



FINANCE AND POLICY COMMITTEE MEETING

MONDAY, AUGUST 7, 2023 | 6PM

5th committee meeting

The Committee will meet in Mauldin City Hall at 5 East Butler Road in the Council Chambers at 6 p.m.

The meeting will be available 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.
A quorum of Council will be present.

**FINANCE AND POLICY COMMITTEE MEETING
AUGUST 7, 2023, 6PM
CITY HALL - COUNCIL CHAMBERS
5 E. BUTLER ROAD**

Committee Members: Michael Reynolds (Chair), Carol King, Diane Kuzniar

- | | |
|---|--|
| 1. <u>Call to Order</u> | The Honorable Michael Reynolds |
| 2. <u>Public Comment</u> | The Honorable Michael Reynolds
The Honorable Michael Reynolds |
| 3. <u>Reading and Approval of Minutes</u> | The Honorable Michael Reynolds |
| a. Finance Committee Minutes- June 5, 2023 | |
| 4. <u>Reports or Communications from City Officers</u> | The Honorable Michael Reynolds |
| a. City Administrator Seth Duncan | |
| b. Finance Director Holly Abercrombie | |
| c. HR Director Mark Putnam | |
| 5. <u>Unfinished Business</u> | The Honorable Michael Reynolds |
| There is no unfinished business. | |
| 6. <u>New Business</u> | The Honorable Michael Reynolds |
| a. Keller Williams Real Estate Business License Late Fee | |
| b. Senior Center and Sports Center Copier Contract | |
| c. FY 23 Surplus Projection Plan | |
| 7. <u>Public Comment</u> | The Honorable Michael Reynolds |
| 8. <u>Committee Concerns</u> | The Honorable Michael Reynolds |
| 9. <u>Adjournment</u> | The Honorable Michael Reynold |

MINUTES
FINANCE AND POLICY COMMITTEE MEETING
JUNE 5, 2023, 6PM
CITY HALL - COUNCIL CHAMBERS 5 E. BUTLER ROAD
2nd committee meeting

Committee Members present: Michael Reynolds (Chair) and Carol King. Councilwoman Kuzniar was out of town and not present.

Others present: Finance Director Holly Abercrombie, HR Director Mark Putnam and City Administrator Seth Duncan.

1. Call to Order- Chairman Reynolds

2. Public Comment- None

3. Reading and Approval of Minutes

a. Finance Committee Minutes- May 1, 2023

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

Vote: The vote was unanimous (2-0).

4. Reports or Communications from City Officers

a. City Administrator Seth Duncan- Mr. Duncan reminded Committee of the MASC Annual Meeting. A groundbreaking ceremony will be held at Maverick Yards on Monday at 9:00 a.m. He thanked all departments for their hard work.

b. Finance Director Holly Abercrombie

i. Budget Review

The fiscal year is coming to an end. Budgets look good. Revenues are coming in well. The auditors are coming Wednesday to do some preliminary work.

c. HR Director Mark Putnam

The benefits review for the first five months of the year has been done. This is an average year, which is good. The employee engagement groups continue.

We have one new officer and two dispatchers getting ready to come on board. There are three openings in the fire department currently. Public Works has three openings and the Sports Center has a new billing coordinator coming soon.

5. Unfinished Business- There is no unfinished business.

6. New Business

a. Ordinance 1019- Indigo Point Pump Station Fee

In 2020, Mauldin City Council established an ordinance to assess a fee on an annual basis to developed parcels contained within the Indigo Pointe subdivision for the purpose of maintaining

certain sewer capital improvements, including a sewer pump station. The final development plan of this subdivision will consist of 223 detached single-family lots and 92 townhome lots. The initial fee was set at \$135 in Fiscal Year 2020-2021, then lowered to \$100 in FY 2021-2022, and \$73.00 in FY 2022-2023. An additional 93 lots have now been developed and need to be included within the ordinance.

Staff is presenting an ordinance that will add the Pump Station Fee to 93 additional lots and maintain the fee at \$73.00 per year. The fee will be assessed annually on the property tax bill.

Motion: Councilwoman King made a motion to send this item to Council with Chairman Reynolds seconding.

Vote: The vote was unanimous (2-0).

b. GCRA Requalification

Every three years, the U.S. Department of Housing and Urban Development (HUD) requires Greenville County to requalify for entitlement status as an urban county and to certify the continuation of Greenville County's Urban County cooperative agreement between the Redevelopment Authority, Greenville County, and the City of Mauldin. In 2014, the City of Mauldin entered into a continuous cooperative agreement to participate in Greenville County's Community Development Block Grant and HOME Investment Partnership Program (HOME). The cooperative agreement has been renewed every three years.

GCRA has informed the City of Mauldin of its right to opt out of the cooperative agreement. Opting out of the agreement would waive funding from CDBG and HOME program for the agreement period. By signing the agreement and passing the resolution, the City will continue participating in the CDBG and HOME program for Fiscal Years 2024-2026.

Motion: Councilwoman King made a motion to send this item to Council with Chairman Reynolds seconding.

Vote: The vote was unanimous (2-0).

7. Public Comment- None

8. Committee Concerns- Councilwoman King stated the City Administrator threw out the first pitch Friday night at the Recreation tournament.

9. Adjournment- Chairman Reynolds adjourned the committee meeting at 6:50 p.m.

Respectfully Submitted,
Cindy Miller
Municipal Clerk

FINANCE & POLICY COMMITTEE AGENDA ITEM

MEETING DATE: August 7, 2023

TO: Finance & Policy Committee
FROM: Business & Development Services Director, David C. Dyrhaug
SUBJECT: Request to Wave Late Penalty Fees
NUMBER: 6a

OVERVIEW

The City has received a request from the legal counsel retained by Keller Williams Greenville Central to waive the late penalty fees for their 2023 business license. They have expressed that they were waiting for a written decision from the hearing on their 2022 business license appeal before they proceeded to pay the fees for their 2023 business license. The business license renewal deadline was April 30, 2023, and they did not receive the written decision from the May 1, 2023 City of Mauldin hearing regarding their 2022 business license appeal until May 18, 2023. Keller Williams' legal counsel expressed that Keller Williams is ready and willing to pay the fees for their 2023 business license under protest but they believe the late fees should be waived. Therefore, they are requesting the late fees be waived.

The City's legal counsel responded to Keller Williams' legal counsel and informed them that they (Keller Williams) have incorrectly calculated their 2023 business license tax amount due to their gross sales being significantly underreported. The amount required for payment under protest must be at least 80 percent of the amount due and they have failed to meet this threshold. They have further been notified that the failure to pay the full amount due under protest could ultimately affect the late fees owed if their current appeal fails.

Regarding their request to waive later fees for their 2023 business license, they have been informed that only City Council can decide to grant such a request. They have been informed that their request would be presented to the City's Finance and Policy Committee for consideration at their meeting on August 7.

STAFF COMMENTS

While staff is making no recommendations regarding this matter, we do believe the Committee should be provided its options in how it can proceed forward. According to the Standing Committees Rules, last amended in February 2021, the Committee may:

- Disapprove any action being taken on the matter,
- Report on the matter (with any amendments) for action by city council at a council meeting,
- Defer action pending further review, or
- Forward the matter to another committee.



CAMPBELL TEAGUE

16 W. NORTH ST.
GREENVILLE, SOUTH CAROLINA 29601

Greenville, 6/21/2023

VIA Email:

sduncan@mauldincitysc.com

Mauldin City Administrator
Seth Duncan

Re: Keller Williams Greenville Central 2023 Business License Application

Mr. Duncan,

As the City of Mauldin is aware, our firm has been retained by Keller Williams Greenville Central ("KWGC") regarding a business license fee dispute for the tax year of 2021. City Council for Mauldin held a meeting on May 1, 2023 regarding this issue.

The business license fee for the tax year of 2022 was due on May 1, 2023. As stated above, the hearing regarding KWGC's fees for 2021 was held on the same date. KWGC did not receive a written decision from the hearing until May 18, 2023. Due to these circumstances, KWGC awaited a decision by the City of Mauldin before proceeding with any payment of this year's current fees. KWGC is ready and willing to pay the fees for the 2023 year, under protest, but believes any late fees should be waived due to the timing of the May 1, 2023 hearing and the outcome of the same. Therefore, we are respectfully requesting that the late fees be waived for KWGC's 2023 application for renewal of its business license.

If you have any questions and or concerns, please do not hesitate to contact our office.

Very truly yours,
CAMPBELL TEAGUE LLC

Beau Brogdon

DUGGAN & HUGHES, LLC
ATTORNEYS AND COUNSELORS AT LAW

John B. Duggan
Daniel R. Hughes
Evan C. Bramhall
J. Alexander Zimmerman

457-B Pennsylvania Avenue
Greer, South Carolina 29650
Telephone: (864) 879-0144 or (864) 334-2500
Facsimile: (864) 879-0149

Mailing Address
Post Office Box 449
Greer, S.C. 29652

July 19, 2023

Via Email and Regular Mail: beau@campbellteague.com

Beau Brogdon
Campbell Teague
16 W. North Street
Greenville, SC 29601

Re: Keller Williams Greenville Central Business License Renewal Application 2023

Dear Beau:

The City is in receipt of Keller Williams Greenville Central Business (“KWGC”) 2023 Renewal Application, IRS Form 1065 showing gross receipts of \$[REDACTED] for 2022, KWGC’s payment under protest in the amount of \$[REDACTED], and your request for a waiver of late fees for your 2023 application.

Consistent with the City’s position for KWGC’s business license tax due for its 2022 Renewal Application, KWGC’s determination of its business license tax for its 2023 Renewal Application is incorrect. KWGC underreported its gross sales in the amount of \$[REDACTED]. Accordingly, the total amount owed is \$[REDACTED] as shown by the City’s handwritten changes to KWGC’s 2023 Renewal Application attached hereto. The correct amount of payment under protest would be eighty (80%) of the amount due or \$[REDACTED]. After credit for the amount already paid (\$[REDACTED]), KWGC owes \$[REDACTED] for its payment under protest. Keep in mind that the failure to pay the full amount due under protest could affect the amount of late fees ultimately due from KWGC if KWGC’s current appeal fails (subject to your request for a waiver of the same).

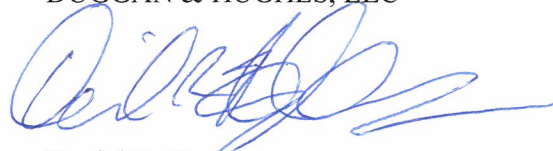
It appears that the parties’ positions regarding the amount of the business license tax due for KWGC’s 2023 application is the same as its 2022 application. The City consents to holding in abeyance any appeal to City Council that KWGC may assert for its 2023 application pursuant to S.C. Code Ann. §6-1-410 during the current appeal before the Administrative Law Court. If you need anything further regarding this issue, please let me know.

Regarding your request to waive late fees, as we discussed, only Council can decide to grant this request. This request will be presented to the City of Mauldin Finance and Policy Committee for consideration at its meeting on August 7, 2023 at 6:00 pm at Mauldin City Hall. The Committee will determine if your request should be presented to full Council. You or a representative of KWGC is welcome to address the committee at this meeting.

If you have any questions or concerns, please let me know.

Sincerely,

DUGGAN & HUGHES, LLC

A handwritten signature in blue ink, appearing to read 'Daniel R. Hughes', with a long horizontal flourish extending to the right.

Daniel R. Hughes

DRH/tab

cc: Seth Duncan and David Dyrhaug (via email)

FINANCE AND POLICY AGENDA ITEM SUMMARY

MEETING DATE: August 7, 2023
AGENDA ITEM: 6b

TO: Finance and Policy Committee
FROM: City Administrator Seth Duncan
SUBJECT: Recreation Department Copier Contracts

REQUEST

City Council is requested to approve the signing a contractual agreement with Dex Imaging (they bought Konica Minolta) for Recreation Department copier services.

HISTORY/BACKGROUND

In January of 2020, the City contracted with Konica Minolta for several copiers in an effort to consolidate the contracts to one vendor and only have one consolidated copier lease. At the time this was done, there were machines at the Cultural Center, Judicial Department, Sports Center and Senior Center that had newer contracts that could not be bought out because they had several years remaining. The other department copiers have since been added to the main lease.

There are two copiers at the Sports Center (one main copier and a smaller one at the front desk) and one at the Senior Center that now have expiring leases. These are the last copiers to be added to the consolidated lease.

Dex Imaging has quoted the larger copiers with a program which does not have any per copy overages; this saves the City money and also allows for easier budgeting, as we would know a true price each month, instead of having to estimate. The current lease has per copy charges on each machine. The two main copiers would be the same model leased for the other departments in January 2020.

The quote for the smaller copier includes 1200 copies/prints per month with the excess billed at \$.01 each.

The current average bill for all three copiers is **\$1,534.48 per month**.

A quote is attached to make this lease co-terminus with the leases approved in January 2020, having them term at the same time.

TIMELINE/FISCAL IMPACT

Adding the Senior Center copier and both Sports Center copiers to the lease initially approved in January 2020, to end in June 2025 will cost will be **\$1063.41 per month** and includes all service, parts, supplies, and maintenance.

There is a savings of approximately \$471 per month on the 20-month lease (Co-terminus). Pursuant to Council approval, the copiers could be installed in two to three weeks.

RECOMMENDATION

Staff recommends acceptance of the quote from Dex Imaging for the co-terminus lease ending in June 2025 for the three copiers in the Sports Center and Senior Center. Dex Imaging is piggybacking on Konica Minolta's South Carolina State contract #4400010832.

ATTACHMENTS

Quote from Dex Imaging

DEX *imaging*

Proposal Prepared for



City of Mauldin

Barney Pannell

Sales Account Executive

DEX Imaging

10 Falcon Crest Drive, STE 150, Greenville, SC 29607

PHONE 336-209-1849

Current Expenses: 2 Xerox W7835's & Kyocera M2540dw

	Lease and Service Program	
2-Xerox W7835 & Kyocera M2540dw	Lease and Service included = \$1515.78 Mth Black & White allowed 4,500 mo. Excess @ \$0.0125 Black avg – 4,000 Color Images allowed 7,000 mo Excess @ \$0.085 Color avg - 7220 or \$18.70 extra per mo.	All Parts, Labor, & Toner Included

Total Lease - \$1515.78 mo.

Avg Additional Mth Expense \$18.70

Total Lease plus Service & Overage Fees

\$1,534.48 mo

Investment and Service

	Service Program	
Konica Minolta 2-C250's & BH4050ii	<p>C250 - Service Base - \$148.00* Mth each Device Unlimited Color and B/W copies/prints – No escalation</p> <p>Konica BH4050i – Service base = \$12.00 Allowed 1200 Black prints/copies mo. Excess billed @\$0.01 each</p>	All Parts, Labor, & Toner Included

EQUIPMENT Monthly Investment:

20 month FMV Lease -- \$755.41 mth Plus tax

To end co-terminus with other Konica Leases 6/16/25

Service Base Rate *Both Copiers combined \$296.00 Mth

Konica C250i 's = Unlimited Copies/Prints – Color and B/W – No Meter Charge and No Escalation for the Term of the Lease

Konica BH4020i – Service Base \$12.00 for 1200 Copies/Prints mo.
 Excess billed @ \$0.01 each

*Includes All Service, Parts, and Supplies (Toner). Maintenance is Billed Separate from the Monthly Lease Payment

Total Lease plus Service

**20 mth – Co-Terminus – Lease and Service =
 \$1,063.41 mth Plus Tax**

FINANCE AND POLICY COMMITTEE

AGENDA ITEM SUMMARY

MEETING DATE: August 7, 2023

AGENDA ITEM: 6c

TO: Finance and Policy Committee
FROM: Seth Duncan, City Administrator
SUBJECT: FY2023 Surplus Projection Plan

REQUEST

To provide a preliminary estimate to Council of the FY2023 Surplus Projection and staff recommended Fund Balance expenditure plan.

HISTORY/BACKGROUND

Annually, the City's Finance Director prepares a preliminary report of anticipated revenues and expenditures for the prior fiscal year. This report, in addition to highlighting capital expenditures of the prior year, also includes a recommended allocation of surplus revenues for various capital projects.

In prior years, a spending plan would be incorporated into the current fiscal year budget modification. This year, staff is requesting Council approval of this spending plan and will incorporate those expenses into the budget amendment when appropriate.

STAFF RECOMMENDATION

The Finance Director is projecting a surplus between \$2.8 million and \$3.3 million for FY 2023. Staff is proposing the following expenditure plan for surplus FY2023 funds.

\$175,000	Sports Center equipment (pay-go instead of financed)
\$190,000	2 Medical Quick Response Vehicles for Mauldin Fire Department
\$75,000	City-wide Strategic Plan
\$90,000	Fire Station Headquarters Owner Items
\$1,100,000	Railroad crossing for City Center project
\$725,000	MCIP reimbursement for City Center
\$425,000	Comp Time buyout and elimination of Comp Time
Remaining Balance	Allocated to the Capital Fund fund balance

RECOMMENDATION

Staff recommends Council approve FY2023 Surplus Projection Plan as drafted by staff.

ATTACHMENT(S)

- Year End Fiscal Summary for Council