

Before the Council Meeting was called to order, a remembrance was held for the 13 service members who died in Afghanistan.

MINUTES
CITY COUNCIL MEETING
SEPTEMBER 20, 2021
7:00 P.M

Council members present: Mayor Terry Merritt, Council members Taft Matney, Carol King, Dale Black, Michael Reynolds, and Diane Kuzniar. Councilman Jason Kraeling participated via Zoom.

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

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

2. Proclamations and Presentations
 - a. Woodworker's Guild Proclamation- Mayor Merritt read the proclamation.
 - b. Constitution Week Proclamation- Mayor Merritt presented the proclamation.

3. Reading and Approval of Minutes
 - a. City Council Meeting August 16, 2021

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

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

- b. Special Called Council Meeting- August 16, 2021

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

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

- c. Special Called Council Meeting-August 18, 2021

Motion: Councilman Black made a motion to approve the minutes with Councilman Reynolds seconding the motion.

Vote: The vote was unanimous (6-0). Councilwoman Kuzniar did not vote as she was not present at the meeting.

d. Special Called Council Meeting – September 13, 2021

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

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

4. Public Comment

a. Melanie Giles: I am representing Bluewater Civil Design at 718 Lowndes Hill Road. I wanted to address item b, the ordinance to rezone property consisting of approximately 12.5 acres located at Ashmore Bridge Road and Fork Shoals Road. I would ask you to table this item for several months which will give us time to study the market for larger commercial tracts and find out what should go at the intersection.

b. Mark Steenback: I live at 24 Trailstream Drive in Mauldin. First off, I would like to thank the committee for passing along the recommendation as it was. We would like to operate a thrift store here in Mauldin. We operate a clean, safe store. I encourage you if you haven't to go out to the end of Butler on Woodruff Road and come see our store there. We are donor and shopper friendly. We represent Habitat for Humanity, and we see 900 people a day, so we know we have to put our best foot forward.

We don't put boxes out. Our expectations- we honestly expect to see another 700-900 people at this location. We will generate enough in the first year to pay for the construction of two new homes, and we expect in the next three years to generate enough revenue for five homes. We will provide the citizens of Mauldin access to new and used furniture, appliances, flooring, tools, construction and other items. We divert waste- three million pounds were diverted from the landfill last year. That will save the City money and time. We anticipate creation of 15 jobs, and maybe 25 in the future. We want to continually raise the bar. We are constantly told that our stores do not look like thrift stores, and that is exactly what we are after. I humbly ask Council to continue the path they have been on so far and pass what is proposed. Thank you.

c. Monroe Free: Good evening. My address is 602 Rosebud Lane in Greer. I am the guy that gets blamed if something goes wrong with Habitat. I am here to tell you who we are and why we do what we do. If you look at our mission statement, it says Habitat builds homes, communities, and hope. We are about to embark on our 400th home here in Greenville County. We do build homes. Jimmy Carter made us famous for that. We also do repairs and weatherization on homes. This year we will do about 50. We just finished one on a Veteran's home here in Mauldin. We believe homes are important; they are foundations for families to grow from.

We also build communities. We make our communities better. 68% of our families tell us their kids perform better in school. If you look at what makes communities better- public participation. Our families- 80% of our families voted in the last election.

Finally, we build hope. You will hear from one of our families later. We provide hope for people with low incomes. They get to own their own home and all the residual effects of that. We guarantee each family will pay less than 30% of their income in housing. That means they have money for medicine, extracurriculars at school; it is transformational. That is how our program works.

Of all the issues we face, the worst is the lack of affordable housing. Everyone is talking about it. Greenville County said we are 12,000 units short of affordable housing and we have a crisis. If you look at what Simpsonville and Greer have done; they have made investments because they feel that affordable housing is the key to the growth in our communities. It amazes me that you are having a discussion that basically is going to limit the ability of the leading agency in the affordable housing to do more. It is a time to do more, and you should be encouraging agencies, groups and other developers to do more affordable housing. Please look at this and give us the opportunity to raise more revenue so we can provide more affordable housing.

- d. Glenda Fair: Good evening, thank you for the opportunity to speak. I also happen to be Chairman of the Board for Habitat. I would like each of you to think about the question, "What is your why?" I asked myself that question. Oftentimes, I find that my why is service, and volunteering is the tool that I use to accomplish this task. However, my reason for sharing tonight gives me an opportunity to glimpse back to 2018. A young, 90-year-old woman from Brooklyn, New York, asked family and friends to help her relocate to her home state of South Carolina. This young 90-year-old New Yorker had no children and was the last in a family of eight brothers and sisters. Why is my service. I was asked to assist in finding a place to live and given the task of furnishing these quarters.

A retired educator has a modest income on which to survive, and certainly never has extra financing for moving and furnishing an apartment. Finding a place to stay was relatively easy. Furnishing this studio apartment was more daunting. I researched my options and Habitat Restore won with flying colors. I was able to furnish this apartment with furniture that said love and welcome home. Ladies and gentlemen, Habitat for Humanity Restore is a place where people trust that their memories will give others pleasure. This 90-year-old New Yorker felt right at home. Now with her small budget, she is able to bring cherished pictures and many lifetime achievement awards in the field of education. Ladies and gentlemen, Habitat Restore filled the gap. I hope you understand that this not only benefited the young ladies like our 90-year-old New Yorker, but benefits residents of the City of Mauldin. Residents working, playing, making an economic impact in the town they live in. May I also note an added bonus to employees that work and live with Habitat, the opportunity to work in the City they live, which also helps with the regentrification problem. I could go on and on about the numerous benefits of Habitat, but I won't.

I want you to think about your why and what you discovered in my comments that should be important. How can this information used to benefit this great City of Mauldin and allow Habitat to partner in the success? How can we benefit the City of Mauldin? Thank you so much for your time.

- e. Kevin Conway: Good evening. I am Kevin Conway and work for Wheeler Real Estate, the current owner of the Bi-Lo shopping center. My address is 3209 Hartford Way in Weddington, NC. I would like to give everyone a little background on our company. We are a publicly traded group. We have about 65 grocery anchored buildings from Washington, DC to Tampa, Florida. We have relationships with almost every grocery store in the southeast. We have 16 Food Lions, 7 Kroger, 5 Lowes Food, 3 Publix, 2 Winn Dixies and others. We have been marketing this box since we heard it was closing,

about six months, and we have thrown out many incentives to get someone to come to Mauldin. We also reached out to over 100 businesses such as Hobby Lobby, Ross, TJ Maxx, Marshall's, Lidl, Aldi, Whole Foods, Bell's Outlet, Harbor Freight Tools, and we are not getting anyone. We have also analyzed splitting the space. That is something we have done. The cost to split the box is close to a million dollars.

Bi-lo's lease doesn't expire for two more years. We don't want to have a dark tenant and it is not good for the community or our customers. At the end of the day, we have to do what is in the best interest of our investors. Habitat would be a good tenant and is a well-respected operator. We have had Habitat in other shopping centers and the communities like what they do. Also, I want to mention we pay about \$152,000 a year in taxes. We have paid Greenville County about \$900,000 in taxes over the last six years.

- f. Randall Bentley: I don't get called Mr. very often, so thank you for that. I am here to support Habitat, number one. I also am representing them on the lease here. I am a commercial real estate broker that has been selling Mauldin since 1976. I can't tell you how many projects I have been involved in inside the City of Mauldin, but let me turn your attention to one. We have brought development here that is now under construction totaling 900,000 square feet of space. To this point, in those four projects, we have landed four new businesses, 110 employees, we are negotiating now and planning 80 more. The Mayor was gracious enough to meet with a company that is thinking about coming here and occupying 300,000 square feet. It is a bigger picture. I hope you will accept the proposal and resolution that is there.

The original 200-foot setback seems excessive when the City has industrial zoning that allows 25 foot setbacks even near residential properties. It seems a little inconsistent especially when it involves an existing business. It looks like you are changing the rules after they have invested millions of dollars.

The use is retail as it is selling goods to the public. It is not wholesale. And, by the way, it was mentioned S1. You can't do what they do in S1 in the City of Mauldin. You would be ruling out almost in any form them moving to the City of Mauldin. I am not real sure that is the message you want to send. If you look at these properties we are talking about, every one of them is class A industrial projects and they are good for exposure to 385, which is one of your major corridors.

The last thing I would say is we wouldn't want to look like we are changing the rules in the middle of the game for people who have already invested here. There is not a problem here, and I have sat in a little bit of your chairs. I was Chairman of the Greenville Planning Commission and on the commission for six. I know you want quality. We all do.

- g. Dennis Raines: It is good to be back here, and I commend you on what you did with these flags. I live at 305 East Butler Road. I have been with Habitat going on seven years and if they keep me, I will stay another 8 months, 13 days, 4 hours, 19 minutes, and 3 seconds, and then I will join the ranks of Mr. Merritt and Mr. Black, called retirement.

Overreaching decisions can sometimes have unintended consequences. There were two thrift stores, and there is now one. A few years back, I remember cleaning up the sign ordinances, and I think we did thirteen amendments. Later, there was a code in place and all the businesses had to come into compliance. I believe that is your intent, and working with this one business can

probably help put a similar code in place and not eliminate an entire segment of businesses. Again, overreaching decisions compound unintended consequences. I appreciate, and I am sure you do too, Mr. Dyrhaug's research on this. Page 24- Growth of Industry- thrift and other second-hand stores are growing on a national basis both in number and in popularity. Prior to Covid-19, the industry was growing at a rate of 7%. The appeal is growing beyond low-income households to include middle and upper income. Thrift store shopping has also spread to younger shoppers, who find the lower prices sensible, but also speak to the uniqueness and quality of the items sold.

Overreaching decisions can sometimes have unintended consequences. I have known some of you for quite some time, and you might say, "Yeah, I know," and I don't believe it is your intent to deny Habitat to locate in what we consider to be one of the premiere locations to providing citizens with affordable housing. This is for those who might wait your table, service the rooms at the new Marriott, or check you out at a retailer. These folks, like Amanda, who will speak, have a dream of owning homes also. Unintended messages. Here is a headline- "Mauldin City Limits Thrift Shops, Delaying Planned Restore in Bilo shopping center." The headline in tomorrow's paper can read this- "Last night Mauldin Voted against their Planning Commission and in doing so, show that they are against affordable housing." Here is our preferred headline- "Mauldin City Council unanimously voted last night to support the ongoing efforts of Habitat for Humanity providing affordable housing throughout our County by allowing Habitat to open a Restore."

Habitat hopes and desires that you will vote to agree with the Planning Commission and join us and them in continuing the efforts to provide affordable housing in Greenville County. I thank you for the jobs that you do. I am very familiar with them.

- h. Amanda Piper: I am Amanda Piper, and I am a Habitat homeowner. I live at 18 Ferdlee Reid Drive. A quick story on what Habitat means to me and how it is impacted our lives. Grace, my daughter, and I came to Habitat of Greenville in 2017 from a bad relationship with a husband that did drugs. We came to the point where we had to make a hard decision- to leave and provide what I could for my daughter. One day we left everything, and it was a sad day. Grace was 2 years old. In this day and age, trying to provide for my daughter on one income was difficult. A close friend came alongside to help me and we got an apartment together. It was a two bedroom, two bath apartment where we lived together for three years. We shared everything and Grace and I slept in the same room on a trundle bed.

Realizing that Grace was growing up, I started thinking about the future and getting help. I got really discouraged because everywhere I turned there was nothing available. I looked up Section 8 housing, HUD housing, and everyone was on a waiting list. So, I stopped, and I prayed for days and asked the Lord to help me. At that time, I felt like I should try one more place. Habitat for Humanity of Greenville was the place I should try. I put in an application and within two weeks I got an email to come in for an interview. Every step was a challenge in what I was willing to do for Grace to have a home. This was about a two-year process from beginning to end. We started building my house in September 2019 and we were able to move in March of 2020, just two weeks before Covid hit. What a blessing.

I have a three bedroom, two bath house that my daughter saw our family and friends coming together to help us build. That is not something you can ever teach. In those moments we could see the hand of the Lord providing for us. It is like the world stopped and gave us hope and love, which is something I personally never expected to happen to us. This is truly a blessing, and I can

now provide for my daughter. I have a mortgage that I can afford without going into debt, and the confidence to provide a bedroom Grace doesn't have to share and a place that we can all call home that brings us closer together as a family. I have a neighborhood with families that have different stories, but we all have one thing in common- Habitat of Greenville was the answer to our prayers. We are all family now thanks to Habitat.

- i. Joseph Law: Good evening. I am a 20-year resident of Greenville County. I want to talk about annexation and state law with the 1994 Planning Enabling Act. From what I see, it appears the annexation step, the rezoning step is being abbreviated with annexation in Mauldin. I am not educated on the whole process, but I have read the Enabling Act and it is pretty clear how the annexation in the City allows a lack of any public hearing to be held. There is one specific example close to my home. We have R12 housing all around and Mauldin came in an annexed and decided to put 100 homes on 14 acres. This is completely counter to the existing Greenville County zoning. I do understand that Mauldin has its own zoning, but there was no public hearing and I feel that is being missed here.

I do feel also there is a conflict of interest purely because you have this developer that decides what it is going to be without community input. The City is doing a good job when it comes to rezoning, but specifically to annexation, it appears there is some steps missing. The 1994 Planning Enabling Act is pretty clear in Section 7, there is no exemption to annexation.

5. Report from City Administrator

Mr. Madden thanked the departments for their help on the BBQ festival this past weekend. Councilman Matney asked Mr. Madden for a list of the winners and what they cooked for the Anything Butt competition. Mr. Madden answered the list will be provided.

6. Report from Standing Committees

- a. Finance and Policy (Chairperson Reynolds)- Chairman Reynolds reported there are 4 items coming out of committee tonight.
- b. Public Safety (Chairperson King)- None
- c. Public Works (Chairperson Kraeling)- Chairman Kraeling thanked the department for the help with the BBQ festival.
- d. Economic Planning & Development (Chairperson Matney)- None
- e. Building Codes (Chairperson Kuzniar)- None
- f. Recreation (Chairperson Black)- None

7. Unfinished Business

Ordinances- 2nd Reading

- a. An ordinance to rezone property consisting of approximately 1 acre located at 227 E. Butler Road (tax map parcel: M004.02-01-010.00) and providing an effective date. This property is across the street from CVS Pharmacy on East Butler Road.

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

Vote: The vote was 6-1 with Councilman Matney dissenting.

- b. An ordinance to rezone property consisting of approximately 12.5 acres located at Ashmore Bridge Road and Fork Shoals Road (portions of tax map parcel: 0411.00-01-001.00) and providing an effective date

Motion: Chairwoman Kuzniar made a motion to table this ordinance. Councilman Matney seconded the motion.

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

- c. Consideration of an Ordinance related to the Fire Department
(Committee of the Whole)

Motion: Councilman Matney made a motion to consider this ordinance informally. Councilman Reynolds seconded the motion.

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

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

Chairwoman King reported this is the current headquarters for our fire department. We are in the process of building a new headquarters on West Butler Road.

Councilman Reynolds would like for the City to hang on to the property for now and look at it at a later date because it is in our front yard.

Vote: The vote was unanimous (6-1) with Councilman Reynolds dissenting.

8. New Business

Ordinances – First Reading

- a. An ordinance to provide for the annexation of property owned by Bo Lac Properties, LLC, and located at 2001 Fork Shoals Road (Tax Map Parcel: 0583.02-01-007.05) by one hundred percent

petition method; and to establish a zoning classification of R-10, residential, for said property

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

Councilman Kraeling said this property is RS. Changing the zoning to R10 would mean going from one home per 25,000 square feet to one home per 10,000 square feet. He said that is a lot of homes and thinks until SCDOT improves Ashmore Bridge Road, the zoning is too dense.

Vote: The vote was 6-1 with Councilman Kraeling dissenting.

- b. An ordinance to provide for the annexation of property owned by Cojac Whitehorse, LLC, and located at Fork Shoals Road and Union Church Road (Tax Map Parcel: 0583.02-01-007.02) by one hundred percent petition method; and to establish a zoning classification of R-10, Residential, and C-2, Commercial, for said property

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

Vote: The vote was 6-1 with Councilman Kraeling dissenting.

- c. An amendment to the Mauldin Zoning Ordinance establishing definitions and conditional use standards for thrift stores, consignment stores and like businesses and to establish the zoning districts for which they can locate

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

Councilman Matney said he would like to get the discussion back on track. Somehow talking about Mauldin's future has changed into Mauldin having a target on the back of an incredibly worthwhile charity. He is a huge fan of what Habitat does. The bravery of Ms. Piper to come forward should be congratulated. This is not about Habitat for Humanity, but Habitat's Restores are in the County, not in a City, nor do they abut a central business district. This is about looking at Mauldin's future. This was in process before Habitat came up. Council worked very hard putting a MCIP together and City Center village. We understand what we need to do to attract the retail businesses we have. The City has been very intentional in this process, and he would like to go back to the original ordinance before the planning commission made their changes that includes distance separations.

The City has been a leader in affordable housing in Greenville County. We worked with GCRA on the development at Miller and Old Mill, there is a project across the street from Mutt's at East Butler, and there will be a project behind South State bank. We want to make sure that people have an affordable place to live, but we also have to balance that with economic development. Councilman Matney believes the original version should be considered the way it was before the planning commission made changes and will make a motion to that end.

Chairwoman Kuzniar said there is one thrift store near our City Center. While not technically a thrift store, Bin Time sells items at \$5.00 and less and is also located in the central corridor. She suggests that we use the original version with the 200-foot separation, and the store shall be

located within a multi-tenant shopping center. In addition, she would also like to implement a separation of one mile from any other thrift store, as was done with small box variety stores.

Motion: Chairwoman Kuzniar made a motion to amend the motion to revert back to the original version with the addition of the 200-foot separation, along with adding the multi-tenant shopping center, and the one-mile separation from other thrift stores. Councilman Matney seconded the motion.

Councilwoman King said Council represents the City. She has talked to the residents and believes we have an economic need for stores such as the Restore. She thinks it has been presented that the stores are different than a stereotypical thrift store. She shops these stores and has friends who do as well and will not support an amendment that will eliminate this store from the City.

Councilman Black said he has been to the Restore on Woodruff Road, and it is very clean and a worthwhile project. The draft ordinance presented did not include a separation requirement from existing stores. He believes it will put a hardship on Habitat and will support them.

Councilman Reynolds clarified that the two items that the Planning Commission took out would be added back in. This came out of Planning Commission unanimously. Mayor Merritt answered yes, and also a one-mile separation from other thrift stores would be added.

Councilman Matney reminded everyone that this amendment is regarding thrift and consignment stores. Restore is different from other thrift stores, but there are other stores that don't apply the same standards. Without protections in place, we leave the door open for the others. Despite all the discussions and terse conversations, he reached out and asked if we could find another location for Restore in the City. There is nothing here that would prevent Restore from coming into the City of Mauldin, just not in the central business district. Mr. Bentley talked about the Class A industrial, those are not abutting the CBD either. They don't fit the character. As we continue to build downtown, these guidelines need to be in place.

We have antiquated zoning that was great twenty years ago. The Council has its foot on the gas with economic development. We need to look at a comprehensive zoning overhaul.

Chairwoman Kuzniar agreed with Councilman Matney. She is not against Habitat coming into Mauldin. We are trying to protect City Center from thrift stores.

Councilwoman King said the representative for the property mentioned they reached out to over 100 retailers to try to bring someone else into the center. With that effort, we have Habitat that wants to come to Mauldin, and this text amendment would preclude them from locating in the old Bilo. She would welcome Habitat there, rather than having a vacant building. She respects Mr. Matney and is excited about City Center, but cannot support an amendment to stop Habitat from locating there.

Mayor Merritt said he is invited to meetings with developers on projects, and then he goes home and looks at the vision of City Center. He wasn't in favor of it several years ago because he didn't understand it. It has now been presented in a way that he understands it and wholeheartedly supports City Center. The vision is to reinvent Mauldin. It will not happen

overnight, but it has started. We do have industrial corridors, but they do not back up to residential areas. They don't need buffers.

When he grew up in Mauldin, there was Sky City, the Kmart plaza, Bilo, Ingles... strip malls from the 70s and 80s, which are now a detriment to developers. They see it as an old City not doing anything. Maverick Station on the corner shows that we are doing something. We have a broker for our fire station headquarters who wants to do something before we even get out of the building. Developers want to see that we are serious about modernizing. We brought up text amendment overlays four to five years ago, but got sidetracked. This will bring us forward to developers and show the potential to modernize the City. He is not against Habitat.

Mayor Merritt said he is a member of Habitat and has participated in building homes. The first thing he did was reach out to Habitat when he heard some residents may be displaced by the widening of East Butler Road. We can't build workforce housing en masse because that adds to the low-income portfolio that developers have seen in Mauldin. It has taken six years to turn that around and say no, we are an upper middle-class community. We want to make it better. We need workers for hotels and restaurants, and we are planning for that. Mercy Housing is near Mutt's. That is 45 units. The development at Old Mill and Miller is 16 units. They were full as soon as they got their occupancy permit. The vision said we have to clean this up and put text amendments in place to get to our vision.

Councilman Reynolds said this is growing pains. He appreciates all the work done by the committee and planning commission and appreciates the passion shown.

Vote: The vote on the amendment to the motion was done by roll call. Councilman Matney- yes, Councilwoman King- no, Councilman Kraeling- yes, Councilman Reynolds- no, Councilman Black- no, Councilwoman Kuzniar- yes, Mayor Merritt- yes. The amendment passed 4-3.

City Attorney Duggan interjected and said that because the planning commission had recommended a different version, a super majority of Council was needed to overrule the commission. Mr. Dyrhaug said he had talked earlier with Daniel Hughes, Mr. Duggan's partner, and he said because part of the ordinance recommended by the planning commission was still being considered, a super majority was not needed. Amendments to the ordinance are permitted.

Councilwoman King asked Mr. Duggan about the one-mile separation since that was not part of any discussion by the planning commission. Mr. Duggan said he is concerned about that. The amendment includes items that were not part of the recommendation. The commission has not considered this part at all and the public has not had the opportunity to discuss this at the commission level.

Mayor Merritt asked if the one-mile separation could be removed so that the Council could continue. Mr. Duggan said yes, then he would not have a concern.

Motion: Councilman Matney made a motion to remove the one-mile separation from consideration. Chairwoman Kuzniar seconded the motion.

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

Motion: Chairwoman Kuzniar made a motion to amend the amendment to strike the one mile separation provision. Councilman Matney seconded the motion.

Vote: The vote to strike the one-mile provision was unanimous (7-0).

Vote on the amended motion to add the 200-foot separation and the multi-tenant shopping center provision was : Councilman Matney- yes, Councilwoman King- no, Councilman Kraeling- yes, Councilman Reynolds- no, Councilman Black- no, Councilwoman Kuzniar- yes, Mayor Merritt- yes. The amendment passed 4-3.

The vote on the motion as amended was: Councilman Matney- yes, Councilwoman King- no, Councilman Kraeling- yes, Councilman Reynolds- no, Councilman Black- no, Councilwoman Kuzniar- yes, Mayor Merritt- yes. The motion passed 4-3.

Standing Committee Items

d. Corporate Memberships

Motion: Chairman Black made a motion to update the fee schedule for corporate memberships to 30+ memberships = \$350.00 per year -15+ memberships = \$400.00 per year -10+ memberships = \$450.00 per year. Councilman Reynolds seconded the motion.

Councilwoman Kuzniar asked after the first year of the company paying for their residents to join the Sports Center, does the rate go back to what the City residents pay?

Mr. Bart Cumalander said to get the corporate membership, there has to be a certain number of people join. If it is an individual, it would go back to the regular rate.

Councilwoman King said this is an item that we have discussed for a while. It is her understanding that a discounted rate for corporations would help us recruit more members.

Councilman Reynolds asked if there is a way to track when the corporate memberships would start. Mr. Cumalander said yes, there is.

Councilwoman Kuzniar said our residents are paying much more and she has a problem with that even though she knows what we are trying to do. She doesn't believe it is fair to our residents. Some of the corporations' employees may not even live in Mauldin, but they get a really discounted rate versus what our citizens pay.

Mayor Merritt said these are annual paid memberships. There is an annual membership available for residents, and it is not far from the number. Mr. Cumalander said the numbers are about the same.

City Attorney Duggan brought up the point that a neighborhood is not a corporation. Councilman Matney said most neighborhoods have an HOA, which is a corporate entity.

Chairman Black said the residents that joined through the company paying their memberships should be told up front that after the one year expires, they are responsible for paying the full amount if they want to continue the membership.

Mr. Cumalander said that can be done. The Sports Center is unique. No other municipality has a facility like this. We are just trying to sell it and bring in more members.

Councilwoman King said Council needs to set rates for corporate memberships and let staff can work out the details as to when the time expires and how to track the memberships.

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

e. Upfit of Police Cars

18 Ford Explorers were budgeted and there is a cost associated for up-fit with police equipment.

Motion: Chairwoman King made a motion to award the bid for upfitting the police vehicles to Unique Lighting Solutions. Councilman Reynolds seconded the motion.

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

f. Department of Juvenile Justice Agreement

Motion: Chairwoman King made a motion to adopt the resolution to enter into a MOA with SCDJJ for juvenile detention services. Councilman Black seconded the motion.

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

g. Purchasing Policy Amendment

Motion: Chairman Reynolds made a motion to adopt the resolution to establish a policy providing that only the Mayor, the Mayor Pro-Tem, and the City Administrator with the express written authority of the Council may execute contracts or other documents that obligate the City financially or otherwise and prohibit department heads and all other City employees from executing such documents. Councilwoman King seconded the motion.

Councilman Matney said he understands the intent of the policy but is concerned this will tie department heads' hands. He feels this policy may be going a little too far and worries we may have to come back and change the policy again.

Councilman Black asked if the Mayor could refuse to sign a contract if he doesn't approve of it. He is concerned that the policy says Mayor and Council. City Administrator Madden said no, the way it is set up is a majority of Council will give the Mayor the authority to sign a contract. John Duggan suggested that the wording be changed from "Mayor and Council" to add majority vote. Mayor Merritt suggested it could be changed to majority vote of the Mayor and Council.

Motion: Chairman Reynolds made a motion to amend the motion to insert the words by majority of the Mayor and Council. Councilwoman King seconded the motion.

Councilwoman King said this is just to clarify the policy that has been in place by custom and practice. This action just puts it in writing in the procurement policy.

Councilman Matney asked if department heads would still have the ability to make purchases under \$5,000. John Duggan said all he was asked about was contracts. Mr. Madden said this makes clear that if there is an agreement to be executed, the City's legal counsel reviews the contract. The City Administrator has the express written authority of Council to spend up to \$15,000.00. The City Administrator must obtain the express written authorization of the Mayor and Council for any expenditure in excess of \$15,000.00 or before entering into any agreement which otherwise obligates the City.

John Duggan said the City is tightening up policies to prevent people acting to obligate the City.

Mayor Merritt said he thinks we are getting confused between purchase orders and contracts. Councilman Matney quoted section 3 of the resolution, "The City Administrator has the express written authority of Council to spend up to \$15,000.00. The City Administrator must obtain the express written authorization of the Mayor and Council for any expenditure in excess of \$15,000.00 or before entering into any agreement which otherwise obligates the City." The "or" provides for the contract, the preceding language provides for purchase orders. There is no mechanism for department heads to spend up to \$5,000 if need be and he would like that included in the resolution.

The Mayor reminded Council that a vote needed to be taken on inserting the words "by majority of the Mayor and Council."

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

Vote on the motion as amended to adopt the resolution establishing a policy providing that only the Mayor, the Mayor Pro-Tem, and the City Administrator with the express written authority of the Council may execute contracts or other documents that obligate the City financially or otherwise and prohibit department heads and all other City employees from executing such documents and amended "by majority of the Mayor and Council", and amending section 6 to change the language from will be terminated to may be terminated.

Motion: Councilman Matney made a motion to amend the motion to insert a section after section 3 stating department heads may spend up to \$5,000 for budgeted items as currently defined in procurement policy and renumber sections appropriately. Councilwoman Kuzniar seconded the motion.

Councilman Matney said we currently have the common practice to trust our department heads to be able to spend up to \$5,000 and he doesn't want to take away from that especially if they need to move quickly on something.

Councilwoman King said she thinks we are getting away from what the amendment is for- which is contracts. This is for contracts only, not general spending.

Vote: Councilman Matney- yes, Councilwoman King- no, Councilman Kraeling- yes, Chairman Reynolds- no, Councilman Black- no, Councilwoman Kuzniar- yes, Mayor Merritt- yes. The amendment passed 4-3.

Vote: The vote on the motion as amended was 5-2 with Chairman Reynolds and Councilwoman King dissenting.

h. City Phone Service Provider

Motion: Chairman Reynolds made a motion to approve transitioning to Segra from VC3 to the provision of Voice over Internet Protocol (VOIP) services for the City's phones. Councilwoman King seconded the motion.

Councilman Black asked if the City would be getting new phones or still using the old equipment. Mr. Madden said the City would be receiving new phones. Councilman Black then asked if it would be compatible with the City's computers. Mr. Madden answered there will be no issues. Councilwoman Kuzniar asked if we knew how much the taxes and fees would be. Ms. Abercrombie said she would check into that and get back with Council. The estimated fiscal impact is approximately \$1,341.73 per month. The current payment to VC3 is approximately \$4,232.85 per month.

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

i. American Recovery Plan Act

Motion: Chairman Reynolds made a motion to approve a Resolution designating an authorized representative and contact person for the purposes of the American Rescue Plan Act of 2021. Councilwoman King seconded the motion.

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

1. Covid 19 Prevention & Mitigation Efforts:	
a. Ventilation Improvements	\$548,000
b. Aid small businesses through GCRA	\$125,000
c. Aid households/populations disproportionately impacted (through GCRA)	\$125,000
2. Responding to workers performing essential work during pandemic:	
a. Payroll and covered expenses	\$399,146
b. Premium pay to frontline workers	\$840,000
3. Revenue Recovery for the Loss associated with pandemic:	
a. Revenue Loss calculated	\$1,782,989
4. Investments in Water, Sewer, and Broadband Infrastructure	
a. Sewer related projects and equipment	\$1,375,000
b. Stormwater investments	\$1,129,724

Total of the first tranche

\$6,324,859

Motion: Chairman Reynolds made a motion to approve the recommended spending plan for the first tranche of the Coronavirus Recovery Funds made available through the American Recovery Plan Act. Councilwoman King seconded the motion.

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

j. FY 2022 Initiatives

Motion: Chairman Reynolds made a motion to use surplus funding of \$2.2M for FY2021 for capital expenditures. Councilwoman King seconded the motion.

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

k. Carolina Piedmont Railroad Reimbursement Agreement

Motion: Chairman Matney made a motion to approve the Carolina Piedmont Railroad (CPDR) reimbursement agreement for traffic safety improvements at the railroad crossing at the Jenkins St. and Miller Rd. intersection and the future railroad crossing for extending Jenkins St. to Hyde Circle. Councilman Black seconded the motion.

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

l. Resolution- Cost Reimbursement Agreement

Motion: Chairman Matney made a motion to approve the reimbursement agreement with the Parker Group for improvements made to the property at 1 East Butler Road. Councilwoman King seconded the motion.

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

m. Resolution- Multi- County Industrial Park

Motion: Chairman Matney made a motion to approval of a Resolution to add additional properties into the CenterPointe MCIP (Multi-County Industrial Park). Councilwoman King seconded the motion.

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

n. Amendment to Lease Agreement

Motion: Chairman Matney made a motion to approve amendment to the lease agreement with Pop's Cabin Creamery. Councilwoman King seconded the motion.

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

9. Public Comment

Rollie Hyust: I live at 104 Swinton Drive. I live in the city limits of Mauldin, and I will only take 30 minutes of your time. The City has done a wonderful job in maintaining their roads with projects done over the years because we are growing. The State is not doing their fair share. They are really hurting the City of Mauldin. We have a problem on our state roads. They are really bad. McMaster and the SCDOT are dragging their feet. They have \$900 million in a fund plus surplus funds and they are drawing interest. The interest is going into the general fund. It is deep pockets for the politicians. We have to do something to get the State to do something about the roads in the City of Mauldin. We take Corn Road to Miller Road, go up Miller to Jenkins, and it is deteriorating before our eyes. There is no way that road can maintain the traffic. I can't get out of my road at 5:00 p.m. The four-way stop is there. I can't get out of my neighborhood. I can if someone gives me the courtesy of making a left hand turn or lets me in traffic.

The road is deteriorating. In front of the new place and the glass company, in the Spring it is not going to be there. Or if it is there, how will the fire department or police department be able to make their calls? Ashmore Bridge Road is deteriorating. If something happens on Ashmore Bridge Road, like a catastrophe on the golf course, my goodness, it will create a catastrophe. All I can say is please go to the State and beg, borrow, and steal, whatever you have to do to get them to do something on the State roads. Thank you.

10. Council Concerns- Councilman Matney thanked Council for the solid, respectful discussions held tonight, even though Council may not agree on all the issues.

Mayor Merritt agreed. There are a lot of exciting things happening in the City and we are moving forward. There are ongoing discussions with SCDOT on how we need to work together to keep up with our growth. There is progress being made. He appreciates all the hard work from everyone.

11. Adjournment- Mayor Merritt adjourned the meeting at 10:15 p.m.

Respectfully Submitted,

Cindy Miller
Municipal Clerk