

The Public Hearing for the Indigo Point Sewer Pump Station Fee was held. There was no public comment. Councilman Matney made a motion to close the public hearing with Councilman Reynolds seconding. The vote was unanimous (7-0).

MINUTES
CITY OF MAULDIN
CITY COUNCIL MEETING JUNE 21, 2021, 7:00 P.M
CITY HALL – COUNCIL CHAMBERS 5 E. BUTLER ROAD

Members present: Mayor Terry Merritt, Council members Carol King, Taft Matney, Jason Kraeling, Michael Reynolds, and Diane Kuzniar. Councilman Black was out of town but is attending by Zoom.

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

1. Call to Order- Mayor Merritt
 - a. Welcome- Mayor Merritt
 - b. Invocation- Councilwoman Kuzniar
 - c. Pledge of Allegiance- Councilwoman Kuzniar
2. Proclamations and Presentations
 - a. Police Officer of the Year- Adrian Cordova
 - b. Police Officer of the 2nd Quarter- Olivia Hodge
3. Reading and Approval of Minutes
 - a. City Council Meeting – May 17, 2021

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

Vote: The vote was unanimous (6-0). Councilman Reynolds was not present at this meeting and did not vote.

- b. Special Called Council Meeting – June 7, 2021

Motion: Councilman Matney made a motion to approve the minutes with Councilman Kraeling seconding.

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

- c. Special Called Council Meeting- June 14, 2021

Motion: Councilman Matney made a motion to approve the minutes with Councilman Kraeling seconding.

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

4. Public Comment

- a. Wayne Davenport- 109 Beechwood Drive. I thought I was going to get three hours, but you are limiting me to three minutes. What I want to do here is bring opposition of myself and my neighbors to the rezoning to multi-family. There is a concern of all the property owners in the surrounding area. This property adjoins 417, which is already very crowded. It is almost impossible to get out of our road, Beechwood Drive. We are about a tenth of a mile from the interstate. One of the entrances from this property when it is developed is going to be about 100 feet from a red light at the interstate and also about 50 feet or less from the entrance to the interstate. We were told it would be a right turn only. If you go straight, you are already at the interstate. We believe cars will be stopping there to get on the interstate and we also believe it will create a massive backup on 417.

Off of Beechwood Drive, there is a proposal for an abandoned road to come up Beechwood and come up to 417. We think that is also going to create a problem with traffic. We have been told the popular proposal is for townhomes and for three apartment units. It will be approximately 150 apartments. Most people have two cars, so that is 300 additional cars plus the townhomes. There are two entrances in and out and we believe if you add the townhomes, there will be approximately 500 cars or more. That will create a massive traffic jam right there at Beechwood Drive and at the proposed road.

The developer has told us that he has asked the state to put a light there and the state has said no. I don't know what it will take to solve this problem, but we are certainly opposed to the way the roads are going to come in and out. That is why we are asking for single family residency on this property instead of multi-family and want to express our objection to any section 8 housing going on this property.

There is one other issue that I would like to address. There is an empty lot between my house and the neighbor's house. It is in Greenville County. My question is, we were told it was being surveyed for sewer, but if you line the marks up, it is straight in line with pins. There are two marks in the road that are forty feet apart. We were told that the other property, which is an abandoned road, if they use it, will be widened to forty feet. We believe this may be for a road there. We would like to know if there are any plans to annex this into the City of Mauldin. I talked with my next-door neighbor who owns this property, and he assures me that he has not sold his property and it is not for sale. He has been approached several times about it and he has been adamant about it not being taken for a road. If they do, the road will be between my house and his house and that will be about halfway around the neighborhood. That will create a traffic jam on our road. We are a small community. The road is a circle with about 22 houses in there with one way in and one way out. We are very concerned about that. We know they are going to do something with it. There are three proposed plans, so we don't know what they will go with. The multi-family zoning, we don't know if the developer will change his mind and put all apartments in. We don't know a solid answer of what will be built back there, but our main concern is traffic.

- b. Ron Johnson: I live at 14 Hickory Twig Way in Simpsonville. I represent the owner of the property and we are in favor of the downzoning from C2 to multifamily. I will be glad to answer any questions anyone may have.

5. Report from City Administrator

- a. Police Chief Recruitment Update- The City is currently recruiting a police chief. Updates can be found on the City website. A forum was held, and surveys sent to find out what the citizens would like to see in their next police chief. Over 50 applications have been received and those have been vetted. Interviews are being conducted and should be complete in two weeks. A short list will be compiled and presented to the Public Safety Committee for interviews. One more community input session will be held when there are 3-5 candidates. This process should be complete by the end of the summer, but we are taking our time to get the best person for the position.

6. Report from Standing Committees

- a. Finance and Policy (Chairperson Reynolds)- Chairman Reynolds thanked Councilwoman King for taking over for him last month since he was not in attendance at the May Council meeting.
- b. Public Safety (Chairperson King)
- c. Public Works (Chairperson Kraeling)
- d. Economic Planning & Development (Chairperson Matney)
- e. Building Codes (Chairperson Kuzniar)- The department's new software was launched today.
- f. Recreation (Chairperson Black)

7. Unfinished Business

Ordinances – Second and Final Reading

- a. An Ordinance to rezone property consisting of approximately 43 acres located at S.C. Highway 417 and Interstate Highway 385 (Tax Map Parcels: 0295.00-01-003.01, 0295.00-01-003.03, 0295.00-01-003.04, 0295.00-01-005.00, 0295.00-01-005.06, and 0295.00-01-005.10) and providing an effective date- This property is on the other side of I-385 from Thomas McAfee Funeral Home.

Motion: Chairwoman Kuzniar made a motion to accept this ordinance on second reading. Councilman Black seconded the motion.
Vote: The vote was unanimous (7-0).
- b. An Ordinance to rezone property consisting of approximately 6.1 acres located at Service Bay Road (Tax Map Parcels: M005.01-02-016.00, M005.01-02-016.03, M005.01-02- 018.00, and M005.01-02-018.01) and providing an effective date

The property owner has requested this item be held in Council.

Motion: Chairwoman Kuzniar made a motion to hold this ordinance in Council until the property owner is ready to proceed. Councilman Matney seconded the motion.

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

- c. An Ordinance to provide for the annexation of property owned by David M. Adams, Sr., et. al., and located at Ashmore Bridge Road near Fowler Circle (Tax Map Parcel: M007.01-01-002.00) by one hundred percent petition method; and to establish a zoning classification of R-15, residential, for said property- This property is on the other side across from Maple Grove Subdivision.

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

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

- d. An Ordinance to amend Section 21-4 and Section 21-41 in the Mauldin Municipal Code Chapter 21, Flood Damage Prevention

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

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

- e. An Ordinance to provide amended appropriations for the Fiscal Year beginning July 1, 2020, and ending June 30, 2021, for ordinary and other City purposes; to provide for a levy of taxes on all taxable property in the City of Mauldin for all City purposes, including sufficient tax for any principal and interest on outstanding indebtedness maturing in the fiscal year; to provide for the expenditure of said taxes and other revenues coming to the City during the Fiscal Year

Motion: Chairman Reynolds made a motion to accept this ordinance on second reading. Councilwoman King seconded the motion.

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

- f. An Ordinance to provide appropriations for the Fiscal Year beginning July 1, 2021, and ending June 30, 2022, for ordinary and other City purposes; to provide for a levy of taxes on all taxable property in the City Of Mauldin for all City purposes, including sufficient tax for any principal and interest on outstanding indebtedness maturing in the Fiscal Year; to provide for the expenditure of said taxes and other revenues coming to the City during the Fiscal Year

Motion: Chairman Reynolds made a motion to accept this ordinance on second reading. Councilwoman King seconded the motion.

Councilwoman King said this is a \$41 million budget.

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

- g. An Ordinance establishing a sewer pump station fee for additional parcels of the Indigo Point development; creating a lien for unpaid sewer pump station fees; and other matters related thereto

Motion: Chairman Reynolds made a motion to accept this ordinance on second reading. Councilwoman King 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 0.83 acres of property owned by David M. Adams, Sr., et. al., and located at Fowler Circle near Ashmore Bridge Road (portion of tax map parcel: M007.01-01-003.06) by one hundred percent petition method; and to establish a zoning classification of R-15, residential, for said property- This property is on the other side of Ashmore Bridge Road from Maple Grove Subdivision.

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

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

- b. An Ordinance to provide for the annexation of 0.5 acres of property owned by 807 Holland Rd, LLC, and located at 807 Holland Road (portion of tax map parcel: 0546.01-01- 024.02), by one hundred percent petition method; and to establish a zoning classification of S-1, services, for said property- This property is next to the Grand Holland Estate.

Motion: Chairwoman Kuzniar made a motion to accept this 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 a 10-foot-wide strip of property owned by Spinks Investments Inc., and located at 549 East Standing Springs Road (portion of tax map parcel: 0573.01-01-012.03), by one hundred percent petition method- This property is near the Spinx gas station on East Standing Springs Road.

Motion: Chairwoman Kuzniar made a motion to accept this ordinance on first reading. Councilwoman King seconded the motion.

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

- d. An Ordinance to provide for the annexation of 8.23 acres of property owned by the City of Mauldin, and located at 700 East Standing Springs Road (tax map parcel: 0293.00- 01- 008.00), by one hundred percent petition method; and to establish a zoning classification of S-1, services, for said property- Old Ford dealership on East Standing Springs Road.

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

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

- e. An Ordinance authorizing the execution and delivery of documents relating to the provision of municipal facilities; consenting to and approving the issuance of not exceeding \$6,500,000 Mauldin Public Facilities Corporation Installment Purchase Revenue Bonds, Series 2021, by the Mauldin Public Facilities Corporation (The “Corporation”) to provide funding to finance the costs of acquiring, constructing, equipping, and installing various municipal facilities; consenting to and approving the execution of a base lease agreement by and between the City and the Corporation; Consenting to and approving the execution of a Municipal Facilities Purchase and Occupancy Agreement (The “Facilities Agreement”) relating thereto by and between the City And the corporation; consenting to the form of a trust agreement to be entered into by the Corporation and the Trustee for the Bonds; and together therewith an assignment to the trustee of certain rights to payment and other rights of the Corporation, under the Facilities Agreement; and making provision for all other matters relating to the foregoing

Motion: Chairman Reynolds made a motion to accept this ordinance on first reading. Councilwoman King seconded the motion.

This is a bond for the new fire station.

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

Standing Committee Items

- f. A Resolution approving a Development Agreement with Parker Group Development, LLC, for the construction of a portion of the City Center Project and to authorize the mayor to execute the Development Agreement

Motion: Chairman Matney made a motion to adopt this resolution and authorize the Mayor to execute the Development Agreement. Councilman Reynolds seconded the motion.

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

- g. Cultural Center Lease Rental Agreements and Rules

Motion: Chairman Matney made a motion to send this item back to committee. Councilman Kraeling seconded the motion.

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

- h. Appointments to City of Mauldin Boards and Commissions

Kaitlyn Woolard and Charles Barefoot were appointed to the Planning Commission. Joseph Sentelle and William Parks were appointed to the Zoning Board.

i. Trash and Recycling Receptacle Policy

Motion: Chairman Kraeling made a motion to adopt this policy. Councilwoman King seconded the motion.

Chairman Kraeling said this policy will clarify what can be repaired and how much it will cost to replace cans that cannot be repaired.

Mayor Merritt asked about townhomes and apartments less than 9 units. There was previous discussion on whether this policy applied to all. Mr. Madden said a phrase could be added to the policy saying this applies to all multi-family units as well.

Motion: Chairman Kraeling made a motion to amend the motion to add the wording from the Mayor. Councilman Reynolds seconded the motion.

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

Mayor Merritt asked that "it" be removed on page 341.

Vote: The vote was on the motion as amended was unanimous (7-0).

j. Web Portal State Contract

This contract allows for the court system to accept credit card payments online.

Motion: Chairwoman King made a motion to renew this contract. Councilman Kraeling seconded the motion.

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

k. SC School for the Deaf and Blind Contract

This is a contract for a court interpreter should we need one. The City will not be charged unless there is a call for an interpreter.

Motion: Chairwoman King made a motion to renew this contract. Councilman Matney seconded the motion.

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

l. A Resolution approving a Service Agreement with Greenville County to provide shelter, food, and care for stray animals and authorizing the Mayor to execute the Agreement

Motion: Chairwoman King made a motion to adopt this resolution to approve an agreement with Greenville County for stray animal care. Councilman Kraeling seconded the motion.

Councilman Reynolds said this is a good short-term solution but would like the City to look at putting a kennel at the new PW facility if there is a place for it. He doesn't want the citizens to have to drive so far to pick their animals up. He is also concerned with the City paying the per animal fee for animals that are picked up instead of the owner paying the fee.

Chairwoman King said the police department makes every effort to return pets to their owners before they are taken to any facility.

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

Committee of the Whole

m. Request for Fireworks Display Permit

Motion: Councilman Reynolds made a motion to consider this item informally with Councilwoman King seconding the motion.

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

Motion: Councilman Reynolds made a motion to approve this permit with Councilwoman King seconding.

Councilwoman King pointed out that there is no permit in hand yet. The recommendation is to allow staff to move forward if Council approves of such. Paperwork and insurance information must be submitted to staff before a permit will be issued. A formal letter has been received by the Forrester Woods HOA. City Administrator Madden said the insurance must be verified and a hold harmless agreement signed before a permit is issued.

Councilman Matney asked if legal counsel has vetted the hold harmless agreement and then asked Chief McHone if the fire department was ok with this item. Chief McHone said the fireworks would have to be inspected.

Councilwoman Kuzniar asked how often HOAs are issued permits for fireworks. Mr. Madden said not often. None have been issued in recent memory.

Councilwoman Kuzniar said fireworks are not allowed in the City limits and she is concerned that people won't know the HOA has a permit, and will think it is ok to shoot their fireworks as well. She then asked if the fire department would monitor these fireworks.

Chief McHone said the HOA should have a pyrotechnic company come in to shoot the fireworks for them. The department will inspect the fireworks before they will be allowed to be shot. The insurance paperwork would have to name the pyrotechnic company as an additional insured. The City will not be liable for these fireworks.

Councilman Kraeling said he would like the people to be notified if the permit is issued because a lot of animals are afraid of fireworks and people will need to take precautions to keep their animals safe. Mr. Madden said the HOA would handle the advertisement of this.

John Duggan said he wants to make sure the City is added as an insured to the insurance paperwork. He then answered he has not seen the hold harmless agreement and would like to obtain a copy.

Councilman Reynolds said this request came last week and if the HOA does not follow through with the paperwork they need to submit, then the permit will not be issued.

The permit will be contingent upon the paperwork being submitted.

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

9. Public Comment

- a. Dean Kirkland: Man, this microphone don't work. I am going to tell you something, if this thing don't work by the next meeting, I am going to take a case out against the City. There are people listening at home and streaming, and they can't hear. This one will work.

Dean Dexter Kirkland. Hebrew- Daniel Benjamin Kirkland. What? Yeah. Well, it is a busy night. Last time I was here I wore a different outfit because Chief Miller said I looked good in it. I said I think a military one is more intimidating. RA14195350 reporting for duty. That was a beautiful prayer you made while ago. You said to love each other, the Bible said we should love ourselves. Is that true? You can't answer me? Well, why did you vote for Dale to resign? Don't answer that.

Let's see. What's that? Hmm, what have I got on there? By the way, next month's list is going to be longer than this one.

Mayor Merritt: You got Duggan, Police Chief, Black Lives Matter, Bryan Turner, alcohol in parks, and street closing Lindsay.

Dean Kirkland: Lindsay Graham. Well, my sister said, Dean, you are slurring your speech and your medicine ain't working. Well, I went to Peace Medical Center, they said nothing's wrong. I went to Greenville, and they said something's wrong with your sister, there ain't nothing wrong with you. They tried to pick me up last week and get me put away permanently, and that ain't the first time. The Bible said if God is for you, then who can be against you. God is the majority. How about Elijah and the 450 prophets. I am a little confused. The Mayor trusted that lawyer with the bankroll on August 2nd. We'll see. Now, tell me what's next.

Mayor Merritt: Black Lives Matter

Dean Kirkland: Yeah. Who is news media here? Are they gone? Anyone here tonight or did y'all leave? Are you it? Must have left. Fox News told me they would be here tonight. I haven't made any calls and they said well, he's crazy, you don't want to waste your time coming down here. Maybe they will be here next month. Well, anyway, get word to them that Black Lives people stay the hell out of the City of Mauldin. Especially you that don't live here. Your damn opinions don't count. I'm sorry, I'm sorry, I'm sorry.

Chief Miller: That is your one time.

Dean Kirkland: Their opinion does not count in the City of Mauldin. Ok, next.

Mayor Merritt: Bryan Turner.

Dean Kirkland: Bryan Turner and Dr. Mati and my son Scott, I have already checked with legal counsel. I am suing them for conspiracy, kidnapping, and false arrest. There may be more. They

picked me up and put me in a mental hospital. I called Chief Turner and said he was in this mess, it looked like. I told him it was going to cost him his job, and he resigned the next week. Very convenient huh? Next.

Mayor Merritt: Alcohol in parks.

Dean Kirkland: Oh, I understand from the Chief that I can make a motion from the floor. I am going to make three tonight. I make a motion that we put it out of the park. You don't like that, Taft? Number two, I make a motion about this road coming through that is making a mess with Joel Ann down at the market, I make a motion that we stop Lindsay Graham. Hey, I ran for the House of Representatives.

Mayor Merritt: Mr. Kirkland, you need to encapsulate... you are out of time.

Dean Kirkland: I have got three minutes.

Mayor Merritt: And you have used those three minutes.

Dean Kirkland: I have? On all of them things? I don't get three minutes on each one?

Mayor Merritt: No sir, you get three minutes for public comment.

Dean Kirkland: Well, my Lord. I misunderstood. By the way when you stared at me last time? I didn't know you couldn't comment. I apologize. I didn't mean. I couldn't figure it out.

Mayor Merritt: Not a problem. Thank you, sir.

Mayor Merritt: By rule, you can't speak unless you have signed up.

b. Rene Miller: I didn't see the sheet, sir.

Mayor Merritt: Do you have any objections to suspending the rules? Come on up and state your name, sir.

Rene Miller: Thank you Council. My name is Rene Miller. I am here today as a representative of the residents of Hill Lane. Lately we have had a serious problem with speeding. I have talked with the administrator about this. We have dealt with this for ten years, and our problem seems to be getting worse. We have asked for speed bumps for several, several years and we are not getting anywhere. For some unknown reason, there is no answer for why we cannot get speed bumps. The problem just seems to not go away.

I am requesting assistance. After talking to the City, I have been advised that I can talk to Interim Chief Miller, which I have not done so yet. After speed monitors, after police officers parking in the subdivision, police officers patrolling the subdivisions, still the problem will not go away. The residents of Hill Place would like to know what are the rules and policies regarding speed bumps?

Some folks say we have to have a percent residential approval. Someone else said maybe that we had to have, because we are not a drive-through community, then only then we would be

allowed to have speed bumps. We are not a drive through community. People don't come through our neighborhood from somewhere else. It makes a dead end. We do have four cul-de-sacs from what I understand. So, we would like to know the rules, and if the rules aren't working, can they be amended? What are the policies and if they are not working, can they be changed?

We are asking that we at least have one speed bump. We are asking for three, but if we could have one where people come around the curve at a high rate of speed. That one speed bump would slow everybody down coming from any direction. We are asking for three, but if we can't get three, we are asking for one. After speaking to the administrator, he said most of the speeders are from inside the community. We don't know what to do. The bottom of our subdivision is not in the HOA, there are eight houses down there and the last eight are not in the HOA. Even when I was HOA manager, or whatever you call it, President, I couldn't communicate with those people. In fact, you can put the police department in our community. I am just messing with you.

Whatever it takes, can we get at least one speed bump at the very top? I don't think as a community we would have a problem paying for it, but the road belongs to the City. We want to know what can be done, and where do we go from here? We have six percent renters. The renters don't care for the community as much as the people who are actually homeowners. We have no idea where to go. 90% of us care, and the others keep doing what they want.

The police officers sit there for a few weeks and then when they leave, they speed up.

Mr. Madden: Interim Chief Miller will get with you before you leave, provide you the policy, and walk you through the process so you can start having that conversation. If you will take a couple of minutes before you leave, Chief Miller will get with you.

Mr. Miller: Thank you for giving me the opportunity to speak even though I didn't do what I was supposed to. Next time I will.

10. Council Concerns- None

11. Adjournment- Mayor Merritt adjourned the meeting at 8:50 p.m.

Respectfully Submitted,
Cindy Miller
Municipal Clerk