



CITY COUNCIL MEETING

MONDAY, JULY 18, 2022 | 7:00 PM

**City Council meeting in the Mauldin City Hall Council
Chambers, 5 East Butler Road**

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

**CITY OF MAULDIN
CITY COUNCIL MEETING
AGENDA JULY 18, 2022
7:00 P.M.
CITY HALL COUNCIL CHAMBERS, 5 E. BUTLER
ROAD**

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|---|----------------------------|
| 1. <u>Call to Order</u> | Mayor Merritt |
| a. Welcome | |
| b. Invocation | |
| c. Pledge of Allegiance | |
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| 2. <u>Proclamations and Presentations</u> | Mayor Merritt |
| No proclamations or presentations | |
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| 3. <u>Reading and Approval of Minutes</u> | Mayor Merritt |
| a. City Council Meeting –June 20, 2022 [Pages 4-13] | |
| b. Special Called Meeting- June 22, 2022 [Page 14] | |
| c. Special Called Meeting-July 5, 2022 [Page 15] | |
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| 4. <u>Public Comment</u> | Mayor Merritt |
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| 5. <u>Report from City Administrator- None</u> | Interim City Administrator |
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| 6. <u>Report from Standing Committees</u> | |
| a. Finance and Policy (Chairperson Reynolds) | |
| b. Public Safety (Chairperson King) | |
| c. Public Works (Chairperson Kraeling) | |
| d. Economic Planning & Development (Chairperson Matney) | |
| e. Building Codes (Chairperson Kuzniar) | |
| f. Recreation (Chairperson Allgood) | |
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| 7. <u>Unfinished Business</u> | Mayor Merritt |
| There is no unfinished business. | |

8. New Business

Mayor Merritt

Standing Committee Items

- a. Purchase and Sale Agreement

Councilor Matney

9. Public Comment

Mayor Merritt

10. Council Concerns

Mayor Merritt

11. Adjournment

Mayor Merritt

The public hearing was convened at 7:10 p.m. and ended at 7:12 p.m. No comments were made.

MINUTES
CITY OF MAULDIN
INDIGO POINT PUMP STATION PUBLIC HEARING AND CITY COUNCIL MEETING
JUNE 20, 2022
7:00 P.M.
CITY HALL COUNCIL CHAMBERS, 5 E. BUTLER ROAD

Members present: Mayor Terry Merritt, Council members Carol King, Jason Kraeling, Michael Reynolds, Frank Allgood and Diane Kuzniar. Councilmember Matney was not present at the Call to Order, but came in during the Proclamation section of the meeting.

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. Alan Stephens Proclamation- The Mayor read the proclamation.
- b. Greenville Transit Authority Presentation- Walker Smith, Chair of the Transit Authority was present to speak about the importance of public transit. There is a proposed new Mauldin circulator that will be worked on. Councilman Matney said he is appreciative of the important work Greenlink does and is happy Mauldin is included.

3. Reading and Approval of Minutes

- a. City Council Meeting –May 16, 2022

Motion: Councilman Matney made a motion to approve the minutes with Councilwoman King seconding. Councilman Reynolds was not present at this meeting, and will not vote on the minutes.

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

- b. Special Called Meeting- May 25, 2022

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

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

- c. Special Called Meeting-June 15, 2022

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

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

4. Public Comment- None
5. Report from City Administrator- None

Ozzy Custodio, Secretary of the Mauldin Chamber Board, reported on the Car Show, which took place on Saturday at Sunset Park. He mentioned there will be several ribbon cuttings and business after hours in July, and the Chamber Oyster Roast will be held in October.

6. Report from Standing Committees

- a. Finance and Policy (Chairperson Reynolds)- Chairman Reynolds reported the FY 2023 budget would be considered tonight. He also advised everyone of the Job Fair, which will be held on Wednesday, June 29th from 9:00 a.m. to 2:00 p.m. at the Cultural Center.
- b. Public Safety (Chairperson King)- None
- c. Public Works (Chairperson Kraeling)- None
- d. Economic Planning & Development (Chairperson Matney)- Chairman Matney reminded everyone of Beachin' Fridays held on Friday evenings . He thanked Gina and Jeannie for their help coordinating the event.
- e. Building Codes (Chairperson Kuzniar)- 21 new businesses opened last month.
- f. Recreation (Chairperson Allgood)- Trevor Booker's Basketball camp has been held, summer camp is going on now, and the Gilder Creek trail feasibility study was presented at committee.

7. Unfinished Business

- a. An ordinance to rezone property consisting of approximately 8.1 acres located at 711 North Main Street and 713 North Main Street (tax map parcels #M008.03-01-010.01 and #M008.03-01-010.10) and providing an effective date

Motion: Chairwoman Kuzniar made a motion to approve this on final reading with Councilwoman King seconding.

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

- b. An amendment to Chapter 10, Article II (Business Licenses), Section 6 (Deductions, Exemptions, and Charitable Organizations) of the Mauldin Code of Ordinances to exempt short-term vendors at public markets from the business license tax

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

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

- c. FY 22 Budget Amendment ordinance

Motion: Chairman Reynolds made a motion to approve this on final reading with Councilwoman King seconding.

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

Committee of the Whole Unfinished

- d. An Ordinance establishing a sewer pump station fee for additional parcels of the Indigo Point development and for certain properties near and adjacent to 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 approve this on final reading with Councilwoman Kuzniar seconding.

City Administrator Madden said 426 Forrester Drive would be removed from the ordinance because they have a septic tank and will not use the pump station.

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

- e. An Ordinance To Provide Appropriations For The Fiscal Year Beginning July 1, 2022 And Ending June 30, 2023 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 approve this on final reading with Councilwoman King seconding.

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

8. New Business

Ordinances – 1st Reading

- a. An amendment to Chapter 18, Article II (Nuisances) of the Mauldin Code of Ordinances to authorize the codes enforcement official rather than the Building and Zoning Director to enforce certain provisions contained herein and to provide for and establish certain standards to protect against nuisances caused by light glare and light trespass and for other matters related thereto

This item is being considered for information and will be sent back to committee for further discussion.

Motion: Chairwoman Kuzniar made a motion to allow for discussion and input and then send it back to committee with Councilman Matney seconding.

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

Mayor Merritt asked if the Police Codes Enforcement Officer has any training or equipment to determine what may be a violation. He said this ordinance needs more maturity. With all of the growth we are experiencing, we may reach out to other communities to see what they are doing to flesh out the ordinance. As the ordinance is written now, it is subjective.

Chairwoman Kuzniar said someone from BDS could check the height and lumens to tell Codes Enforcement why a light is not in code. Councilman Kraeling asked if there is a determination of lumens within a certain number of feet. A measurement should be defined. City Attorney Duggan said the City of Greenville has an ordinance with very specific measurements.

Councilman Reynolds asked if an HOA would normally handle this issue. David Dyrhaug answered that he was not familiar with the issue and does not know.

Councilman Allgood said he is still concerned about a defined radius that determines where a complaint can come from.

Mayor Merritt asked Mr. Dyrhaug if the utility companies had been contacted regarding their normal height requirements for light poles. Mr. Dyrhaug said they do have requirements, but the requirements change. Staff could look into this question.

Councilman Kraeling said he thinks some of this stems from safety issues- creating shadows so it is hard to see to walk, or lights blinding motorists. If measurements are added to the ordinance, this will also get rid of the radius problem.

Councilman Allgood asked about the ordinance not applying to holiday lights. What about spotlights? John Duggan said there is an issue of brightness. If someone has spotlights, there are shields that can be installed.

Councilman Reynolds said that under Section 18-103, the City is exempted from the ordinance. He has a problem with the City exempting itself from an ordinance it is placing on residents.

Mayor Merritt would like to see a hazard definition and "ordinary sensibilities" quantified since everyone is different. He also would like to know how it would be enforced.

Chairwoman Kuzniar asked the Police Chief, Codes Enforcement Officer, and City Attorney to meet and discuss this item further. It will be sent back to committee.

Standing Committee Items

- b. Stormwater Task Order- The City identified a need to contract KCI to inspect, design, and oversee stormwater construction projects in areas of the City where the installed drainage system is under-sized, failing, or absent. This need extends to both the City-owned ROW and private property.

Council approved a contract with KCI in March 2022. KCI developed the Task Order 01 to Identify the scope of services to be provided and to outline project schedules with associated costs. Task Order 01 does not include any construction costs, as the entirety of the task order is engineering services. The engineering services associated with this task order are proposed at \$226,600.

Motion: Chairman Kraeling made a motion to approve this with Councilwoman King seconding.

Mayor Merritt noted that in Bishop Heights, there is no Lake Street, it is Leeke Street.

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

c. Acceptance of Loblolly Extension

The road is located in unincorporated Greenville County. Greenville County has informed the City that they do not have any interest in owning the road because it is not accessible via any other county roads. The City could accept the road after the developer brings it up to City standards and it is inspected.

Motion: Chairman Kraeling made a motion to approve to accept this road after the improvements have been completed and the road inspected. Councilman Reynolds seconded the motion.

Councilman Allgood asked how long the road would be. Mr. Madden said it is less than a quarter of a mile, 1100-1200 feet. This road will service future City residents. There will be sidewalks on the road.

Councilman Matney asked that this motion be contingent upon the road being brought up to City standards.

Motion: Chairman Kraeling made a motion to withdraw his original motion and made a motion to accept the roads after the road is brought up to City standards and sidewalks installed. Councilwoman Kuzniar seconded the motion.

John Duggan said the City needs a contract with the developer and asked why the City is discussing this now. The City does not know what the developer is going to do.

Councilman Matney said we will not bring the road into the inventory until the road improvements are completed and inspected. Mr. Dyrhaug said until the road is brought up to City standards, it will remain a County road. Mr. Duggan said if the developer goes bankrupt, the City may have to bring the road up to standards itself. The developer should issue a performance bond on the road so if the financing falls through, the road will be completed. Mr. Dyrhaug said it will be bonded as part of the plat process.

Motion: Councilman Reynolds called this item to question. Councilman Matney seconded the motion.

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

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

d. Dex Imaging Copier Contract

This item consists of contracts on two copiers for the Judicial Department.

Motion: Chairman Reynolds made a motion to accept contracts for two copiers to be coterminous with the other City copiers accepted in January 2020. Councilwoman King seconded the motion.

Mayor Merritt said he did not see the advantage of coterminous leases. The lease is more expensive than separate 5-year contracts.

Vote: The vote was 6-1 with Mayor Merritt dissenting.

e. Alcohol Policy

This item discusses potential approval of amendments to the City Alcohol Policy to: 1) no longer charge event attendees for wristbands to purchase and consume alcohol (i.e., beer and wine); and, 2) allow attendees at City approved events that are ages 21 and up to purchase alcohol directly from vendors that are authorized by the City to participate in the event.

Motion: Chairman Reynolds made a motion to accept this policy with the proposed changes with an effective date of July 1, 2022. Councilwoman King seconded the motion.

Councilman Allgood said it was discussed in committee that the vendor could do direct sales with no wristbands from the City, and asked for additional thoughts.

Gina McAtee answered it would be beneficial for the City to check IDs and continue to issue wristbands. The process would be faster than having the vendor check IDs.

The City has a large inventory of wristbands and are about \$10.00 for a pack of 500. There is money in the budget for wristbands.

There will be no charge for the wristbands.

Councilwoman Kuzniar said she has gone to get wristbands when her husband was not with her and she was able to get two. She would like for an ID to be checked for every wristband given out. Ms. McAtee said wristbands were to be given out only after all IDs were checked. She would make sure the volunteers understand the policy.

Councilman Matney reminded everyone this wasn't just for Beachin' Fridays, it would be for all events.

Mayor Merritt said the boundaries for alcohol sales that was passed several years ago is what is allowed. He wants to make sure the truck is on the correct side. Councilman Matney said we have outgrown the allowed area. He would like to look at amending the map to reflect where the vendors are currently operating. Councilman Reynolds said he would like to look at that in the future.

Councilwoman Kuzniar said the issue for her is that the alcohol vendor is right next to the playground where the children are playing.

This issue can be brought up at a future meeting.

Motion: Councilman Matney made a motion to reconsider the original motion, making sure all points are included. Councilman Kraeling seconded the motion.

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

Motion: Chairman Reynolds made a motion to approve the amendments to the alcohol policy as stated in the Council packet to be effective July 1, 2022. Councilman Kraeling seconded the motion.

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

f. Insurance and Bonds for Fire Station

Motion: Chairwoman King made a motion to approve Exhibit B, Insurance and Bonds for the CMAR contract for the fire station and police sub-station. Councilman Kraeling seconded the motion.

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

g. Digital Government Services Customer Agreement

SCI has requested that the City execute a new Digital Government Services (DGS) Customer Agreement. This Agreement will allow NIC/SCI to continue providing the City with digital government services after the commencement of the new DGS contract on July 1, 2022.

Motion: Chairwoman King made a motion to accept this agreement. Councilman Kraeling seconded the motion.

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

h. Records Retention Schedule

Motion: Chairwoman King made a motion to accept the retention schedule. Councilman Kraeling seconded the motion.

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

Committee of the Whole

Motion: Councilman Matney made a motion to consider the following three items via the informal method. Councilwoman King seconded the motion.

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

- i. Greenville County Urban County Cooperative Agreement and Resolution

Motion: Councilman Matney made a motion to accept the agreement and resolution with the Greenville County Redevelopment Authority. Councilwoman King seconded the motion.

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

- j. Bridgeway Station Pedestrian Bridge lighting options

Motion: Councilman Matney made a motion to accept Option 2 for white LED lighting in the additional amount of \$195,000. This money will come from hospitality and accommodations. Councilman Reynolds seconded the motion.

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

- k. AT&T Utility Tax Credit Agreement

Motion: Councilman Matney made a motion to accept AT&T utility tax credit agreement in the amount of \$50,000 for certain expenditures at Bridgeway Station. Councilman Reynolds seconded the motion.

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

9. Public Comment

Charlene Miller: Good evening. I live at 9 Bramblewood Terrace in Simpsonville. I have a few issues I would like to bring up about Mauldin Recreation baseball that occurred this year. I have spoken to people in Mauldin Recreation and I think you as Council need to know about some of the issues we have had. I have been involved in Mauldin for many years. I was the postmaster in Mauldin for about 14 years and retired about 6 years ago. I know a lot of families in Mauldin. I didn't realize before I went to my grandson's baseball games that I knew a lot of the young parents who were there also.

This is not coming from one coach, but several parents, several coaches, their wives... they are

scared to say anything because they are afraid they will be retaliated against. That their kids would be retaliated against. Here I am. My grandson played on an 8 and under team, the Pirates. The youngest is 5 years old, there was a little girl, and the rest of the boys were 8 and under. This is the first year my grandson has played. It should have been a great learning experience and should have been a fellowship experience, but because of the issues we came across, he doesn't want to play baseball anymore.

We were on the Pirates- the kids were new, we had a new coach, who was great, by the way. I never had a conversation with him, but I saw how he interacted with the kids. I did have one phone call with him after the season was over, and he said he didn't want me to say anything because he was scared he would be retaliated against. He wants to stay with Mauldin Rec but doesn't know if they will let him coach anymore.

We played a team, and like I said, we were the new team, and everyone had established coaches and kids; we had new kids. This was a learning experience. We played a team coached by Tony Norris, his team was the White Sox. We played them and three or four times, it may only be three, but they were called out for illegal bats. The umpire kept talking to the coach. Three different times they called out illegal bats. Which might not seem like a big deal, but it would be a legal issue if one of the kids was hit with the bats. They are faster or harder, I don't know about those bats. They were illegal. When the coach went to talk to Mauldin Rec, they had already heard from Tony Norris and the situation was resolved. We didn't win the game because we were not that great. The day after, we were told they forfeited. Then we were told the game was nullified, which is like the game never happened. Which is odd, I have never heard of that before.

We went on through the season and there a few little things here and there that I am not going to bring up. Lo and behold, we were the losing team of the season. I think they won two games, which was not bad because they were just happy to be playing ball. At the end of the season they had a tournament. We played in the tournament and won our game. Everyone else lost games, so we ended up in a championship game. I thought that would be good, we will at least be in second place. We will lose. Well, those little kids played hard, and they ended up winning the game. They celebrated. The umpire went straight to the opposing coach, Tony Norris, and everyone was out of the dugout either celebrating or sad, and before they could get together, the two guys from Mauldin Rec had come down to give the awards. The umpire came over to my grandson's coach and they had decided they only played 48 minutes, so they had to play another inning.

What they didn't realize was the coach of the Pirates go-proed every game. That is how he knew about the bats. He recorded every game. He had it on the wire back there and watched everything so he could help the kids play better. He watched how they batted, how he pitched to them so he could help them. He knew everything that happened in the games. The Mauldin Recreation rules say if you play 50 minutes, that is the end. You don't start another inning if it is over 50 minutes. This umpire decides it is 48 minutes. He has unrefuted evidence. The game started at 6:12 p.m. and ended at 7:04. He has photos of the game. There was a huge issue after the game. The coach was mad, the parents were mad, kids were crying because they thought they won the game, they did win the game. It was ripped away from them by an umpire who ran straight to the other coach.

There is also a regulation that the umpire is supposed to give a start time to the scorekeepers

and that wasn't done. The coach of the Pirates had the time. We talked to Mauldin Rec. I spoke to Bart and also the City Administrator. The Pirates Coach spoke to the umpire, who wouldn't do anything even though we had the proof. He was told, and I am not sure if it was by the umpire or by Mauldin Rec, but he was told, "we will do better next year." They won the tournament even though they shouldn't have. You were talking earlier with the weightlifter about building confidence, they crushed these kids' confidence.

I would like to request, and I am not saying take the medals from the other team, but I think they should be given medals and hats, or whatever they were given because they were the champions and should be acknowledged. As City Council, I am requesting that you, whatever we need to do to do that, because these kids were run over. I think the integrity of Mauldin Recreation baseball is in jeopardy. It is because things happen, and they are not addressed. Something is going to happen the kids, or the other coach and it shouldn't be that way. It should be about sportsmanship. These kids learned none of that in the last game. Thank you for listening and I hope you can address it so it won't happen again. I appreciate it.

10. Council Concerns

Councilwoman King advised Council that this is Mr. Madden's last Council meeting as City Administrator. She thanked him for all the hard work, and she is going to miss his presence at the meetings.

Councilwoman Kuzniar said over the past couple of weeks, she has noticed tall weeds along Main Street. We are trying to promote our City and abandoned buildings with tall weeds is not the image we are trying to portray.

Councilman Allgood said he hoped everyone had a Happy Father's Day and wished everyone a happy Juneteenth.

11. Adjournment- Mayor Merritt adjourned the meeting at 9:28 p.m.

Respectfully Submitted,
Cindy Miller
Municipal Clerk

MINUTES
CITY OF MAULDIN
SPECIAL CALLED CITY COUNCIL MEETING JUNE 22, 2022, 6:00 PM
CITY HALL - COUNCIL CHAMBERS 5 E. BUTLER ROAD

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

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

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

2. New Business

Motion: Councilman Matney made a motion to go into executive sessions with Councilwoman Kuzniar seconding.

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

- a. Executive session to consider a personnel matter related to the Community Development department as allowed by State Statute Section 30-4-70 (a)(1)
- b. Executive Session to consider a contractual matter regarding Project Kick as allowed by State Statute Section 30-4-70 (a)(2)
- c. Executive Session to consider contractual matters regarding City Center as allowed by State Statute Section 30-4-70 (a)(2)

Mayor Merritt reconvened the meeting at 10:01 pm. Councilman Matney reported no decisions were made and no action taken in executive session.

- d. Possible action on items discussed in Executive Session- None

3. Council Requests- None

4. Adjournment- Mayor Merritt adjourned the meeting at 10:03 p.m.

Respectfully Submitted,
Cindy Miller
Municipal Clerk

MINUTES
CITY OF MAULDIN
SPECIAL CALLED CITY COUNCIL MEETING JULY 5, 2022, FOLLOWING COMMITTEE MEETINGS
CITY HALL - COUNCIL CHAMBERS 5 E. BUTLER ROAD

Members present: Council members Taft Matney, Carol King, Jason Kraeling, Frank Allgood, and Diane Kuzniar. Councilman Michael Reynolds was not present, and Mayor Terry Merritt was out of town.

Others present: Brandon Madden, City Administrator

1. Call to Order- Mayor Pro Tempore Taft Matney

- a. Invocation- MPT Matney
- b. Pledge of Allegiance- MPT Matney
- c. Welcome- MPT Matney

2. New Business

- a. Consideration and action on appointment of Community Development Department Director

Brandon Madden made a recommendation to appoint J.R. Charles as Community Development Director.

Motion: Councilwoman King made a motion to approve Mr. Charles' appointment with Councilwoman Kuzniar seconding the motion.

Vote: The vote was unanimous (5-0).

- b. Consideration and action on contract for Interim City Administrator

Mark Putnam asked for Council's consideration to allow the Mayor to enter into a contract with Rebecca Vance to serve as Interim City Administrator.

Motion: Councilwoman King made a motion to authorize the Mayor to enter into a contractual agreement with Rebecca Vance as Interim City Administrator. Councilman Kraeling seconded the motion.

Vote: The vote was unanimous (5-0).

3. Council Requests- Councilwoman Kuzniar thanked Mr. Madden for his service as Administrator.

4. Adjournment- Mayor Pro Tempore Matney adjourned the meeting at 6:28 p.m.

Respectfully Submitted,
Cindy Miller
Municipal Clerk