

MINUTES
CITY OF MAULDIN
COUNCIL MEETING
OCTOBER 17, 2022
7:00 P.M.
CITY HALL COUNCIL CHAMBERS, 5 E. BUTLER ROAD

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

Others present were Interim City Administrator Rebecca Vance and City Attorney Daniel Hughes.

1. **Call to Order**- Mayor Merritt
 - a. Welcome- Mayor Merritt
 - b. Invocation- Councilman Reynolds
 - c. Pledge of Allegiance- Councilman Reynolds
2. **Proclamations and Presentations** - None
3. **Reading and Approval of Minutes**
 - a. City Council Meeting – September 19, 2022
 - b. Special Called Meeting – October 3, 2022

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

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

4. **Public Comment**

David Graffius: Good evening. My name is David Graffius and I am with Gray Engineering. My address is 132 Pilgrim Road in Greenville. I would like to talk about annexation and establishment of Tanner Road Planned Development ordinances on the agenda tonight. Based on discussion on first reading regarding the development and application at last month's council, there were questions from Council and the Planning Commission on mitigations that may be required by SCDOT on the project. Our team has heard the comments and subsequently have had discussions with SCDOT. However, we do not have a complete picture of what SCDOT will require or the cost of the same. As a result, we would like to respectfully request additional time to continue discussions with SCDOT, which we anticipate will take no longer than 30 days. This additional time will allow our team to meet the requests from Council and bring the most comprehensive answers possible. To that end, we kindly request the second reading be deferred to the November 21, 2022 meeting.

5. **Report from City Administrator**- None

6. **Report from Standing Committees**

a. Finance and Policy (Chairperson Reynolds)- Chairman Reynolds reported the City's finances look good.

b. Public Safety (Chairperson King)- None

c. Public Works (Chairperson Kraeling)- None

d. Economic Planning & Development (Chairperson Matney)- None

e. Building Codes (Chairperson Kuzniar)- Chairwoman Kuzniar reported 12 new businesses opened in September.

f. Recreation (Chairperson Allgood)- None

7. **Unfinished Business**

Ordinances – 2nd Reading

a. An ordinance to rezone property consisting of approximately 5.8 acres located at 25 Old Mill Road (tax map parcel: #M008.04-01-002.03) and providing an effective date

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

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

b. Annexation and establishment of Tanner Road Planned Development – 3 ordinances

Motion: Chairwoman Kuzniar made a motion to table these ordinances until the regularly scheduled November Council meeting by request of the applicant. Councilman Matney seconded the motion.

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

i. An ordinance to provide for the annexation of property owned by W. Earl Jones and Nancy L. Jones, and located at 30 Tanner Road (tax map parcel: 0547.03-01-043.01) by one hundred percent petition method; and to establish a zoning classification of PD, Planned Development, for said property

ii. An ordinance to provide for the annexation of property owned by W. Earl Jones, and located at 30 Tanner Road (tax map parcel: 0547.03-01-043.02) by one hundred percent petition method; and to establish a zoning classification of PD, Planned Development, for said property

iii. An ordinance to provide for the annexation of property owned by C. Lynn Farmer

and Elaine F. Ayscue, and located at 50 Tanner Road (tax map parcel: 0547.03-01-043.00) by one hundred percent petition method; and to establish a zoning classification of PD, Planned Development, for said property

- c. 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 for other matters related thereto

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

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

- d. An amendment to Chapter 18, Article II (Nuisances) of the Mauldin Code of Ordinances to establish certain standards to protect against nuisances caused by light trespass and for other matters related thereto

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

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

- e. Amend Chapter 20, Article I, General Fire Prevention and Protection, of the Mauldin Code of Ordinances regarding open burning

Motion: Chairwoman King made a motion to adopt this ordinance on final reading. Councilman Kraeling seconded the motion.

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

8. New Business

Ordinances – 1st Reading Mayor Merritt
None

Standing Committee Items

- a. Appointments to the Building and Zoning Board of Appeals

Motion: Chairwoman Kuzniar made a motion to approve the appointments of Jon Statom to seat #3, Jeremy Roberts Owens to seat #4, and Amie Goodwin to seat #5. Councilman Allgood seconded the motion.

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

Committee of the Whole

None

9. Public Comment

- a. Marcos Lisak: I live at 108 Belgian Blue Way in Fountain Inn. I reside with my wife and four children in Fountain Inn and am asking for an amendment to open a coin shop or a gold and silver shop here in Mauldin. There is a 30,000 square foot minimum or larger requirement that I do not meet. Currently we are a family business and online only, but are looking for a local presence. We deal in high quality numismatics, new and old coins. We are not a pawn shop. No loans. I would be partnered up, if approved, with Mr. McChesney where old Mauldin Deli used to be. I would sub-lease from him. It would be a small square footage- 600 to 700 square feet.

Mr. McChesney: I am a small businessman in Mauldin. We are concerned about our image and have investigated this guy pretty well. If you are concerned about whether this would be good for Mauldin, don't be. He will be right beside us. And on the zoning side, for certain purposes doesn't exactly fit, I think this would be positive.

10. **Council Concerns-** Councilman Reynolds asked about the process to withdraw an ordinance from the Council agenda. Is there a verification that the person who is withdrawing the property is actually the person who is authority to do so? Mr. Dyrhaug said he knows Mr. Graffius represents the property, and he has worked with him throughout the process. If there were concerns, they would be brought to Council's attention. Mr. Dyrhaug has encouraged applicants to come forward to Council so that the public is aware of what is happening in the process and ensure Council makes the final decision.

11. Call for Executive Session

- a. Executive Session to receive advice regarding a legal matter as allowed by State Statute Section 30-4-70 (a)(2)

Motion: Chairwoman King made a motion to consider this matter informally. Councilman Reynolds seconded the motion.

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

Motion: Councilman Matney made a motion to go into executive session with Councilman Reynolds seconding.

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

Mayor Merritt reconvened the meeting at 8:40 p.m. Councilman Matney reported no decisions were made and no votes taken in executive session.

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

12. **Adjournment**- Mayor Merritt adjourned the meeting at 8:41 p.m.

Respectfully Submitted,

Cindy Miller
Municipal Clerk