanitation Division has provided a disposal program for used/old tires. The current procedure is to pick up the tires and stockpile them at the Jenkins Facility until a full load of tires exists. Landfill requirements mandate that tires be separated from municipal waste and disposed of in a separate portion of the landfill. Additional requirements have included the licensure of the City as a "Waste Tire Hauler," and paperwork to include manifests for each tire.

ANALYSIS or STAFF FINDINGS

In preparation for the closure of the Jenkins Street Facility, Public Works has been hauling off trash, brush, soil stockpiles, and an assortment of other junk stationed around the facility. Old and damaged equipment has been removed and the back side of the tract has been cleaned up. The continued stockpiling of tires on the tract is no longer a viable option.

The Public Works facility does not have additional storage space for tire storage; however, Public Works does not want to diminish or reduce services to City Residents. If a Tire Amnesty program is implemented with two pick-up dates (first Friday in April and October), Public Works could collect all the tires City-wide and transport them directly to the landfill without stockpiling.

TIMELINE

If approved, the program would begin immediately.

RECOMMENDATION

Public Works recommends implementing the program and including the schedule on the door hangers proposed for the Sanitation Education Program. A social media blitz and placement of information on our website is also recommended.

CITY COUNCIL AGENDA ITEM

MEETING DATE: September 21, 2020

AGENDA ITEM: 8b

TO: City Council

FROM: Public Works Director, Matthew Fleahman

SUBJECT: Vegetation Management Procedure

REQUEST

To request that the Public Works Committee and City Council adopt the attached Vegetation Management Procedure for the maintenance and management of the vegetative canopy within the City's municipal boundaries.

HISTORY/BACKGROUND

Vegetation management is codified in City Ordinance Chapter 42 and provides a basic framework for the Department's activities as it relates to City owned property. Additionally, City Ordinance Chapter 42 Article II establishes a Tree Board which has the authority to make recommendations for the maintenance of vegetation on City owned property. While the Ordinances do set up a basic framework, a more comprehensive policy and procedure is needed ensure that the requirements of the Ordinances are satisfied.

ANALYSIS or STAFF FINDINGS

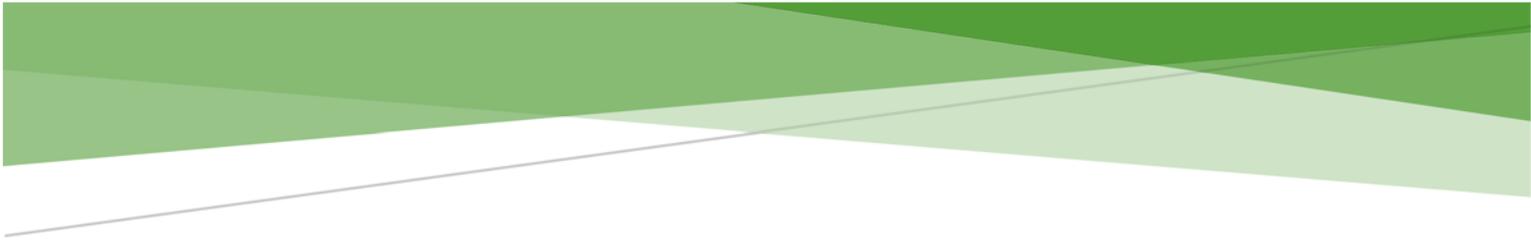
The Public Works Department has drafted the attached Vegetation Management Procedure to identify policies and procedures for staff working on City owned property. The procedure manual includes the requirements of the City Ordinances and identifies the processes to accomplish City-wide canopy maintenance. Additionally, the attached Vegetation Management Procedure provides more detail on specific aspects of canopy maintenance to ensure a consistent effort by City staff.

TIMELINE

Public Works intends to implement the procedure manual immediately upon adoption by Council.

RECOMMENDATION

Public Works recommends adoption of the attached Vegetation Management Procedure.



CITY OF MAULDIN GOVERNMENT

Procedure Manual

Vegetation Management

Public Works Department

1.0 PURPOSE STATEMENT

To maintain, preserve and enhance the urban forest within the City of Mauldin. To increase the overall tree canopy, tree health and tree longevity within the City's municipal boundaries and to ensure that City owned/maintained trees are managed in a manner that is consistent with other departmental and municipal policies.

2.0 DEPARTMENTS AFFECTED

- 2.1 Facilities Division
- 2.2 Streets Division
- 2.3 Sewer Division
- 2.4 Division of Parks and Grounds
- 2.5 City of Mauldin Fire Department

3.0 DEFINITIONS

- 3.1 **City Property** is any property that is owned or managed by the City of Mauldin.
- 3.2 **Vegetation Management Plan** is a plan for the long-term restoration, renovation and care of the vegetation within the boundaries of a particular site. A complete plan must include the following:
 - Site inventory and assessment of the area including a site map that illustrates existing topography and vegetation, as well as locating other pertinent natural resources and constructed features.
 - Trees proposed for removal and or pruning must be specifically designated.
 - Specific planting design showing species, size and location and any necessary erosion control/slope stabilization methods.
 - Public involvement plan, if applicable, in compliance with the City of Mauldin Policies and Procedures.
 - Maintenance plan that includes tasks, frequencies and resources. These may include watering, weeding, mulching, and pruning, etc.
- 3.3 **Developed landscape** is City Property that has been graded and/or planted and contains plantings that are distinct from typical native forest. These landscapes are routinely maintained by City staff for active and/or passive recreational use by the public. Developed landscapes may include, but are not limited to: lawns, athletic fields, street right-of-ways, play areas, easements, and sewer right-of-ways.
- 3.4 **Undeveloped landscape** is City Property that contains native or volunteer (self-propagated) plants and is not intended for recreational use except along designated trails. Undeveloped landscapes are usually not as intensively maintained as developed landscapes.
- 3.5 **Hazardous Tree** is a tree that can be predicted to fail and has a high probability of striking people or property causing injury or damage.
- 3.6 **Tree failure** is the breaking and falling of a tree or any substantial part of a tree. This does not include falling leaves or fruit.

- 3.7 **Crown cleaning** is the removal of the dead, dying, diseased, crowded, weakly attached and low-vigor branches.
- 3.8 **Crown thinning** is the selective removal of branches to increase light penetration and air movement, and to reduce weight.
- 3.9 **Crown restoration** is pruning to improve the structure and appearance of trees which have sprouted vigorously after the upper portion of the tree canopy has been broken, topped or severely pruned.
- 3.10 **Topping** is the removal of the terminal shoot of a tree to a stub or lateral branch that is not sufficiently large enough to assume a terminal role or cannot be expected to achieve wound closure to inhibit decay
- 3.11 **Phase of work** is a specific work activity (clearing, removal, installation, planting, maintenance, etc.) on a specific part of the project site as delineated on the permit documents and/or an appropriately scaled map.
- 3.12 **Invasive exotic vegetation** consists of species of plants that are not native to the upstate of South Carolina and exhibit aggressive growth to the exclusion of native or planted landscapes.
- 3.13 **Foliar coverage** is the percentage of the ground surface area with leaf or stem cover vertically above it, measured at a resolution of 1-foot square or finer.
- 3.14 **Mature canopy volume** is the estimated area of foliar coverage (area inside the “dripline”) that can be expected from a mature tree of a given species in a particular setting multiplied by the mature height that can be expected from that same tree in the same setting.

4.0 POLICY

- 4.1 **Criteria for Tree and Vegetation Work:** Specific criteria will be established and applied to the removal and/or pruning of trees, shrubs and/or vegetation located in or on City Property (see Section 6.5). The criteria will be used to evaluate the overall public benefit of the proposed work. In all cases, safety concerns will receive the highest priority. Priority will be given to limiting removal, increasing forest canopy, and preserving appropriate vegetation on City Property.
- 4.2 **Hazardous Tree Management:** Public health, safety and general welfare will be maintained through the use of generally accepted professional practices of evaluation and treatment to reduce risks to people and property from hazardous trees. Attention to proper selection, planting and maintenance of new trees will also be pursued to achieve long-term risk reduction. Refer to Section 8 for management criteria.
- 4.3 **Pruning Standards:** The latest pruning standards established by the International Society of Arboriculture will be used in the maintenance of City Property vegetation.
- 4.4 **Topping Disallowed:** Because “topping” of trees can cause permanent damage by promoting decay, as well as unnatural, dense and weak branching structure, topping will not be practiced or permitted except under special circumstances.

- 4.5 **Tree Retention and Protection during Construction:** Healthy trees on construction sites will be conserved wherever possible. Trees designated for retention will be protected from construction impacts according to Standard Plans and Specifications and Landscape, Horticulture and Urban Forestry Best Management Practices. Planning for construction projects near trees will include resources for arboricultural services in design and construction phases.
- 4.6 **Tree Protection:** The health and physical state of City trees will be maintained and protected whenever possible. Instances not specifically covered elsewhere in this policy include:
- 4.6.1 **Conservation of Rare Specimens:** Individual trees that are considered rare because of size, species or historical significance will be given extra protections and consideration for retention.
- 4.6.2 **Existing Trees That Are Being Impacted by Surrounding Land Uses:** A good faith effort will be made to consider options for changing park use patterns that are damaging trees. Examples: cars parking on tree lawns may be subject to an education and/or enforcement campaign to reverse the damage to the tree roots; pathways causing excessive compaction around tree roots may be relocated if other options are deemed insufficient.
- 4.6.3 **Diseased or Infested Plants That Pose Risk to Trees:** Whenever possible, action will be taken to effectively decrease risk to other trees from pests and diseases. This may include removal and destruction of affected materials, pesticide treatments and/or alternative cultural practices. Other knowledgeable agencies (South Carolina Department of Agriculture) will be consulted as needed.
- 4.6.4 **Damage, Vandalism and Illegal Cutting:** Whenever possible, action will be taken to investigate and prosecute vandalism and illegal cutting of City-owned trees.
- 4.7 **Tree Replacement:** At least one tree will be planted for every tree that is removed from City Property. Replacement tree species will be selected so that overall mature canopy volume will be maintained or increased. It is preferable to plant the replacement tree in close proximity to the original tree's location. Alternately, the replacement tree may be located elsewhere, and this is preferable if local conditions contributed to the previous tree's failure. New locations should be found on the same site or in the same neighborhood at a location of similar or greater value.
- 4.8 **Viewpoints:** Views from designated public view parks and viewpoints will be preserved through maintenance and management of parks vegetation in front of or below the viewpoint.
- 4.9 **Work Order Requests:** Requests for pruning and/or removal of City trees and other vegetation by City of Mauldin residents or property owners will be considered. No trees will be removed solely for private views. Any work related to private views must achieve public benefit beyond the view relief as outlined in Sections 6.4 and 6.5. Requests will be reviewed by criteria established in Section 6. There is no guarantee that Work Order Requests will be approved.
- 4.10 **Vegetation Management Plan:** A Vegetation Management Plan will be required for a park or City area under certain circumstances. A Plan may be required by the City based on threshold criteria listed in Section 6.5. When a plan is required, it must be approved by the Public Works Director before any work may take place.

- 4.11 **Wildlife and Habitat:** Trees and forested areas are recognized as important habitat for native wildlife. Trees and undeveloped landscapes will be managed for wildlife habitat in accordance with best practices.
- 4.12 **Slope Stability:** The relationship of vegetation to slope stability will be a primary consideration in all proposed vegetation management on steep slopes (refer to Section 6.5.4).
- 4.13 **Phasing:** When appropriate, the Department will consider a phased approach to vegetation management actions in order to reduce potential short-term negative aesthetic and/or wildlife habitat impacts associated with such actions (refer to Section 6.5.11).

5.0 RESPONSIBILITY

5.1 General

The “responsible party” indicated below will conduct the required “review” by collecting relevant information and presenting it to other appropriate Department and City staff who have responsibilities for the area under consideration. The responsible party will include the Department's relevant geographic division and other City staff as appropriate in the decision-making process particularly with complex work where community or related interests must be considered.

5.2 Removal of Trees:

It will be the responsibility of the City Administrator and the Public Works Director to review and approve all action taken relevant to the removal of trees from all City properties.

5.2.1 It will be the responsibility of the Public Works Director or designated representative to post notices regarding the proposed removal for trees that are a prominent feature of the City landscape unless they are rated high hazards.

5.2.2 The removal of the tree stump shall be required once the tree is removed. Tree stumps shall only remain in place under the Direction of the Public Works Director if it has been determined to provide slope stabilization.

5.3 Pruning of Trees and Shrubs:

5.3.1 It will be the responsibility of the Division of Parks and Grounds Supervisor to review and approve all actions taken relevant to the pruning of trees and shrubs that require climbing and/or the use of an aerial bucket truck.

5.3.1 It will be the responsibility of the Division of Parks and Grounds Supervisor to review and approve all action taken relevant to the pruning of trees and shrubs that do not require climbing and/or the use of an aerial bucket truck.

5.4 Planting of Trees, Shrubs, and Other Vegetation:

5.4.1 It will be the responsibility of the Public Works Director or designated representative to review and approve proposed planting or replanting in undeveloped landscapes. If a Vegetation Management Plan is required, see Section 6.5.

- 5.4.2 When a plan or design is proposed, it will be the responsibility of the Landscape Architect designated for the specific site to review and approve all action taken relevant to the planting of trees, shrubs, and other vegetation in developed landscapes or in undeveloped landscapes adjacent to other public infrastructure. If a Vegetation Management Plan is required, see Section 5.11.
- 5.4.3 It will be the responsibility of the Division of Parks and Grounds Supervisor to review and approve all action taken relative to the planting of trees, shrubs, and other vegetation for routine replacement and renovation in developed landscape when there is no plan or design.
- 5.4.4 It will be the responsibility of the Public Works Director to decide if a Vegetation Management Plan will be required. See Section 6.5.
- 5.4.5 It will be the responsibility of the Public Works Director or designated representative to ensure that a proposed Vegetation Management Plan includes the proper elements and has been subject to the appropriate departmental and public review as well as the appropriate coordination with other affected agencies and property owners.
- 5.4.6 It will be the responsibility of the Division of Parks and Grounds Supervisor to approve all Vegetation Management Plans.

5.5 Construction around Trees:

- 5.5.1 It will be the responsibility of the Division of Parks and Grounds Supervisor or designated representative to review and approve all construction activities around existing trees in all City properties.
- 5.5.2 It will be the responsibility of the Project Manager or Construction Crew Chief to consult with the Division of Parks and Grounds Supervisor or a qualified arboricultural professional to assess the potential for tree preservation on a construction site during project planning.
- 5.5.3 It will be the responsibility of the Project Manager or Construction Crew Chief to consult with the Division of Parks and Grounds Supervisor or a qualified arboricultural professional to ensure standard tree protection practices and departmental Best Management Practices are properly utilized during construction activities.

5.6 Tree Protection:

- 5.6.1 It will be the responsibility of the Division of Parks and Grounds Supervisor to take actions to protect existing City trees that are at risk for damage, including the instances described in Section 4.6. It will be the responsibility of the Division of Parks and Grounds Supervisor or designated representative to determine what correction or compensation can be made for tree damage that has occurred.

6.0 CRITERIA FOR DEPARTMENTAL ACTION

- 6.1 Trees, shrubs, and vegetation that will be considered for **REMOVAL** will include:
- 6.1.1 Hazard trees which pose substantial risk to the residents, roadways, adjacent properties or park facilities.
 - 6.1.2 Trees, shrubs and vegetation which are dead, dying, or diseased.
 - 6.1.3 Trees, shrubs and vegetation which create visibility problems (sight line) near roadways, bikeways and service access areas and may contribute to unsafe conditions will be removed to a point where public safety is insured.
 - 6.1.4 Removal from properties being improved or developed under an approved design, but with prior consideration to retention given whenever possible (see Section 4.5).
 - 6.1.5 Trees shrubs, and vegetation that may interfere with a designated public viewpoint.
 - 6.1.6 Trees that block trails, drains or otherwise obstruct the use and function of City infrastructure elements.
 - 6.1.7 Trees on sites that were overplanted by design or are crowded from natural competition. As the landscape grows, the Division of Parks and Grounds Supervisor may selectively remove trees on a site to maintain spacing for optimal tree growth and function.
 - 6.1.8 Trees in undeveloped landscapes as part of forest management to create light gaps, snags or other restorative features.
 - 6.1.9 Requested removal by a City of Mauldin property owner. Certain requirements and criteria must be met in order to qualify for removal. See Section 6.4. Such requests do not obligate the Department to remove or allow removal of any trees, shrubs, and/or vegetation.
- 6.2 **REPLACEMENT PLANTINGS** will be undertaken to mitigate effects of vegetation removal and to reestablish the landscape and increase overall mature forest canopy. Vegetation Management Plans will be required under the conditions outlined in Section 4.10 and will be subject to the definitions of Sections 3.1 and the objectives of Section 6.5.
- 6.3 Trees, shrubs, and vegetation that will be considered for **PRUNING** will include:
- 6.3.1 City areas identified as places of illegal or inappropriate activity in order to improve general visibility and increased police surveillance.
 - 6.3.2 Dead, dying, and diseased sections to improve the health, and appearance of the tree and to prevent accidents.
 - 6.3.3 Removal of lower tree limbs to a height of 8 feet for pedestrian clearance and 14 feet for vehicular clearance on boulevards and parkways.
 - 6.3.4 General park pruning for clearance to prevent injuries and facilitate maintenance.
 - 6.3.5 Pruning for clearance around street and security lights.

- 6.3.6 Pruning by City Light Department and Metro Transit, subject to advance notice and assurance of least damage to aesthetic value.
 - 6.3.7 Pruning back for authorized passage on service roads, walkways and paths.
 - 6.3.8 Pruning for crown cleaning, crown thinning, and crown restoration.
 - 6.3.9 Pruning for public viewpoints as designated in Section 9.1.
 - 6.3.10 Requested pruning by a City of Mauldin property owner. Such requests do not obligate the Department to prune trees, shrubs, and/or vegetation. See Section 6.4.
- 6.4 **WORK ORDER REQUESTS:** Consideration will be given to requests made by a City of Mauldin property owner for pruning, and/or removal, of trees, shrubs, and vegetation on City Property including, but not limited to, open space, undeveloped landscapes, easements, and right-of-ways. Such requests will be reviewed by the Public Works Director. Overall public benefit of the proposed work will be evaluated by the Senior Urban Forester, including, but not limited to the following criteria:
- 6.4.1 The purpose for which the property was acquired by the City.
 - 6.4.2 Historical background of the property.
 - 6.4.3 Current use and function of the property.
 - 6.4.4 Proximity to overhead power lines and other utilities.
 - 6.4.5 The condition, value, type and amount of the vegetation.
 - 6.4.6 The aesthetic and biological impacts of pruning or removal on the vegetation.
 - 6.4.7 The potential for replacement with more desirable vegetation.
 - 6.4.8 The potential impacts on Department's maintenance workload.
 - 6.4.9 The potential impacts on the aesthetic quality of the surrounding area.
 - 6.4.10 The potential impacts on the symmetry of the street, boulevard, or way.
 - 6.4.11 Potential environmental impacts on soils, slope stability, water quality, native wildlife, and wind exposure.
 - 6.4.12 Consistency with the standards of Environmentally Critical Areas policies and regulations.
 - 6.4.13 Special consideration for native vegetation in undeveloped landscapes.
 - 6.4.14 Special consideration for unique varieties, vegetation of great age, rare vegetation, or vegetation of horticultural or historical significance.
 - 6.4.15 The potential increase to overall forest canopy.

6.5 **VEGETATION MANAGEMENT:** Vegetation Management Plans will be required for certain projects if they modify the existing vegetation already established on City of Mauldin property and are completed by non-City personnel. Proposed Vegetation Management Plans will be evaluated for public process and content to achieve the following performance criteria and management objectives. Not all items will be applicable for all situations.

6.5.1 Threshold Criteria

- Compliance with Departmental Policy: Does the scope of work comply with departmental policy?
- Enhancement Potential: Does the scope of work have the potential to achieve enhancement of the vegetation resource for public benefit, specifically with regards to policies presented in Section 4 concerning tree protection, tree replacement, wildlife habitat, slope stability, and partnerships. Does the scope of work have the potential to achieve management objectives listed below?

6.5.2 Performance Criteria

- Completeness: The plan must be complete, including all elements in Section 3.1.
- Adequacy of detail: The plan must show a level of detail so that exact trees and vegetation designated for work can be identified in the field with the information provided in the plan. The plan must detail what activities will happen where and in what time frame.
- No unacceptable element: The plan must not contain any element that is contrary to departmental policy, applicable laws or best management practices.
- Application process followed: The plan must demonstrate that all required steps of the planning and review process were followed thoroughly, including procedures required under the department's Public Involvement Policies and Procedures.
- Adequacy of resources to complete the project: the plan must describe what resources are required to complete the project, which are currently secured, and how other resources will be secured to meet the plan's timelines.

6.5.3 Management Objectives

- Extent of Vegetation Management: The area considered for vegetation management shall consider site conditions and the adjacent landscape makeup to avoid fragmenting the appearance and ecological function of the overall landscape.
- Phasing of Vegetation Management: For projects exceeding clearing thresholds, wholesale tree removal should be limited in area, unless public safety would be compromised to do so. Where a large number of removals are anticipated, they should be phased over several years, and/or done selectively to lessen aesthetic and wildlife

impacts. Replacement of trees and other vegetation will be done concurrently with removal work to ensure timely reestablishment of vegetative canopy.

- **Public Safety:** All trees in an area being considered for Vegetation Management will be evaluated for safety by a qualified arboricultural professional. Remedy for any unacceptable hazards will be included in the Vegetation Management Plan.
- **Soil and Water Conservation:** All proposed vegetation work will meet or exceed the specifications of Greenville County's Construction Best Management Practices Manual. In addition, the following criteria should be met. Selective clearing should be employed wherever possible to retain desirable vegetation. Phases of work should be scheduled to minimize the amount of time any area remains unvegetated. Site access should be planned on existing trails or along defined travel corridors to prevent widespread trampling and soil compaction in work areas. Mulch, geotextile fabric or other surface treatment should be utilized to ensure that no bare mineral soil is left exposed after site work is completed.
- **Historical and Design Considerations:** A Vegetation Management Plan will describe the historical context of the site, including the existence of any adopted landscape design for the area under consideration. If an adopted design does exist, the Vegetation Management Plan will adhere to the design, or the plan may need to be considered for revision. For parks that are designated as a City of Mauldin landmark or are in a landmark or special review district, the responsible party will verify that a Certificate of Approval has been obtained from the respective board or commission.
- **Habitat Improvement:** Vegetation Management Plans should improve wildlife habitat. The Division of Parks and Grounds Supervisor may require involvement of a wildlife biologist in plan development.
- **Limiting Canopy Reduction:** The number and extent of work areas that lower canopy heights or reduces canopy coverage will be limited so as to avoid widespread loss of native forest structure, which typically consists of trees that achieve closed canopy in excess of 100 feet of height. Furthermore, canopy reduction areas should be located so as not to fragment existing habitat areas. Mitigation and planting will be required to match or exceed the loss of mature canopy. Exceptions to this will be made for designated public viewpoints.
- **Native Vegetation:** Native vegetation, especially conifers, are considered preferable for undeveloped landscapes. Exceptions to this may be made where disease or other environmental factors make reestablishing exclusively native vegetation problematic.
- **Control of Invasive Exotic Vegetation:** Areas that contain significant amounts of invasive exotic vegetation should be aggressively managed to reduce or eliminate these populations. Once they are controlled, competitive plantings should be established to provide defense against reinvasion.
- **Retention of Vegetation:** Recognizing the value of established trees and the cost of reestablishing vegetation, projects should retain and protect all vegetation not scheduled for removal. Exceptions to this will be made for areas excessively infested with invasive exotic species. Special consideration will be given for unique varieties,

vegetation of great age, rare vegetation, or vegetation of horticultural or historical significance.

- **Replacement of Trees:** At minimum, each tree that is removed will be replaced by planting another tree close to the original location. Tree species selection and numbers will be required to meet or exceed the loss of mature canopy proposed by the project. Where large trees are removed, the Division of Parks and Grounds Supervisor may require several trees to be planted to replace each tree removed. The replacement tree will be of the same species, unless cultural (e.g. promoting natural succession) or design (e.g. death was a result of poor original selection) considerations are strong indications for another species. If an adopted landscape or vegetation plan exists for the site, its recommendations for replacement species and locations will supplement the site conditions as selection criteria.
- **Replacement of Vegetation:** At a minimum, an area where vegetation has been removed will be replanted with mixture of woody and herbaceous plant species well adapted for the site conditions so as to achieve 100% projected foliar coverage within four years of planting. If an adopted landscape or vegetation plan exists for the site, plants that it specifies will be utilized if the existing site conditions are conducive to their growth.
- **Maintenance:** The landscape that ultimately results from Vegetation Management will be designed to minimize long-term maintenance requirements. A Vegetation Management Plan will identify all maintenance resources needed to establish and maintain the landscape until it achieves the intended results. Existing Departmental maintenance resources will not be impacted by Vegetation Management unless funding sufficient for the additional work is provided.

7.0 PROCEDURE FOR TREE WORK ORDER REQUEST:

The following procedures are for the City of Mauldin Work Order Requests only. The following does not include procedures for other Department permits or permits that may be required by other agencies for a project.

- 7.1 Requests by City of Mauldin residents or private property owners for the removal or pruning of trees located within or on City Property are subject to the procedures listed below. Requests by public agencies for the removal or pruning of City trees will be considered by the Division of Parks and Grounds Supervisor and may be subject to some or all of the procedures outlined below.
- 7.2 Obtain written comment from affected neighbors and/or property owners. Since each request will be considered on its own merit, the scope of required survey will be determined by the Division of Parks and Grounds Supervisor, but will, at minimum be all properties within 300 feet of the area of work. Applicants are encouraged to involve neighbors and interested citizens in all phases of the plan development to facilitate a positive outcome for the public involvement process.
- 7.3 Submit a Work Order Request to Public Works including comments from neighbors to the Division of Parks and Grounds Supervisor, to prune or remove any tree, shrub, and or vegetation.

7.4 Meet with the Division of Parks and Grounds Supervisor or designated representative on the site, after submitting the Work Order Request, to indicate which trees, shrubs and vegetation are involved, and to determine that such pruning or removal does not adversely affect the area.

7.6 **Response and Decision**

7.6.1 The Division of Parks and Grounds Supervisor will review the Work Order Request and supporting materials (if necessary) and provide a response to the applicant.

7.6.2 If necessary, the applicant will provide additional information and resubmit to the Work Order Request to the Division of Parks and Grounds Supervisor.

7.6.3 The Public Works Director or designated representative may accept or reject a Work Order Request.

7.6.4 A starting and completion date for each phase of work will be set by mutual agreement of the resident and Division of Parks and Grounds Supervisor.

8.0 **HAZARDOUS TREE MANAGEMENT STANDARDS AND PROCEDURES**

8.1 The Department will assess and manage the risk of tree failure within the limits of available fiscal and human resources. Priority will be given to locations and situations with high probability of failure and high potential damage or injury that may result.

8.2 Visible defects that will be considered in hazard evaluation include, but will not be limited to, cracks in limbs and/or trunk, seams in limbs and/or trunk, spiral cracks in limbs and/or trunks, rib cracks, weak branch unions (V crotches), decay in limbs and/or trunk, cankers in limbs and/or trunk, deadwood, root problems, and poor tree architecture (form).

8.3 Aggravating factors in hazard evaluation will include, but not be limited to fast-growing species, sprouting from topping cuts, weak branch attachments, heavy end weight of branches, included bark, evidence of past branch/trunk failure, saturated soil, frequent irrigation, more than 30% of buttress roots decayed and/or disturbed, evidence of excessive mechanical bark damage, large dense crown, lack of basal trunk flare (poor taper), recent construction activity, willow soil, and mushrooms visible at base or in root zone. A combination of any of these factors may greatly elevate the hazard rating.

8.4 Corrective action for high hazard rated trees will be reasonable and prudent and may include:

- Moving any at-risk structures, equipment, fixtures or recreational sites
- Correction of the defect-by pruning, cabling and bracing, or tree removal
- Closure of the area

CITY COUNCIL AGENDA ITEM

MEETING DATE: September 21, 2020

AGENDA ITEM: 8c

TO: Mauldin City Council

FROM: Police Chief M. Bryan Turner

SUBJECT: Resolution Approving the Sale and Transfer of City Property

REQUEST

City Council is requested to approve a Resolution for the sale and transfer of the Mauldin City Retired Canine Asset (PACO) to his former Canine Handler, Lt. George Miller.

HISTORY/BACKGROUND

In October 2020, Police Canine (PACO) was scheduled to retire out from the department due to age. PACO is currently 14 years old and worked on patrol for the past 11 years. With the recent promotion of Lt. George Miller, the decision was made go ahead a proceed with the retirement of Police Canine PACO two months early and purchase a new Canine for the department. This item was previously discussed during the August 2020 Council meeting.

As part of the retirement of the Police Canine (PACO), Lt. George Miller would take ownership of this City asset. While the issue of future care and placement was discussed during the August Council meeting, the attached K-9 Purchase Agreement, and Resolution Approving the Sale and Transfer of City Property is a being presented to the Public Safety Committee for review and approval.

ANALYSIS or STAFF FINDINGS

None.

TIMELINE

If approved, the sale would occur in September 2020.

RECOMMENDATION

Staff recommends approval of the attached Resolution approving the sale and transfer of city property as presented. Upon approval, this item to be moved to the September Council Meeting for final approval. This purchase and supporting documents have been reviewed by the City Attorney.

ATTACHMENTS :

K-9 Purchase Agreement
City of Mauldin Resolution____-2020

K-9 Purchase Agreement

In consideration of the sum of One Dollar, and the transfer of ownership of a certain canine, PACO "the dog", from the City of Mauldin City transfers the dog to George Miller pursuant to the terms contained herein.

The Purchaser hereby releases and forever discharges the City of Mauldin, its agents, employees, heirs and assigns from any and all claims for injury, disability, loss, or property destruction that may occur to anyone, as a result of contact with or actions by the Dog.

The Purchaser accepts full responsibility and also agrees to indemnify and hold harmless the City of Mauldin and its agents, employees, heirs, and assigns for any alleged injury or damage to any person or property that may occur or be caused by the Dog after the transfer of ownership, which is effective as of the date listed below, including reasonable costs of defending such claims.

The undersigned is fully aware of the nature of the training the Dog received and the nature of the work that the Dog performed during the period of ownership by the City of Mauldin, and understands the need to provide the Dog with suitable shelter and reasonable surroundings in keeping with its training and work experience.

The Purchaser also hereby accepts the following conditions of sale:

1. The Purchaser will not sell or give away the Dog, without the written approval of the City of Mauldin
2. The Purchaser will use the Dog only as a pet, and will not train or breed the animal, without the written approval of the City of Mauldin.
3. The Purchaser will not use the Dog as a detection, rescue or service animal in any capacity, without the written approval of the City.
4. The purchaser will obtain and maintain in force a Homeowner's or Renter's Insurance Policy, issued by a casualty carrier licensed in the State of South Carolina, in the sufficient amounts necessary to protect himself from any claims arising out of his ownership of the dog.

The Parties have executed this Agreement on this ____ day of September, 2020.

Mayor, City of Mauldin

George Miller, Purchaser

Witnessed by: _____

RESOLUTION _____-2020

A RESOLUTION APPROVING THE SALE AND TRANSFER OF CITY PROPERTY

WHEREAS, the City owns a K-9 named "PACO" a police dog that was formerly in service with the Mauldin Police Department; and,

WHEREAS, during his career, "PACO" provided valuable and loyal service to the Police Department, but it was necessary to retire "PACO" from police service due to his age; and,

WHEREAS, Lieutenant George Miller was the primary handler for "PACO" at the Mauldin Police Department; and,

WHEREAS, Lieutenant George Miller desires to keep and maintain "PACO" as his domestic pet and the City is willing to transfer "PACO" to George Miller pursuant to the terms of the Agreement attached hereto as Exhibit A" (Agreement"); and,

WHEREAS, pursuant to S.C. Code Ann. §5-7-40 (1976, as amended), a City may, by resolution, and upon such terms and conditions as such council may deem advisable, sell, convey, or otherwise dispose of its personal property; and,

WHEREAS, the City finds and determines that the sale and transfer of "PACO" to George Miller according to the terms of the Agreement is appropriate and in the best interests of the City.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Members of Council of the City of Mauldin, as follows:

Section 1. The Agreement to transfer "PACO" to George Miller is hereby approved and the City Administrator, or his designee, is hereby authorized to execute and deliver the Agreement and any related documents on behalf of the City.

ADOPTED this _____ day of September, 2020.

CITY OF MAULDIN, SOUTH CAROLINA

BY: _____
Terry Merritt, Mayor

ATTEST:

Cindy Miller, Municipal Clerk

APPROVED AS TO FORM:

City Attorney

CITY COUNCIL

AGENDA ITEM

MEETING DATE: September 21, 2020

AGENDA ITEM: 8d

TO: Mauldin City Council

FROM: Police Chief M. Bryan Turner

SUBJECT: Police Canine Purchase- Update

REQUEST

Approval to purchase a dual purpose police service dog from Astros Kennels- Simpsonville. With the funding previously approved by council from the MPD Drug Forfeiture Line.

HISTORY/BACKGROUND

The cost for obtaining a police canine was previously approved for an out of state vendor at \$8,500 in the August 2020 Council meeting. This week the Mauldin Police Department received information that a local vendor could provide a canine to the department. The extended training for the Canine and officer will still be conducted free of charge at the Greenville County Sheriffs Office and once training is completed, the canine will have certification from the North American Police Work Dog Association (NAP-WDA). There will be no increase in cost over the previously approved amount.

ANALYSIS or STAFF FINDINGS

Canine guarantees remain unchanged with this purchase from the local vendor, however the additional expenses of travel and per-diem will not occur from the 421 police line.

TIMELINE

September 2020

RECOMMENDATION

Approval of the purchase of a Police Canine at the cost of \$8,500, with the funding source previously approved by council.

There will be no additional impact to the 2020-20201 budget as the approved budget has ample allowance for canine supplies, food, training and health.

ATTACHMENTS :

K-9 Quote from Astro Kennels-Simpsonville, SC



418 Scuffletown Rd.
 Simpsonville, SC 29681
 (864) 297-9636 / (864) 297-9635 fax
www.astrokennels.net / info@astrokennels.net

SALES AGREEMENT – Green K9

Date: September 10, 2020

Purchaser: Mauldin Police Department

Seller: Astro Kennels, LLC

All previously acquired paperwork will be given to purchaser Mauldin Police Department

Total amount \$8,500

K9 Name: _____ Breed: _____ DOB: _____ Microchip #: _____

Health and Trainability guarantee:

Chosen canine is guaranteed to be free of heartworm and internal parasites at the time of purchase. The purchaser has the right to take the dog to a licensed veterinarian for a complete physical within 72 business hours. If purchaser does not take the dog to their selected veterinarian or the veterinarian has examined and approved the dog; Astro Kennels is released from any and all liability regarding health guarantees, with the exception of hip and elbow dysplasia and any genetic disease that prevents the canine from performing the tasks of a police service dog within the first year of the contract date. The purchaser accepts full responsibility for the care, health, training, certification, well-being and veterinary expenses of this animal commencing on release date.

Chosen canine has been demonstrated to and selected by the purchaser. Purchaser has been satisfied with the animal’s overall performance. It is the purchaser’s responsibility to keep the above animal’s trainability maintained. If the canine should need to be replaced based on the veterinary physical and within 72 business hours, provided he is returned in the same manner as he was surrendered on the purchase date, Astro Kennels will replace the canine with a canine of equal and like quality or refund the purchase amount.

There is a six-month workability guarantee. Astro Kennels must be notified in writing of any medical procedures or surgeries the canine will undergo during the six-months. Workability guarantee commences on release date and will be void if payment is not received within 30 days of release date. If replacement is necessary for health or workability issues within the warranty period, Astro Kennels will replace the canine with a canine of equal and like quality or refund the purchase amount.

Purchaser has been advised the chosen canine may bite or cause other damage to persons or property and that Astro Kennels and all owners, managers, trainers and staff are not to be held responsible for this animal or any damage it may cause upon release to the purchaser. The purchaser accepts full responsibility for any damage this animal may cause upon leaving the training facility. The sale of this animal is final.

Purchaser waives and releases Astro Kennels its employees, officers, members and agents from any and all liability of any nature; for injury or damage resulting from actions of other handlers or canines in or out of the training facility, etc. and assume the risk of such damage or injury while attending any training session, or any other function of Astro Kennels, or while on grounds of training facility, or any training function pertaining to the above purchaser.

Read and accepted by: _____

Signature(s): _____

Mauldin Police Department, purchaser

CITY COUNCIL AGENDA ITEM

MEETING DATE: September 21, 2020

AGENDA ITEM: 8e

TO: Mauldin City Council

FROM: Fire Chief Brian McHone

SUBJECT: Request for Approval of Take-Home Vehicle

REQUEST

City Council is requested to approve the use of a take home vehicle Fire Marshall James Rice.

HISTORY/BACKGROUND

James Rice currently uses a city vehicle for inspections in the City and Mauldin Fire District and is called back for all undetermined or suspicious fire investigations after hours. He currently lives 20 miles outside the fire district line.

It is requested that Mr. Rice be given approval to use the city vehicle as a take home vehicle. This will allow for him to be able to respond to fires after normal business hours in a timely manner.

ANALYSIS or STAFF FINDINGS

Pursuant to the City's vehicle policy all requests for take home vehicles must be submitted in writing and approved by the City Administrator and City Council. Attached is a memorandum request from the Fire Chief to the City Administrator. The City Administrator approved the request. Accordingly, the request is being presented to City Council via the Public Safety Committee for consideration and action.

TIMELINE

If approved, the vehicle would be used as a take home vehicle immediately.

RECOMMENDATION

Staff recommends approval of the take home vehicle request.

ATTACHMENTS :

Memorandum from Fire Chief to the City Administrator.

Memo

To: Brandon Madden
From: Chief Brian McHone (Bm)
cc:
Date: September 2, 2020
Re: Deputy Fire Marshal Vehicle

James Rice currently uses a city vehicle for inspections in the City and District and is called back for all undetermined or suspicious fire investigations after hours. He currently lives 20 miles outside the fire district line.

We are requesting that he be given approval to use the city vehicle as a take home vehicle. This will allow for him to be able to respond to fires after normal business hours in a timely manner. Please refer to Vehicle Policy Ref. Page 7, Item 14.

Approved by City Administrator on September 10, 2020



City Council

AGENDA ITEM

MEETING DATE: September 21, 2020

AGENDA ITEM: 8h

TO: City Council

FROM: Community Development Director Van Broad

SUBJECT: Cultural Center Auditorium Improvements

REQUEST

City Council is requested to approve the planned improvements for the Cultural Center Auditorium's lobby.

HISTORY/BACKGROUND

The City of Mauldin purchased the former Mauldin High School Elementary School in the mid-2000's. The purpose of the building at the time was to utilize as a community gathering place creating a sense of identity and connection for citizens. Over time the facility role has enlarged, changed, and grown in its purpose.

Presently, a full-fledged children's theater company meets regularly with sell out audiences. The Art Haven School of the arts leases space from the center while Rotary, Woodcarvers and other community groups continue their use of connecting together at the facility.

Outdoor, the amphitheater has been put to great use in new programming like: Beachin Friday's, Mauldin Farmers Market, BBQ festival, coming soon a new PBJ festival (pizza, blues, and jazz) and there is room for more. These programs and others have pushed the walls and ability of the center beyond its original intended purpose as a school. While it has not inhibited programming, Council set out expansion plans by re-tooling the facility in 2009.

Major renovations to the grounds and indoor room use took off. Most recently, a renovation of the auditorium was funded in part by council and grant funding through SCPRT, Graham Foundation, Hollingsworth, USDA and other partners.

Phase I was a successful venture and has taken the facility to another level of use and ability. Currently, staff plans to pursue phase II and III which will include a lobby renovation and addition of an outdoor plaza connected to the lobby.

ANALYSIS or STAFF FINDINGS

In the original 2009 conceptual drawing and design of the auditorium renovation, there was a plan for the lobby. Following parts of this plan will allow for:

1. Better use of the entrance
2. Easier access to the auditorium
3. Multiple entry points for the auditorium
4. Less interruption during a performance
5. New rentable options

Currently, when theater productions and invited traveling productions perform at the center, audiences' line up in the hallway for access. This creates bottleneck entry into the main door of the auditorium. This door is right beside the stage and entry and exiting during productions for bathroom and other necessities makes viewing for audience members challenging. With the help of John DeRieux of Momentum construction, staff set out to configure the best and most practical use of an expanded lobby and plaza.

The new Lobby will contain:

1. Handicap accessible bathrooms
2. Warming kitchen
3. Loading patio for catering
4. New egress and ingress into the Lobby and Auditorium
5. New Plaza as an extension of the lobby waiting area will also serve as:
 - a. Reception leasing space
 - b. Extended area for patrons to relax
 - c. Overflow crowds
 - d. Entertaining venue for small productions and private gatherings

In the current budget, the lobby renovation is part of the Council approved 10-year Capital Improvement Program (CIP). With enough funding to commit to the Phase I portion of the lobby, staff plans to seek additional partners for phase II and III by submitting a grant requests to SCPRT for funding in the amount of \$200K. These grants will be matched by the funding included in the City's CIP. Additionally, staff will seek private donations for opportunities to name portions of the lobby and other areas in the center.

Phase II will contain most of what is noted in the new lobby plan and phase III will contain:

1. Complete fix of all window repairs
2. Renovate and relocate bathrooms beside auditorium
3. New ticket booth
4. Repair any and all ceiling drywall maintenance
5. Finish and complete sheetrock and painting green room
6. New awnings over front windows and others and lighting

An RFQ, (request for qualifications) will be submitted in order to solicit a CMAR (construction Manager at Risk) to complete phase II and phase III of the lobby renovation. The Construction Manager at Risk (CMAR) is a delivery method which entails a commitment by the Construction Manager (CM) to deliver the project within a Guaranteed Maximum Price.

Preliminary Pricing:

1. Phase I - \$388K
2. Phase II - \$120K
3. Contingency Awnings and lighting - \$50K
4. Total all projects - \$558

The probability of completion and success of this project is based on the following:

1. Success and completion of Auditorium renovation under budget
2. Success of grant funding from previous projects
3. Solicitation by SCPRT to request funding for the next phase

TIMELINE

1. RFQ advertised October 1
2. October 30 or before review proposals and rank
3. September 30 file for SCPRT Grant
4. SCPRT committee to review and approve full application
5. Submit full grant application November 15.
6. December review by SCPRT committee
7. Construction of phase II begins December 1, or January 1.
8. If awarded SCPRT and other funds sufficient, phase III will begin February 2021

RECOMMENDATION

It is recommended that Council approve the planned improvements to the Cultural Center Auditorium's lobby. No new funding is being requested. Should Council approve this request, staff will proceed as outlined in the above mentioned timeline.

ATTACHMENTS

Original plans
Cost Estimates phase II and III
New Lobby/Plaza plan
Window/Door concepts



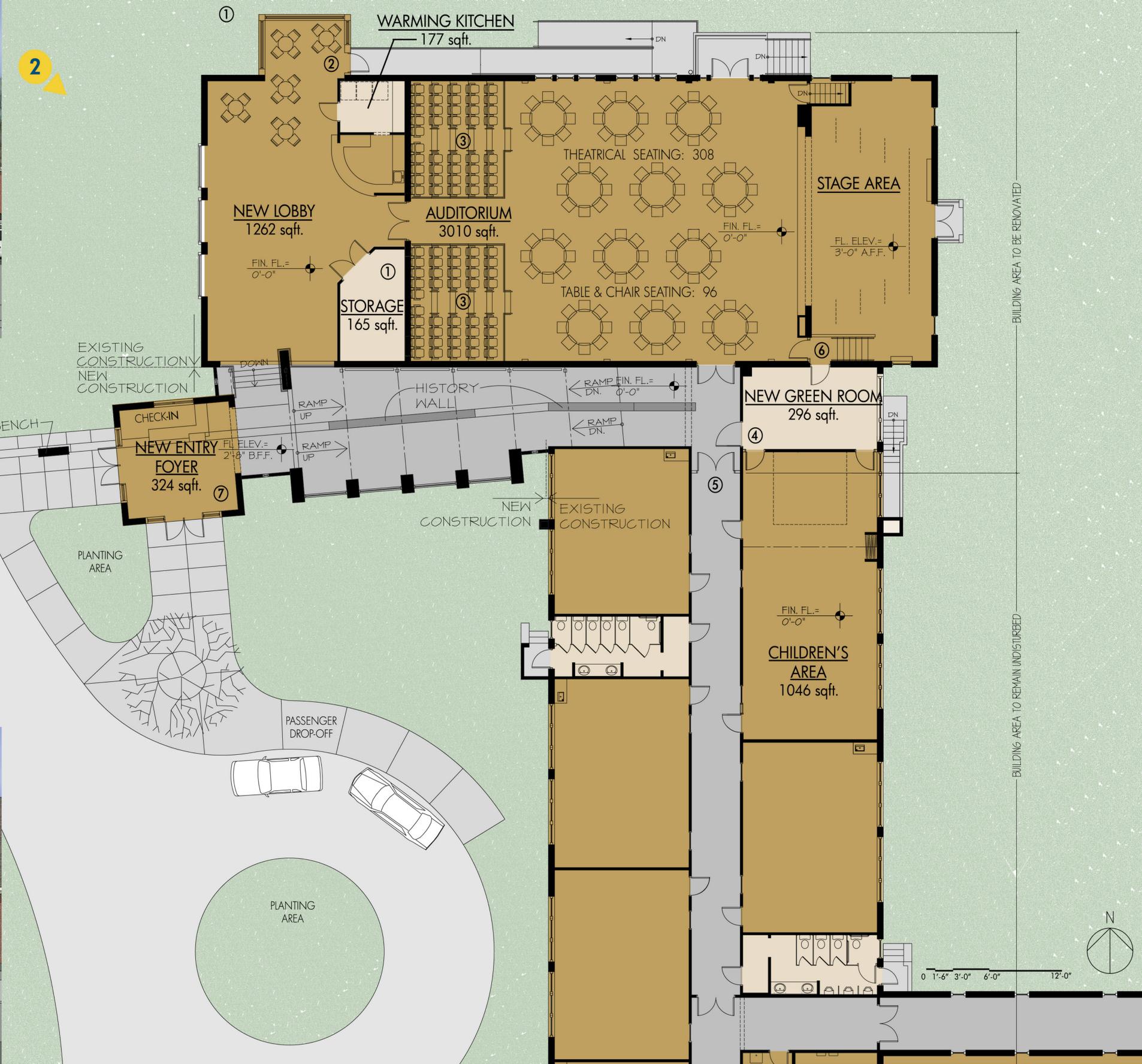
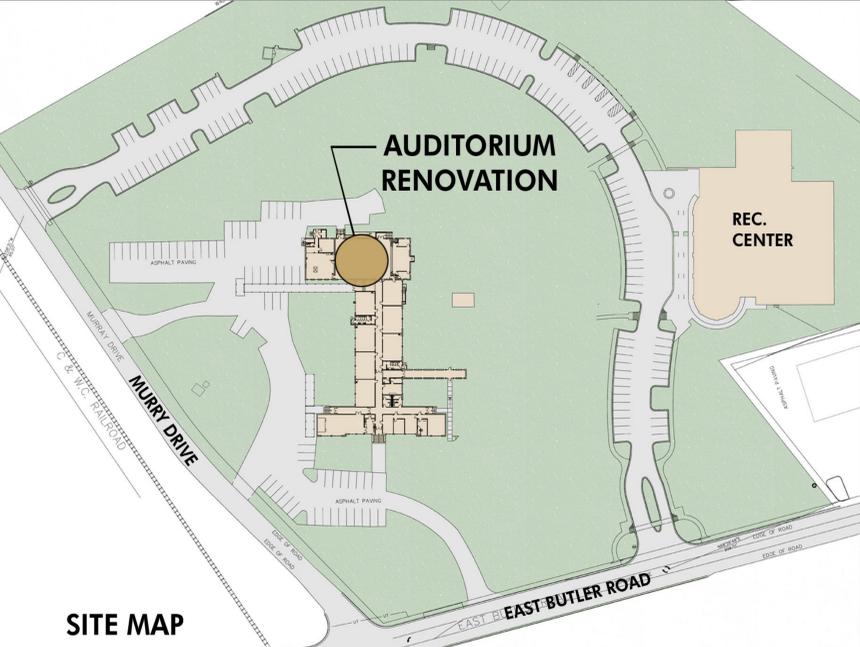
Momentum Construction Services, LLC
 PO Box 80538 - Simpsonville, SC 29680

momentumconstruction@charter.net

DATE: 9/1/20

City of Mauldin Cultural Center Phase II and Phase III. Statement of Budget

PHASE II		
ITEM	DESCRIPTION	BUDGET
1	Exterior Plaza including handicap ramp, stairs, handrails	\$ 120,750.00
2	Bathroom Renovation in the Lobby Area	\$ 37,000.00
3	Storefront Doors and Windows in the Lobby	\$ 10,000.00
4	Sliding window wall on west side of lobby	\$ 28,000.00
5	New floors, painting, and trim in lobby	\$ 30,000.00
6	Relocate existing hood and create bar space	\$ 10,000.00
7	Warming Kitchen Upfit	\$ 20,000.00
8	Add elevated floor, ticket booth and storage to exist entrance	\$ 32,000.00
9	HVAC	\$ 30,000.00
10	Electrical	\$ 30,000.00
	PHASE II SUBTOTAL	\$ 347,750.00
	Recommended Contingency	\$ 20,000.00
	Architectural and Engineering Fees	\$ 20,000.00
	PHASE II TOTAL:	\$ 387,750.00
PHASE III		
ITEM	DESCRIPTION	BUDGET
1	Green Room patch sheetrock and paint	\$ 5,000.00
2	New Carpet in large Conference Room	\$ 4,000.00
3	Repairs to windows and window trim budget	\$ 15,000.00
4	Renovations to Gang Toilets	\$ 75,000.00
	PHASE II SUBTOTAL	\$ 99,000.00
	Recommended Contingency	\$ 10,000.00
	Architectural and Engineering Fees	\$ 10,000.00
	PHASE II TOTAL:	\$ 119,000.00



- ① BUILD NEW WARMING KITCHEN & CONCESSION AREA IN APPORTIONMENT LOCATION OF EXISTING KITCHEN & ADD STORAGE ROOM
- ② BUILD OUT EXIT AREA ON NORTH ELEVATION
- ③ INSTALL RAKED, FIXED SEATING AT REAR OF AUDITORIUM
- ④ ADD GREEN ROOM & CHILDREN'S/YOUTH AREA
- ⑤ ADD PAIR OF RATED DOORS TO EXISTING CORRIDOR
- ⑥ ADD NEW STAIR TO ELEVATED STAGE AREA
- ⑦ CONSTRUCT NEW PUBLIC ENTRY, INCLUDING HISTORY WALL
- ⑧ NEW SPRINKLER COVERAGE TO NEWLY RENOVATED & CONSTRUCTED SPACES



Project Information

Mauldin Cultural Center - Mauldin, SC

Customer: Charles Lachanos

Phone: 864-752-5043