

**MINUTES
CITY OF MAULDIN
COUNCIL MEETING
JUNE 19, 2023
CITY HALL COUNCIL CHAMBERS, 5 E. BUTLER ROAD
7:00 p.m.**

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

Others present: City Attorney John Duggan and City Administrator Seth Duncan.

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. Greenville Transit Authority Presentation- Walker Smith, Board Chair of the GTA, was present to speak on the status of the transit authority.

- b. BASF Scholar Presentation- Gerald Murphy of BASF gave a presentation on what BASF does in the Mauldin community.

3. Reading and Approval of Minutes

- a. City Council Meeting- May 15, 2023

The minutes were approved by unanimous consent.

4. Public Comment

- a. Brenda Thompson- I live at 113 Summer Woods Drive in the Summer Woods condominium complex. I have lived there for the past 15 years. I am a former nurse, a former court reporter, and a former psychologist, so I am very much aware of the emotions involved with this project. I have been a counselor and I know what frustration is being caused by what is going on.

The proposed and the zoning committee approved building is definitely something that is weighing on the hearts and minds of every Summer Woods resident and there are 52 homes or families represented there, either by owners who are renting it out, or by owners who are living there. I bought my condominium because I wanted peace and quiet.

Over 70 years of traveling through Mauldin had taught me that this is the place to be and I would find it here. But putting that building there is going to destroy that. Not only that, it will endanger my home and other homes in the 100 and 300 buildings of Summer Woods by the fact that the detention and retention ponds will cause runoff. I have seen it every time we have a rainstorm. Gilder Creek is very prone to flooding. We will be flooded out. I have heard it said that Butler Road is going to become a commercial road. I am sorry, but I don't think the people of Mauldin want a Woodruff Road right down the middle of the road. I like the small-town atmosphere and I am sure other people do too. My puppies love the small town atmosphere because I walk them all the time.

I had a stroke in January, so I had to quit working, but that doesn't mean that I won't be out and walking, and that doesn't mean that I don't care about the people around me and each one of you is included in that. I ask you before you approve the changing of that land from resident to commercial that you pray about it. Ask your God if this is what He thinks you should do and what He is leading you to. And take one further step; put yourself in the middle of Summer Woods and think about what if I owned a condominium here and what if it was my income that was going to be affected. What if my tax rates would be changed and if the value of what I had worked my life for was going to be decreased.

Ed Morgan sent each of you an email and asked me to speak for him. Ed is very much against this. Ed has lived in Summer Woods since its inception. You don't want to lose a resident like that, and Ed will do it. He will move. He is not going to put up with what we are going to have to put up with. Please, please. As a woman well past her time of age, I can't move. Don't make it harder on me. Don't send me back to the hospital with another stroke.

- b. Julie Sangray-I live at 303 Summer Woods Drive. I fell in love with this town. I lost my husband a year and a half ago. My daughter lives in Greenville. I came here and searched for a month and a half. I found my home and bought it on June 5th. I never heard anything of this. I love the birds, the woods, and the deer. I sit out there and listen to the happiness. The road out front is quiet, and not that congested. I fell in love with the area. If I had known all this, I wouldn't have spent every penny I had on this house. That's all.
- c. Phil Cochrane: I think you are familiar with me. My name is Phil Cochrane and I live at 435 Bishop Drive. You know what my agenda item is- every day of the week, every month of the year, it is stormwater. We continue to have a big problem with stormwater in this City for more than 25 years. I am familiar with where the stormwater runs all across the City. I am encouraged by the steps this Council has taken recently in the last 6-8 months or a year, notably with Mr. Kraeling leading the charge with public works. I hope that effort does abate the stormwater that runs across everyone's property, underneath the homes, and in my case, my home floods. As I stand before you today, seeing that storm over the ocean that is going to become a hurricane and seeing the forecast and the 4-5 inches of rain predicted for us this week, means that I will not sleep very well the rest of this week. I may be soaking up water all night long in my home.

The first thing I want to say is thank you for beginning the process of stormwater abatement. You guys are to be credited for what you are doing and the steps you have been taking. I echo this lady's comments. All you have to do is come to my house and spend the night when inches of rain are falling, and you would be in for an education. It is tempting to say if it is not affecting my house, then I don't know what all the brouhaha is all about. If it is not affecting me, there is a temptation to not be concerned. I think this group of people here are a little different. You do take the needs of residents on your hearts, and you do think of people other than yourselves.

I want you to remember me and my family. My son served in law enforcement for the City of Mauldin and still serves in law enforcement. I am a finely paid public servant. That was a joke. I love my job, but I am not paid near what I would make in the private sector. But, thank you for what you are doing. I look forward to what all of you can do along with Jason to abate stormwater in our great City. Thank you.

- d. Maria Johnston: I am Maria Johnston and I live at 301 Summer Woods Drive. I would basically second everything Brenda said earlier. I can't really add anything to it. I am concerned about my home. I have lived there for 23 years. It is my life investment. If this was happening in your backyard, you would be standing where I am.
- e. Brady Pinto: Good evening. I live at 604 Summer Woods Drive. I came here to speak about the matter. I agree with the first two speakers. I am a retired postal worker and I served in the armed forces, the Air Force. I used to live up North, in New Jersey. I came from a very congested area and lived there for a while. I saw a lot of stuff up there that is not good. I came here to warn you- you have books and statistics, and you have to look at the congestion. Where I live on Butler Road, as I come out, I look and then when it is clear, then all of a sudden, cars. I say, wow, it wasn't like this a couple of years back. I am serious. You have to be careful.

Now I hear sirens. My wife has had a couple of strokes and the ambulance had to come in. I said, oh my goodness, I hope the ambulance can come in. I pray to God they don't have an accident. No problem. This was a couple of years ago and now it is more congested. It is beautiful that you want to do nice things for Mauldin, but you have to realize that congestion can come so much. It can bring problems. You have to realize that. The crime rate- I never read the newspaper so I don't know if it is high or low, but congestion can increase that. You have to look and analyze that. Seriously. One neighbor and the next neighbor- one wants to have a party and the other one is tired from work. Then you have a fight and problems. Problems and problems and problems. Look at that. I know we want to improve, but sometimes this is not the answer.

All I can say is this- Butler Road is not an area to be so congested. You have the schools, pickleball, railroad train coming in, they are building new stuff. Corn Road, you are building more stuff. It is getting more congested. Thank you.

- f. I am Tom Newton and I live at 505 Summer Woods Drive. I am the President of the HOA. Many of us have been to the other meetings and we have not been able to get them to listen to our objections, or if they did, they didn't agree.

I just think this is the wrong place. The building, they are putting in a large warehouse. We thought if someone put in a commercial building there, it would be similar to Joy Real Estate. We might still have the woods behind our units. The woods are our backyards, basically, with a patio. There are no fences. Just a patio to the woods. They will basically cut down all of the trees where it slopes down at the back of the property.

I think they decided to put some kind of pipes underground to send stormwater into Gilder Creek. Every time we have a big rain, it floods. Again, we had trees along that creek and some fell and did some damage to some of the units. This property with all the trees and vegetation will be cut down for a parking lot. It doesn't matter what kind of drainage you put in, it will still flood.

The other thing is the parking lot will have all of these lights. Our concern is the buffer. If you are going to do it, do it right. How would you feel if you had a warehouse with all of these lights in your backyard? It needs more of a buffer. I think they are talking about a six foot fence. If you do decide to do this, I wish it would be a different style, so it wouldn't affect us so much. We would like to have a very good buffer between us and the business.

5. Report from City Administrator

Mr. Duncan reported an emergency purchase was made for the police department WatchGuard System. The capacity is full. In-car videos cannot be loaded onto the server without this additional storage. The expenditure was \$22,000.

The new online payment system for Judicial is live.

Spartan Fire has authorized the replacement of new front tires for Tower 1.

The MASC annual meeting is next month.

6. Report from Standing Committees

- a. Finance and Policy (Chairperson Reynolds)- None
- b. Public Safety (Chairperson King)- None
- c. Public Works (Chairperson Kraeling)- None
- d. Economic Planning & Development (Chairperson Matney)- None
- e. Building Codes (Chairperson Kuzniar)- None
- f. Recreation (Chairperson Allgood)- None

**7. Unfinished Business-
Ordinances- 2nd Reading**

- a. Ordinance 1017- FY 2023 Budget Amendment Ordinance

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

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

Committee of the Whole

- b. Ordinance 1018- FY 24 Budget Ordinance

Motion: Councilwoman King made a motion to consider this item informally. Councilman Matney seconded the motion. Councilman Kraeling recused himself from voting on this ordinance.

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

Motion: Councilwoman King made a motion to approve the ordinance on second reading with Councilman Matney seconding. Councilman Kraeling recused himself from voting on this ordinance.

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

**8. New Business
Ordinances – 1st Reading**

- a. Ordinance 1019 – 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; and other matters related thereto.

Motion: Councilwoman King made a motion to approve the ordinance with Councilman Allgood seconding.

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

- b. Ordinance 1020- An ordinance to rezone two properties consisting of approximately 2 acres located at 307 E. Butler Road (tax map parcel #M004.02-01-009.01 and tax map parcel #M004.02-01-009.02) and providing an effective date

Motion: Chairwoman Kuzniar made a motion to approve the ordinance with Councilman Matney seconding for the purposes of discussion.

Chairwoman Kuzniar is concerned about the number of parking spaces if a tournament takes place, outdoor lighting, and the removal of woods. The Council is elected to be the voice of the residents. She asked why this project could not go into one of the empty box stores around town that have plenty of parking. She will not support this ordinance.

Councilman Kraeling has concerns about the stormwater. There are a lot of moving parts as Butler Road has not yet been improved.

Councilman Allgood liked Chairwoman Kuzniar's comment on re-use of current buildings. He mentioned there was no representation from the affected residents at the Building Codes committee meeting. The developer has addressed some of the resident's concerns. He is torn as he appreciates the comments from Summer Woods residents, but when people live near a major thoroughfare; these types of things happen.

Councilwoman King thanked the Building Codes committee for forwarding this item to Council for discussion. The vote is for rezoning, but if the property is rezoned, it will allow Carolina Sports Club to be built. She said this is a great project, but not at the right location.

Mr. Dyrhaug said a lot of the issues raised from residents have been addressed by the developer. If there are any specific questions, the developer is present at the meeting tonight.

Councilman Allgood asked if rear parking was a possibility for the project. Mr. Dyrhaug said it is possible, but Butler is expanding, which may limit parking.

Mayor Merritt said he has spoken to Joy Bailey, the adjoining property owner, and she has no problem with the project. SCDOT's project will address Gilder Creek drainage. There will also be a traffic light at the entrance to Summer Woods. He has mixed feelings about the project. He would prefer to hold this until Butler is completed. The planning commission approved the project. There was a question on whether overturning the planning commission would take a supermajority.

Mr. Dyrhaug said the zoning ordinance specifies a rezoning request that was denied by the planning commission requires a supermajority of Council to overturn. The zoning ordinance does not mention a supermajority requirement if Council is overturning an approval by the planning commission.

If this ordinance is denied on first reading tonight, the property cannot be requested for rezoning for 12 months.

Vote: Councilwoman King asked for a roll call vote. Councilman Matney- No, Councilwoman King- No, Councilman Kraeling- No, Councilman Allgood- No, Councilwoman Kuzniar-No, and Mayor Merritt- No. The vote was unanimous to deny and the motion was defeated. (0-6).

Standing Committee Items

c. Stormwater Engineering Task Order 3

Motion: Chairman Kraeling made a motion to approve Task Order 03 with KCI to conduct a stormwater fee analysis and evaluation. The engineering services associated with this task order are proposed at 20,000 dollars. Councilwoman King seconded the motion.

Chairman Kraeling said no city in South Carolina is doing what we are doing as far as trying to address stormwater. This is a start to look at funding mechanisms for this issue.

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

d. Basin RG2 Sanitary Sewer Rehabilitation Project

Motion: Chairman Kraeling made a motion to accept the grant for sewer rehabilitation of RG2. Councilwoman King seconded the motion.

The City was awarded 3,399,750 dollars from the South Carolina Rural Infrastructure Authority. A municipal match of \$600,000 is required by the City.

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

e. GCRA Requalification

Council is being asked to approve the City of Mauldin's continued participation in Greenville County's Urban County program and authorize the Mayor to sign the cooperative agreement for Fiscal Years 2024-2026.

Motion: Chairwoman King made a motion to accept the GCRA resolution with Councilman Matney seconding.

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

f. Re-appointment of Members of the Planning Commission

Motion: Chairwoman Kuzniar made a motion to re-appoint Kevin Greene, Johnathan Paulsen, and Chauncelynn Locklear to the Planning Commission. Councilman Matney seconded the motion.

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

g. Re-appointment of Members of the Zoning Board of Appeals

Motion: Chairwoman Kuzniar made a motion to re-appoint Paul Calabrese and Phil Cochrane to the Zoning Board of Appeals. Councilman Allgood seconded the motion.

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

h. ID Scanners and Fire Turnout Gear Donations

Motion: Chairwoman King made a motion to accept the resolution to donate police ID Scanners and Fire Turnout Gear to agencies/countries that need the equipment. Councilman Allgood seconded the motion.

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

i. Lights and Sound System Cultural Center CIP

Motion: Chairman Matney made a motion to reallocate \$75,000 originally planned for the amphitheater in the FY23 budget to fund improvements to the audio/visual technology in the theater. Councilwoman Kuzniar seconded the motion.

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

j. Public Art Trail

Staff are looking for direction on the approval of art for the public art trail. After discussion, Council prefers a hybrid system in which staff manages the solicitation of art proposals, the Mauldin Cultural Council selects/submits a limited number of finalists, staff makes a recommendation and the City Council votes to allow the Mayor to sign the contract, thereby approving the art piece. The Mayor and City Administrator also sit on the Cultural Council board and will have input.

Motion: Chairman Matney made a motion to approve the hybrid system as described in the paragraph above. Councilwoman King seconded the motion.

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

k. Leadership Golden Strip Mural at Mauldin Cultural Center

Leadership Golden Strip has chosen to install murals in Fountain Inn, Simpsonville, and Mauldin as their class project, and it has chosen Art Houzze to manage this project. Art

Houzze has quoted a 15-foot-wide x 20-foot-high mural in each Golden Strip city for \$10,059.40 per mural.

Leadership Golden Strip has pledged to raise the funding for this project, and it is currently soliciting donations for the art project. The class has asked the City of Mauldin to participate in the funding of this project, and the Community Development Department proposes contributing \$5,000 from its FY24 budget with the balance coming from fundraising efforts by Leadership Golden Strip.

Mayor Merritt asked if other cities are being asked for \$5,000. He said when he was in Leadership Golden Strip, the group raised funds to pay for the project. Mr. Charles said he was just asking for \$5,000 as a member of the class.

Motion: Chairman Matney made a motion to allow the Community Development Department to give \$5,000 out of the hospitality and accommodations advertising fund towards the mural. There will be a workshop soon to develop ideas for the mural. Councilwoman King seconded the motion.

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

9. Public Comment

- a. Shukri Elkahayat: I live at 26 Endeavor Circle. I am a resident of the Whispering Oaks townhome community and also a board member on the HOA. Some of the residents have come here to support me and show their numbers. There are some residents who were unable to be here tonight.

On May 30th, a Public Works garbage truck leaked hydraulic fluid up and down Endeavor Circle. While I can't estimate the amount of oil leaked, I can say with confidence that the trail is approximately 2000 feet long and four feet wide in some areas. Through research, I found that hydraulic oil can damage asphalt by breaking down the binders that hold asphalt together, especially with temperatures under 32 degrees. Additionally, on May 25, 2021, the State News reported a hydraulic leak near the State House that immediately forced road closures while clean-up efforts ensued. I communicated this information to our HOA and our HOA President called the City on May 30th. He was told that it would wash away in the next rain. Knowing that wasn't true, I called the City on June 1st and spoke to Josh Roberts. He said he would discuss the matter with his superiors.

During this time, myself and Tarryn Willey sent emails to the City. I spoke to Panagakos Paving and was told hydraulic oil does affect the structural integrity of asphalt and if not cleaned up immediately, does so pretty quickly.

After further research, I found that seal coating only improves the aesthetics, but wouldn't do anything to mitigate the unrealized damage from the hydraulic oil. Therefore, we are not in favor of seal coating.

On June 7th, the City came out and tried to clean the spill with degreaser. Yesterday, I used a spoon to effortlessly break up some of the asphalt. I tried the same thing in an unaffected area and was unsuccessful.

On June 16th, Tarryn Willey received an email from Matthew Fleahman indicating that Endeavor Circle was in the roadway inventory. I looked at the Mauldin roadway inventory and was unable to locate Endeavor Circle. I did find Discovery Way and Challenger Court, two small streets in our community, listed. This morning I met with Matt Fleahman. He said he had been mistaken and Endeavor Circle was not included in the inventory. This spill will accelerate the deterioration of our road. I expect home values will also deteriorate because of the dilapidated road. This will also put a burden on our HOA.

I am asking the City to please consider including Endeavor Circle on the road inventory. If the City is unable to do so, the residents of Whispering Oaks ask that the road is replaced to the aesthetic and structurally sound condition it was in before the spill. The burden perpetrated by a City vehicle on private property should not be taken on by our residents, some of which are on fixed incomes. We are asking for your help as your neighbors. Thank you.

10. Council Concerns

Councilman Kraeling asked that the Council chair hydraulics be looked at. He then asked the City Attorney to provide written instructions for simple majority and super majority rules.

11. Adjournment- The Mayor adjourned the meeting at 9:08 p.m.

Respectfully Submitted,
Cindy Miller
Municipal Clerk

