

Minutes
Mauldin City Council
December 21, 2020
7:00 p.m.

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

Others present: City Attorney John Duggan and City Administrator Brandon Madden

1. Call to Order- Mayor Merritt
 - a. Invocation- Councilwoman Kuzniar
 - b. Pledge of Allegiance- Councilwoman Kuzniar
 - c. Welcome- Mayor Merritt
2. Proclamations and Presentations- None
3. Reading and Approval of Minutes
 - a. City Council Meeting –November 16, 2020

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

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

- b. Special Called City Council Meeting- December 7, 2020

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

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

4. Public Comment
 - a. Reverend Clarence Thornton: I won't take that long. I enjoyed the prayer. It was a beautiful prayer. I am going to talk about what we have talked about all this year, and that is how lies hurt people; how lies are not a representation of God. Matter of fact, Jesus says no liar will enter the Kingdom of Heaven. We also know that one of the commandments are thou shall not bear false witness. When people say things that are not true, it is harmful and detrimental. Until you have been lied upon you don't know how it feels. A whole race of people has been lied on- false arrests every day. Lies hurt, destroy, lies start wars, lies break up countries, break up families, and lies are not Christian.

They are the work of the enemy, not the work of God. As we work together and pledge allegiance to the flag, it is red, white, and blue. When people tell lies, it breaks up the unity of our country.

It causes war and divisiveness. The NAACP has never been a terrorist group; I am still trying to fathom why would someone say something so wicked. If the wrong person hears that, they will get the wrong idea. They will think we have to defend against the NAACP because they are wicked and a terrorist group, and they are a threat to America and will hurt our great country. Osama bin Laden was a terrorist; the NAACP is not. They work towards the advancement of colored people and women; they work for job equality. Bishop Zimmerman, the Vice President of the NAACP, he is no terrorist, Senator Ralph Anderson who passed away is no terrorist. So, we will always need to be conscious of our words because they have power. If we are going to be a nation of greatness, we need to work towards the truth. Don't lie. If you don't like someone, just say it, but you don't have to lie on them nor their character. Each of you work hard for your character and for someone to try to demean you, it is not Godly, and it is not Christian.

I am going to end with this. When I was growing up, I watched superheroes. Superheroes wore masks. Batman, Robin, Zorro, Spiderman wore a mask. We are in a country where people don't think they need to wear a mask and we have lost over 300,000 people because someone's pride won't let them wear a mask. Doctors go out every day to save lives. They wear masks so they won't get germs. I hope you encourage everyone when you get together this Christmas to please wear a mask. Thank you very very much and God bless you.

5. Report from City Administrator – None

Pat Pomeroy from the Mauldin Chamber did not have a report, but will submit a full report in January. Mayor Merritt reported that Ms. Pomeroy wishes everyone Merry Christmas.

6. Report from Standing Committees

- a. Finance and Policy (Chairperson Reynolds)- Chairman Reynolds reported that the budgets look good. He thanked the department heads for their attendance at the lengthy committee meetings last week.
- 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 and Final Reading

- a. An ordinance to establish the standards for the placement of small wireless facilities in covered areas in the City of Mauldin, South Carolina; and for other purposes

On January 7, 2020, the Building Codes Committee forwarded this matter to City Council for consideration. The Building Codes Committee also requested the City Attorney's legal opinion on this ordinance by the City Council meeting.

On January 21, 2020, the City Council sent this matter back to Committee to allow sufficient time to review the Attorney's revisions to the proposed ordinance.

On February 10, 2020, the Building Codes Committee reviewed the Attorney's revisions. Representatives from AT&T attended this meeting and commented about the draft ordinance requesting significant revisions.

On May 4, 2020, the Building Codes Committee reviewed possible directions to consider for the draft ordinance.

On June 12, 2020, the City Council conducted a workshop with representatives from AT&T and Verizon who were able to present information about their planned expansion within the City of Mauldin.

On September 14, 2020, the Building Codes Committee reviewed an updated draft ordinance and received comments from AT&T.

On September 24, the S.C. General Assembly passed the Small Wireless Facilities Deployment Act.

On October 5, 2020, the Building Codes Committee reviewed a newly updated draft ordinance and suggested that the draft ordinance be updated, as necessary, to comply with the S.C. Small Wireless Facilities Deployment Act.

On November 2, 2020, the Building Codes Committee forwarded a revised draft ordinance to City Council with a recommendation of approval.

On November 16, 2020, the City Council approved the ordinance on first reading.

Action: Chairwoman Kuzniar made a motion to approve the ordinance on final reading. Councilman Black seconded the motion.

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

- b. An Ordinance to Approve a contract with the Parker Group Development, LLC to Sell Real Property Owned by the City for the Construction of a Phase of the City Center and to Authorize the Mayor to Execute the Contract, Deed, and Other Documents Necessary to Carry out the Terms of the Contract

Action: Chairman Matney made a motion to approve the ordinance on final reading. Councilman Reynolds seconded the motion.

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

- c. An Ordinance Authorizing the Lease of Certain Property in the City of Mauldin

Action: Chairman Matney made a motion to approve the ordinance on final reading. Councilwoman King seconded the motion.

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

8. New Business

Ordinances – First Reading

- a. Annexation at Standing Springs Road and Union Church Road

- i. An ordinance to provide for the annexation of property owned by Henry Pack Willimon Jr., Revocable Trust, and located at 36 Union Church Road by one hundred percent petition method: and to establish a zoning classification of R- 10, residential, for said property

The City of Mauldin has received signed petitions requesting the annexation of a tract of land consisting of three parcels pursuant to South Carolina Code of Laws Section 5-3-150. These petitions includes approximately 62 acres owned by various individuals and is located at Standing Springs Road and Union Church Road.

The applicant has requested that this tract be zoned R-10, Residential, upon annexation into the City of Mauldin. The applicant has recently acquired the Sunny Hill Cottages subdivision, which has begun development. These tracts will be added to the Sunny Hill Cottages development project. Sunny Hill Cottages is already planned for 336 single-family detached homes, 43 single-family attached homes, and a commercial outparcel along Fork Shoals Road. This annexation will enable the applicant to expand the Sunny Hill Cottages development project by adding 222 single-family detached homes. The price-point for homes is expected to average in the mid- to high-\$200s.

This tract is R-M20 (County) and the applicant is requesting R10 Residential in the City. The tract is approximately 45.5 acres.

Action: Chairwoman Kuzniar made a motion to approve the ordinance on first reading. Councilman Matney seconded the motion.

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

- ii. An ordinance to provide for the annexation of a portion of property owned by Union Baptist Church at Greenville, and located at 50 Union Church Road by one hundred percent petition method; and to establish a zoning classification of R- 10, Residential, for said property

The tract is approximately 1.1 acres.

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

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

- iii. An ordinance to provide for the annexation of property owned by Fork Shoals Holdings, LLC, and located at 2152 Standing Springs Road by one hundred percent petition method; and to establish a zoning classification of R-10, Residential, for said property

This tract is approximately 15.6 acres.

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

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

- b. Annexation at Perimeter Road and Fork Shoals Road

The City of Mauldin has received signed petitions requesting the annexation of a tract of land consisting of three parcels pursuant to South Carolina Code of Laws Section 5-3-150. These petitions include approximately 31 acres owned by various individuals and is located at Perimeter Road and Fork Shoals Road.

The applicant has requested that this tract be zoned C-2, Commercial, upon annexation into the City of Mauldin. The applicant intends to construct a Spinx gas station/convenience store on a portion of this tract and market the remainder of the tract for commercial development such as a grocery store.

- i. An ordinance to provide for the annexation of property owned by Ashmore Bridge, LLC, and located at Ashmore Bridge Road and Fork Shoals Road by one hundred percent petition method; and to establish a zoning classification of C- 2,

Commercial, for said property

This tract is approximately 8 acres.

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

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

- ii. An ordinance to provide for the annexation of property owned by William C. Willimon, and located at Perimeter Road and Fork Shoals Road by one hundred percent petition method; and to establish a zoning classification of C-2, Commercial, for said property

City Attorney Duggan said this is one ordinance for two parcels of property with one owner.

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

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

- c. An ordinance to provide for the annexation of property owned by the City of Mauldin, and located at Plant Street and West Butler Road by one hundred percent petition method; and to establish a zoning classification of C-2, Commercial, for said property

This property is approximately 2.23 acres.

Action: Chairwoman Kuzniar made a motion to approve the ordinance on first reading. Councilman Matney seconded the motion.

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

9. Standing Committee Items

a. FY 2021 Grants-

There is no need for a budget amendment. This is simply an accounting mechanism.

Action: Chairman Reynolds made a motion to accept these grants with Councilwoman King seconding.

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

- b. Appointment to the Planning Commission

Council appointed Brian Sofield to the Planning Commission unanimously (7-0).

- c. Procedures for appointments on Planning Commission and Zoning Board

As part of the discussion of candidates for current openings on the Planning Commission and the Building & Zoning Board of Appeals, the Building Codes Committee discussed the procedures by which it appoints volunteers to the Board of Appeals and Planning Commission. This discussion at its October 5th meeting included discussion of interviewing candidates and qualifications for candidates. This discussion carried over to the October 19th meeting of City Council, where the Council expressed interest in the Building Codes Committee working on a more formal procedure for appointing applicants to the Planning Commission and Board of Appeals.

At its November 1st meeting, the Building Codes Committee continued to discuss a draft policy for appointing volunteers to the Board of Appeals and Planning Commission. At that meeting, the Committee asked if a minimum residency period would be an acceptable qualification for appointment to the Planning Commission or Board of Appeals. The City's legal counsel has indicated that this could be an acceptable qualification.

Action: Chairwoman Kuzniar made a motion to accept these procedures with Councilman Kraeling seconding.

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

- d. Medical Benefits Renewal

Action: Chairman Reynolds made a motion to accept the medical benefits for 2021 as well reinvest some of the savings into a program to reduce the cost of dependent care to employees with Councilwoman King seconding.

Chairman Reynolds said this was unanimous out of committee. He said Council wants to continue to provide a good work environment and good benefits to our employees.

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

- e. Standing Committee Rules

Action: Chairman Reynolds made a motion to send this item back to the Finance and Policy Committee. There are a couple other amendments he would like to look at as well. Councilwoman Kuzniar seconded the motion.

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

f. Security Cameras

Action: Chairwoman King made a motion to purchase the security cameras from Encore Group. The cost is much less than was budgeted by Council for the purchase. The camera will be a little under \$40,000 and \$80,000 was budgeted. Councilman Black seconded.

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

g. Countywide Mutual Aid

Action: Chairwoman King made a motion to approve the fire protection mutual aid agreement. Councilman Kraeling seconded the motion.

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

h. GLDTC Participation Agreement

The City will receive \$191,954 in matching funds from GLDTC to add to the currently budgeted amount of \$2.7 million for road repairs,

Action: Chairman Kraeling made a motion to approve the participation agreement with GLDTC. Councilwoman King seconded the motion.

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

i. Repaving of City Park parking lot

This was approved by committee but there have been some changes since then. Mr. Madden said Panagakos went back and included the 900 feet of additional curbing. That addition increased the quote by about \$33,000. The additional cost was added into the quote before Council tonight.

Chairman Black said this quote is still lower than the other bidder. Mr. Madden said Panagakos' quote assumes the base is in good condition.

Action: Chairman Black made a motion to award the bid to Panagakos Paving in the amount of \$199,517 to include replacing up to 900 feet of curbing.

Councilwoman Kuzniar seconded the motion.

Councilman Kraeling asked if we looked at a price to do the 900 feet of curbing if we have to go deeper than 4 inches through the base. City Administrator Madden answered that the review committee considered both scenarios and Panagakos was the highest recommended bidder. Although Panagakos was more expensive, the other quote was only a flat rate. It is thought that Panagakos' will provide cost savings in the end.

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

10. Committee of the Whole Items
 - a. Consideration and action on City Administrator employment agreement

Action: Councilman Reynolds made a motion to consider this item informally. Councilwoman King seconded the motion.

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

Councilman Reynolds stated that he was proud of the work Mr. Madden is doing as City Administrator and the way he has handled the past year's difficulties.

Action: Councilman Reynolds made a motion to extend the City Administrator's employment agreement. Councilman Kraeling seconded the motion.

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

11. Public Comment- None
12. Council Requests- None
13. Adjournment- Mayor Terry Merritt adjourned the meeting.

Respectfully Submitted,

Cindy Miller
Municipal Clerk