

MINUTES  
CITY OF MAULDIN  
CITY COUNCIL MEETING  
FEBRUARY 21, 2022

Members present: Mayor Terry Merritt, Councilmembers Taft Matney, Carol King, Frank Allgood and Diane Kuzniar. Council members Michael Reynolds and Jason Kraeling joined via Zoom.

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

1. Call to Order- Mayor Merritt
  - a. Welcome- Mayor Merritt
  - b. Invocation- Councilwoman King
  - c. Pledge of Allegiance- Councilwoman King
2. Proclamations and Presentations
  - a. Presentation by Make a Wish- Misty Farmer of Make A Wish Foundation thanked Council and staff for their help with Officer Bennett Gulyas' special day and presented Chief Miller with a plaque of appreciation.
3. Reading and Approval of Minutes
  - a. City Council Meeting –January 18, 2022

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

**Vote:** The vote was unanimous (6-0). Councilwoman King was not present at the meeting and did not vote.

- b. Special Called Council Meeting – February 15, 2022

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

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

4. Public Comment-

Greg Carter signed up to speak but decided to defer his comments until a future meeting.

5. Report from City Administrator- No Administrator's report
6. Report from Standing Committees
  - a. Finance and Policy (Chairperson Reynolds)- Chairman Reynolds mentioned the Finance Department has received the Distinguished Budget Award for the second time.
  - b. Public Safety (Chairperson King)- Chairwoman King thanked Chief Miller and his staff and also the Public Works staff for the City's participation in the Make A Wish presentation.

- c. Public Works (Chairperson Kraeling)- Chairman Kraeling appreciates the opportunity to participate remotely.
- d. Economic Planning & Development (Chairperson Matney)- Chairman Matney read a statement from Van Broad thanking everyone for their support and encouragement of him as the Community Development Director. He also mentioned the work continues on the cultural center renovations.
- e. Building Codes (Chairperson Kuzniar)- Chairwoman Kuzniar reported there were four new business openings in January.
- f. Recreation (Chairperson Allgood)- Chairman Allgood reported the Egg Drop will return this year on a smaller scale. Spring sports registrations are ahead of last year's numbers.

7. Unfinished Business

Ordinances – 2nd Reading

- a. An Ordinance Amending Chapter 38 of the City of Mauldin Code of Ordinances ("Traffic and Vehicles") to Add a New Article Regulating the Operation of Certain Trucks on Designated Streets in the City and other Matters Related Thereto

**Motion:** Chairwoman King made a motion to accept this ordinance on second reading with Councilman Matney seconding.

Mayor Merritt mentioned that Chapter 38-173 Section B allows for additional roads in the future to be added by resolution.

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

8. New Business

Ordinances – 1st Reading

- a. An ordinance to provide for the annexation of property owned by Zenith Holdings, LLC, and located at 220 Fowler Circle (Tax Map Parcel: M007.03-01-010.01) by one hundred percent petition method; and to establish a zoning classification of R15, residential, for said property

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

Mayor Merritt asked Mr. Dyrhaug to come up to the podium to answer a few questions. Mayor Merritt asked what safeguards are in place to keep the cost of the homes in the proposed \$400,000 to \$450,000 range. Mr. Dyrhaug answered that is not up to the City. The City does not determine price ranges for developments and we cannot hold them to a price.

Mayor Merritt asked about the main entrance. Is there anything with the City that will require left

and right-hand turns. Mr. Dyrhaug said he believes Fowler Circle is either a DOT or County roadway, and the road would have to meet clear distance requirements. Line of sight would be required.

Mayor Merritt then asked about the retention pond and how the developer would keep water from flowing into the houses. Jay Martin from Arbor Land Design was present to answer. Mr. Martin said there would be no water flowing into the houses. The stormwater pond is behind lots 11-14.

Councilman Matney said this is a County road. Mr. Martin said the County would determine the site triangle and site distances that SCDOT establishes. This item will also be considered by the Planning Commission.

Councilman Matney asked Colton Miller about the scope of the property. Mr. Miller said the residential costs are born out of the finances and based out of what NewStyle constructs. Mr. Miller said Zenith would be happy to show Council the contract between them and NewStyle in executive session.

Councilman Allgood asked what kind of feedback the developer is getting. Mr. Martin said there will be a meeting with surrounding residents before second reading to make sure the residents' concerns are being met. Mr. Miller also added that there have been separate meetings for residents on Rose Circle, Fowler Circle, and other surrounding residents. Mr. Miller quoted one resident as saying he would much rather have a 55+ development near him than storage facilities or apartments.

Councilman Reynolds said the first time Zenith came to Council, he did not support the project because he still had questions about the value of homes, number of homes, and sewer. His opinion is that this development does a better job of being what is good for the City.

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

- b. An Ordinance to provide for the annexation of property owned by David M. Cumbia and Karen G. Cumbia, and located at 110 Rose Circle (Tax Map Parcel: M013.02-01-014.00 and M013.02-01-014.01) by one hundred percent petition method; and to establish a zoning classification of R12, residential, for said property

**Motion:** Chairwoman Kuzniar made a motion to approve this ordinance on first reading with Councilman Matney seconding.

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

- c. An Ordinance approving an Intergovernmental Agreement with the Metropolitan Sewer Subdistrict and Authorizing the Mayor to execute the Agreement

Councilman Matney removed himself from Chambers. He has a recusal statement on file and will not vote on this item due to a business conflict.

**Motion:** Chairman Kraeling made a motion to approve this ordinance on first reading and authorize the Mayor to execute the agreement. Councilwoman Kuzniar seconded the motion.

The Mayor asked if this agreement had been vetted by Counsel. John Duggan answered yes, the agreement was substantially revised by the City under his direction and Metro agreed to all of the revisions.

Councilman Reynolds said this is a great chance for the City and Metro to establish a framework moving forward.

**Vote:** The vote was unanimous (6-0).

Councilman Matney came back into the meeting

#### Standing Committee Items

d. Fire Station Guaranteed Maximum Price

**Motion:** Chairwoman King made a motion to accept the guaranteed maximum price set by Cloverleaf Construction and Stewart Cooper Newell for the new fire station and police substation. Councilman Allgood seconded the motion.

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

e. 122 Sunset Drive Stormwater Improvements

**Motion:** Chairman Kraeling made a motion to approve the stormwater project and the associated agreements. Councilwoman King seconded the motion.

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

f. Springfield Park Parking Lot Paving

**Motion:** Chairman Allgood made a motion to accept option 3 in the amount of \$191,700 to pave Springfield Park. Cement will be poured and should harden the soil to allow for the paving. Councilwoman Kuzniar seconded the motion.

Councilman Reynolds clarified this third option is something different from what was presented to the Recreation committee. This option will not have the same base. Mr. Madden said this would still pass the proof roll and be warranted. Matt Fleahman said this is a process he is familiar with and is used for the worst roads when paving.

Councilwoman King wanted to clarify the motion on the floor is for \$191,700. Mr. Madden said that is correct. It will be funded from hospitality and accommodations tax. Councilwoman Kuzniar asked if the new option would last the same amount of time. Mr. Madden answered yes.

Mayor Merritt asked if there would be a proof roll test for option 3. Mr. Fleahman said option 3 is a concrete slab and does not require a proof roll. It is not loose soil.

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

9. Public Comment- There was no public comment.

10. Council Concerns- Councilman Matney wished the Mayor and Recreation Director Bart Cumalander a happy birthday.

Councilman Reynolds mentioned he is looking forward to talking about opportunities related to Project Kick.

Councilman Matney said the MHS boys basketball team is only two points behind Dorman towards the end of the game.

11. Adjournment- Mayor Merritt adjourned the meeting at 8:06 p.m.

Respectfully Submitted,  
Cindy Miller  
Municipal Clerk