

**MINUTES OF THE LYMAN TOWN COUNCIL MEETING  
LYMAN MUNICIPAL COMPLEX  
February 9, 2015**

**1. CALL TO ORDER:**

Presiding Officer, Mayor Pro Tem Wyatt announced it is 5:36 PM on Monday, February 9, 2015 and call the regularly scheduled meeting of the Lyman Town Council to order. Wyatt announced that have with us in audience Lance Martin from Potential Church inviting him for our opening invocation, and Wetzel for the pledge of allegiance.

**2. FOIA:**

Wyatt asked Dennis P. Drozdak, Clerk/Treasurer, if written notice of this meeting with an agenda was publicly posted, published and forwarded to the local newspapers no less than 24 hours prior to adjournment and he responded yes.

**ROLL CALL:**

Conducted by Dennis P. Drozdak.

Present: Rodney D. Turner, Mayor  
Tony Wyatt, Presiding Officer, Mayor Pro tem  
Daisy Carter  
Larry Chappell  
Rita M. Owens  
Teresa Shuler  
Donnie Wetzel

Not present: None

**3. READING AND APPROVAL OF MINUTES:**

Turner asked to make a motion to amend the agenda under appearing before Council would like a representative from Potential Church to be able to address the Council especially under New Business item C about the Resolution. Wyatt suggested that when get to item C and give them the floor for a couple of minutes to speak and Turner said either way did not matter to him. Owens also asked to make a motion to amend the agenda under number 10 B for that to be a discussion about our Lyman Festival. Wyatt told Mayor that will treat yours as not really a change of the agenda but will be a discussion at the time, but Owens want to change from Resolution to a discussion, asked for second by Turner, asked for all in favor say aye, any opposed, hearing none the agenda is so adjusted. Wyatt announced in your packet had minutes of January 12<sup>th</sup>, 2015 meeting, asked if everyone had a chance to review those minutes, asked for a motion to accept those minutes as submitted, Wetzel made motion, seconded by Shuler. Asked for any corrections, additions or changes, asked all in favor say aye, any opposed, hearing none the minutes are accepted. Wyatt said you also have in front of you the minutes of special meeting on January 26 also in your packet, asked for a motion to accept these, Wetzel made motion, seconded by Carter. Asked for any corrections, changes or adjustments need to make to these minutes, hearing none, asked for all in favor said aye, any opposed, hearing none those minutes are accepted.

**4. APPEARING BEFORE COUNCIL:**

a. None.

**5. TREASURERS REPORT:**

a. Drozdak's treasurers' report is attached in the permanent file. Motion by Owens, seconded by Wetzel, with all present in favor said aye, none against, the report was accepted.

## 6. DEPARTMENTAL REPORTS:

### Police Department –

Chief Hayes said should have my monthly report and offered to take any questions. Wyatt asked about comment of above average drug activity and elaborate on what's happening now. Hayes responded that all came from traffic stops people going through Town to drop off somewhere else needed to go. Hayes showed map of breaking the Town up into 5 zones community policing involved, officers assigned their zones and currently going out there to pass out their business cards and to call them if they need them. Next month set up first community watch meeting for all the zones to begin with. Wyatt what kind of response from the community and officer, Hayes said great response to have one officer to go to instead of just calling up here and leaving a message. Also starting more proactive and officers going into the business and concentrating on the places that might be robbed like the bank, convenience stores or Dollar General and places like that. Wyatt asked about item 1 misconduct of a minor was that the extradition case, Hayes said no a new one, the under still under investigation at this time with victims advocate. Shuler asked about the new app, Hayes said they have all the information they need now, we had to set up a blog page so push notifications out and notice our Facebook page up and running so not long for mypd app. Turner asked if have tourniquets assigned, Hayes said got something in red box that could be used for a tourniquet, Turner said that they make them and most departments are getting them, if don't have them would encourage you to get them that need to have them, Hayes that he would look into that. Turner ended that been to class and that he changed his mind completely about the way we do things and love to have you be the first. Hayes added that have an active shooter class coming up and will look into a tourniquet in go bag. Wyatt asked for more questions, none.

### Fire –

Chief Redd said you have my monthly report before you, had 107 calls during the month of January, see response times there, a total of 352 hours on emergency divided by 3 apparatus or basically 117 hours out of station, Wyatt said noticed dispatched to 6 not breathing, seems like a high number, Redd said normally 2 per month so is higher than normal. Redd mentioned that over the weekend sent a message out to Police and Council about issues with the dry conditions, wind and low humidity and had a mobile home fire that resulted in a large brush fire and 3 brush fires yesterday. The ground may be wet but the grass is dry and some preventative issues like don't burn on dry, windy days with 18 to 25 mph winds. Also have working fire detectors in home and fire extinguishers are good for 5 years. Wyatt said he learned that they have a shelf life even if needle in green and not as long as gauge shows, so 5 to 6 years then toss them, get dry chemical not refillable. Redd said all need is 5 pound. Wetzel added back to the brush to just dial 911 if see someone burning and we will meet with and deal with it on the spot. Turner asked what day sent out email, Redd responded that he sent a text to Police Officers and Tony, Turner responded that he understood Council, no other questions.

### Streets –

Maurice Hawkins mentioned that you have my report before you for January and glad to answer any questions or concerns. Wyatt said not a question or comment but the real success job on the 1 ton roller packer. Hawkins replied that been sitting for 2 years and told been broke and junk, but Wetzel came out in November and said if it can be repaired and if can't be then scrap metal. Got Farrar, Hand and Barnwell took 3 hours a day for a week and got it up and going, had to order some parts made it a week longer because we did not even know what year it was. Have used it on Half Moon Road to resurface it and it worked fine it will now make a large cut with something to get smooth road. Under projects bullet on manhole covers keeping a running tally and ended up pouring right at 36 storm water covers and when cleaning out storm drains have found 3 collapsed to repair. May need to have Mark Bradley to help us on some. Wyatt asked if we were pouring for DOT and Hawkins that we been pouring and they

have a stockpile, Wyatt added that they seem to be holding up pretty well. Wetzel asked a company doing to give us a price to do additional ones but not heard back. Owens added that streets look really good and doing a great job, Hawkins said that you and that the guys take a lot pride in it. Shuler asked why no parking signs along Spartanburg Road and Hawkins responded that talked with Police Chief and since moved Halloween into Mill Village no need out on Spartanburg Road to get them up, but not thrown away if need them again.

### **Waste Water & Pre-treatment**

Brian Smith announced that you have my report and glad to answer any questions. He said that as you can see plant was 100% compliant in January but a bit of issue with process sludge, gear took off, was suppose to be \$14,000 for repair, said to holdup and looked around. Eurodrive made for \$4,400, brand new motor gear box have it running now thought it was pretty special to go next door. Toxicity looked and all other performance indexes look good. Had 4 emergency calls. One significant coming up guardrail post 8 foot in ground, DOT ran a guardrail post into the sewer main and had Street guys help us took 2 days to fix, Turner asked if sending them a bill. Smith said waiting for all the bills to come in and once in will file a claim with DOT for reimburse. Wetzel wanted to comment that's the reason important to get on PUPS because gracious enough to pay, but not being on locating company very important to do that. Wyatt said that in future this would identify this situation. Turner said that he thought that about a year ago signed a contract, Smith that it never did happen, Turner said that was the reason we had Paul do GIS to share that. Smith said asked Paul 3 months ago to give another map something PUPS can read and got 40 tickets to do. Turner said that will need another personnel for that and Smith replied that will have to see, and Turner said don't see how to avoid that. Wyatt asked how many man hours take for a ticket, Smith answered it depends, sometimes a whole street, but got 3 days to answer. The Mill Village opening bids this Thursday and billing summary industrial up a little. Wyatt asked about the old digester and Smith said running into a lot of trash.

### **Economic Development**

Shuler said committee with Upstate Forever working to get a take out on the river and partner with Spartanburg County Foundation to establish a non-profit. There were 3 new permits, 8 new Highland houses and looking into zoning because Spartanburg County coming out with one, spoke with Carter Smith. The joint committee with SJWD met at SJWD, Carter Smith was asked to be the 5<sup>th</sup> member at large, Wyatt gave an update also Larry Christopher and Mike Caston spoke because when we annexed that property kept telling them that we would not charge them a municipal franchise tax for that piece of property but seems Duke has been doing that. Shuler wanted to thank Drozdak for contacting Duke and turn that billing off and thank you for that. Wyatt added that one other item was mutually beneficial situation with alum treatment and potentially give us 300 thousand gallons a day of neutral ph water flow that would help us with our toxicity all depending if makes sense a be a good win win they save on sludge removal and on toxicity side. Wetzel asked Turner if in the past when put in new subdivisions do they not leave an inch once all construction done to resurface, asked if that was a County thing and if you can answer that question. Turner answered we tried best to takeover one of Greenville County's ordinances which mean a sub base and top does not go on until final home is built and is occupied then top coat goes on cause all these concrete trucks tear it up so what we wanted to do and close but Ron Kirby's Spartanburg County Roads and Bridges did not know if they could inspect that because was not in their policy and not willing to change their policy to do that. Turner continued so since not do our inspections they did not know what to do. Wetzel said that was probably the issue at Spring Lake. Turner responded that Spring Lake was a disaster from the word go and something inherited and took a long time to fix. Wetzel asked because of the new subdivision on Holly Springs already paved up to the curb.

Turner said fought that fight and unless the Town is willing to get inspector, Mike Garrett, he could actually do and put him in that position to do the inspections from the beginning and let him sign off so can change our ordinance to reflect Greenville County's to make sure road bed meets all the specs and after last house occupied top coat it and have excellent situation going on. Wetzel thinks would be a great thing to pursue, Turner said if you could get Mike we may have to look into some extra insurance and bonding on his behalf but he does an excellent job, we have already have the best man working around. Turner said disappointing on new subdivision because still heavy trucks go in there and if get any snow will see mush out there. Wetzel said does not think quite the issue of Spring Lake out there, Turner said that was actually poor design and built, Wetzel added already Street department gone to Spring Lake repair sink holes. Wyatt agreed that it is something to take a look at, Wetzel said that did not think of Mike but Turner this is the best way.

#### **Citizens Outreach**

Nothing from Carter this month.

#### **Event Planning**

Owens said will wait until 10 under New Business.

7. **PROJECTS:**
  - a. Streetscape & Trails enhancement=Drozdak said SCOT working on drawings.
  - b. Lyman Event Center=
8. **EXECUTIVE SESSION:**
  - a. None.
9. **OLD BUSINESS:**
  - a. Wyatt said this was passed on first reading last month for a motion on 2<sup>nd</sup> reading ordinance to amend budget of Fiscal Year July 1, 2014 to June 30, 2015, a motion by Wetzel and seconded by Shuler. Asked for a discussion and Turner asked to remind him what was the change what are we doing, Drozdak responded that raising the Waste Water director's salary that was not in the budget, and Wyatt said not hearing any further discussion call the question all in favor say aye, any opposed, hearing none the ordinance passes on 2<sup>nd</sup> reading.
10. **NEW BUSINESS:**
  - a. Wyatt said first item a resolution contracting with OmniSource for demolition of red building near Old Library and was in your packet. Wyatt asked for a motion, Turner with the motion, second by Chappell. Wyatt said have a motion and a second any discussion, Turner responding yes what are we doing. Wyatt said let Wetzel elaborate on that, Wetzel said that needs to come down and talked to OmniSource about demoing the building for what contents in it, so basically a turnkey job, will not cost us anything and can be done in a day and for plans of a playground area that kind of thing. Wyatt added that it sits in an area always targeted. Turner asked wondering what doing about the switch gear inside, Wetzel replied OmniSource part take everything out for the demo including the building. Turner asked if any asbestos in the building, Chappell said told that there was when out there, was some asbestos, Wetzel said in the contacts and wasn't very many. Turner said some of the insulators and will they pulling a alb test when they tear it down for the asbestos. Chappell they are familiar of what they need to do and have insurance for any problems that we may have. Turner said the asbestos will fall back on the Town, need a clear letter before start demoing. Wyatt added not disagree with the Mayor and that we will get in writing that puts the burden on them. Wetzel added that been trying to get that

guy been working out of Town and definitely want to do that. Wyatt said suggest put in language of the resolution pending appropriate clearance on asbestos. Turner said take one step further that liked to table this until we have the clearance letter. Wyatt said do not necessary agree as long as conditions are met before any work can be done and take it to amend the resolution contingent upon getting the clearance letter that no demolition until letter got the wording, asked for all in favor say aye, any opposed, none, hearing none, so now have an amended version of the resolution. Wyatt called the amended version asking all in favor say aye, any opposed, hearing none the amended version of the resolution passed.

- b. No longer a resolution but discussion, Owens said LymanFest met with Imagine Group and will do everything we just show up, \$5,000 and that is what Town gets from Hospitality Funds. Will be one day move the festival out to Main Street brings us to the 16<sup>th</sup> which is Armed Forces Day. Will have a lot of decorations and we can be available. Wyatt had couple questions about value of outsource and have some brand in LymanFest name moniker. Wetzel thinks concept is great, Shuler asked about the bands and Owens said will be 5 to 7 and 7 to 9. Wyatt said seems multiple interests to find a way to maintain the LymanFest name and like the Armed Forces Day theme.
- c. Next resolution is for continued use of media equipment at Pacific Place by Potential Church with a hold harmless agreement of all parties based on proposal got in mail today. Wyatt asked Lance Martin to explain email and said everyone has mutual benefit was the original intent think back in December. Turner added his motion was anything else they wanted to share and get everything on the table so can move on. Martin said would like to have the carpets cleaned and requested that for a couple months now, can provide a person to do that quick and inexpensive use the office area for nursery and have heavy desk can't move out. Also, found a liquor bottle on the sink and if had a kid go in there we would have gotten into some big trouble and usually do a pretty good sweep and not the first case but the most blatant case and out front. Wetzel said that kind of stuff needs to be brought to our attention. Martin continued that those couple of things but grateful to be there and has been strained, Turner asked are you cleaning or we, Martin replied told not to and that cleaning runs 125 to 150 dollars, not much of what Town spends a lot of stain not us and have babies that crawl on, should be done just for health reasons its nasty and why we had regularly scheduled and were told not to do anything like that. Wyatt said this was an operational matter not something Council act on but in Owens area of responsibility Owens asked aren't you moving out, Martin replied we do not have an official statement tonight and when do will give it in writing to Council. Owens asked what is favor of Council, Turner asked last time cleaned, Martin replied cleaned it in the Fall before Christmas but not in December because contract says not to so started asking in December and still not been done. Turner asked that we make motion to clean carpet, Carter with a second, Wyatt said now have a motion and second to clean the carpet, asked for discussion Shuler said for 150 dollars, Martin said I can get that contact. Wyatt asked for a vote, all in favor say aye, none opposed. Owens asked Martin if will take care of that.
- d. Wyatt said now have a resolution in front of you for the use of the media equipment and asked if anyone wanted to entertain a motion, Turner with motion, Carter seconded. Wyatt asked for discussion, Shuler said was all in favor at last meeting but really upset with the emails communication. Martin replied always intention of everyone's mutual benefit. Shuler said been in several church leadership and really bothered me, the tone going back and forth and saddened me. Marin that is frustrating and nothing in those emails and wouldn't share with anybody including our leadership was to be 100% transparent, yeah there is some tone because we had some frustrations and comes out when things don't make a lot of sense. Owens said that she is commissioner for the Pacific Place and not one time did you ever call me and chose not to talk, but got to follow the chain of command, there were some hurtful things said to and about

different ones and you are not the only person to rent that facility and when someone rents for \$1,000 a day that's the rate get it front door to back down all that square footage. There was never any ill feeling, we love you and that Church but have to set a policy have rules and regulations procedures. Martin replied that did have a phone conversation and that way it went awhile back that I just chose not to and went around the chain of command when our requests were not brought to the full Council and 2 years of no problems at all. Chappell said before any further need to advise you that we have all the emails and text messages printed out to the Town from the Church from day one so there were problems from day one. Martin replied from 2012 when had problems working out with Alan or Mayor. Chappell said that you were instructed to send commissioner but spending your time harassing and abusing the staff, Martin replied that don't think abused the staff and never been abusive to a staff member ever, in fact have a lot of good relation, but had some heated conversations and opinions back and forth but never been abusive at all. Wyatt interjected that room for interpretation and suffice to say that to do our duty to constituents custodian of Town asset appreciate the fact you here to express your concerns, wish you personal success and not intention to have any harm come to. Wyatt said have a motion and a second call question to order on a resolution, asked all in favor say aye, 2 ayes, any opposed, so have 5 opposed and 2 in favor, so the motion does not pass. Turner asked for roll call vote, Wyatt instructed Drozdak to take a roll call on New Business item C. with a Yes vote for the resolution and No vote against as follows: Turner Yes; Wyatt No; Carter Yes; Chappell No; Owens No; Shuler No; Wetzel No. Drozdak reported on the issue have 2 yes and 5 no's, so Wyatt said that resolution does not pass.

- e. Wyatt said next item is temporary signs that were a late addition requested by Wetzel for some discussion. Thompson has recently addressed this of the signs on 29 was so bad that signs everywhere looking like one big billboard. Codes officer has gone around and discussed different things with the businesses as far as what it is and not sure what to do to remove these signs. Wyatt asked if the issue just compliance or the ordinance, Wetzel replied just wanted to discuss it. Hayes said that Thompson went around to all businesses that did not comply with the zoning ordinance and gave until this Friday to get rectify before writing any abatement and responsibility of owner to remove the sign even if sign company out of business so should be removed in next couple of weeks. Can apply for a temporary sign for 30 days out of the 90 day permit you get. Wyatt asked if the ordinance is functioning okay we had some compliance issues. Hayes answered that Tammy has come up with a brochure and give to new businesses as they get business license to explain what ordinance covers so will know. Wetzel concluded that since brought it up to Thompson he has gone around to them.
- f. Next item is business license brought up by Chappell. Chappell said originally wanted to look at full ordinance as recommended by the municipal association but Drozdak informed me that Danny Crowe, our attorney, had written our business license. Tammy Redd, business license coordinator, answered that the main change is the form and same ordinance always had and what changes is it gives a lot more detail because get businesses that don't have a drivers license so no information that we can locate them and municipal association wanted us to do due diligence to capture all this information so they put out a standardized form encouraging all municipalities to use. Wyatt said wanted to understand is the form imbedded in the ordinance itself, Redd replied that this came separately not a part of the ordinance. Wyatt asked Drozdak if application form a part of the ordinance itself, Drozdak is replied that we adopted the ordinance that application not part. Turner added that just a part to figure the business license. Wyatt summarized that we do not need to modify the ordinance and just replace the form if it does not change the body of the ordinance. Redd said only difference is goes into more detail about drivers license, but Turner said a little bit confused that got to have a drivers license to own a business. Redd replied that have people come in that do not have a drivers license, Turners asked why do you have to have

one and do not understand the issue that someone has to identify themselves, but take exception that need a drivers license, Redd answering that need a state id to prove who they are but something they came up with because had people opening business that was illegal in the State. Turner said that to own a business and require a drivers license but the biggest issue in the Town is we issue business licenses to areas that not zoned to be there many issued where zoning never intended for the purpose of that property, that's a big issue, that the zoning and business license ordinance must shake hands, Wyatt replied that they don't today, Turner replied not. Wetzel asked if we can identify them and do something about it, don't know what we got to do. Turner answered we did that for many years the boat shop was one of those we did change for years the zoning never coincided with the business license never shook hands and finally fixed that and working on them one at a time. Wetzel asked if there was a list out there somewhere, Turner said take the business license list and the zoning map and make sure matches up. Wyatt asked the real question is since application not part of ordinance it is an operational matter and Chappell has pervue to deal with that but not conflicting with the two. Shuler said speaking of business license that the House has a bill 3490 and saying municipalities cannot charge more than \$100 for a business license, Turner said that will hurt revenue. Shuler said she has contacted Rita today that it really hasn't gotten any traction down there and ask each one of you to reach out to them. Wyatt said did not understand the arbitrary \$100 and for a large business would be extremely inappropriate, Shuler said that this happens every year. Turner said understand that you max out at \$100 and without calling names that got business licenses over \$30,000, Wyatt answered that thought was most ridiculous think ever heard. Shuler said that the municipal association will send you a list of talking points, Wyatt asked if they are formally lobbying and will add our voices to that, it's a problem somewhere else not here and make sure our voice is in there.

**11. ANNOUNCEMENTS: Wyatt said**

- a. Next regularly scheduled meeting, Monday, March 9, 2015.
- b. S.C. State Ethics annual filing due March 30, 2015.
- c. In other announcements Owens asked if can have a special meeting Thursday 4:30 or 5:00 to act on the festival to act on the name, Turner replied got to work, Wetzel asked what day working this week, Turner said if can do Friday would appreciate it, Owens responded Friday at 4 o'clock, Wyatt can come late afternoon. Wyatt told Tammy that she would end up being the Clerk on Friday afternoon and thank you for that Turner requested to make all reports use Town letterhead as the standard format notwithstanding the Fire Department.

**12. ADJOURNMENT: Presiding Officer Wyatt asked for a motion to adjourn:**

- a. At 7:18 PM Carter made a motion to adjourn, Turner seconded with all in favor.

Submitted by,   
Dennis P. Drozdak, Clerk / Treasurer

Approved by,   
Tony Wyatt, Presiding Officer, Mayor Pro-tem

Date: 03/09/2015

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