



AGENDA

**Council Chambers
300 Wall Street, Fountain Inn, SC 29644**

FORMAL MEETING OF CITY COUNCIL

Thursday, November 9, 2023 - 6:00 p.m.

Citizens may access the meeting at the following YouTube address:
<https://www.youtube.com/@cityoffountaininn3536>

1. Call to Order - Mayor McLeer
2. Invocation and Pledge of Allegiance
3. Presentations
 - a. 2023 Civics Academy Graduates: Meredith Herman, Avis Kelley and Alan Putney
4. Public Forum - Persons wishing to speak may signup 15 minutes prior to the meeting. Signups will be on a first-come, first-served basis. Your remarks will be limited to 3 minutes.
5. Appointment
 - a. Approval of the Appointment of a Planning and Development Director
 - b. Approval of Planning Commission Appointments
 1. Wards 1, 3, and 5: January 1, 2024 – December 31, 2027
 2. Wards 2, 4, 6, and Mayor's At-Large: January 1, 2024 – December 31, 2025
6. Consent Agenda - There will be no discussion of Consent Agenda items unless a Councilmember so requests in which event the item in question will be considered separately.
 - a. Approval of Minutes from Regularly Scheduled Council Meeting on October 12, 2023

Council may enter executive session to discuss any item on the agenda as permitted by S.C. Code Ann. § 30-4-70.

- b. Approval of Minutes from a Special Called Council Meeting on October 24, 2023
- 7. City Administrator's Report - Shawn M. Bell
 - a. Department Reports
- 8. Unfinished Business
 - a. Second and Final Reading of Ordinance 2023-13 Amending Ordinance No. 2023-11, enacted December 1, 2021, known as the City's Business License Ordinance to update the standardized business license class schedule.
- 9. New Business
 - a. First Reading of Z 2023-7 an ordinance to amend the official zoning map of Fountain Inn, said amendment for the purpose of changing the zoning classification of the property described in this ordinance (407 North Main Street).
 - b. Authorizing the Chief of Police to execute a Memorandum of Understanding between The Bureau of Alcohol, Tobacco, Firearms, and Explosives and the Fountain Inn Police Department.
 - c. Approval for the City Administrator to enter into an agreement with Stewart Cooper Newell Architects for Fire Station Three and Training Facility
 - d. Reschedule December 14, 2023, Regular Council Meeting to December 1, 2023, due to the installation of Councilmembers Elect and Regular Council Meeting.
- 10. Executive Session -After coming out of executive session, Council may vote on items discussed during executive session.
 - a. The receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim regarding the Police Department.
 - b. Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area – Project Grind.
- 11. Adjourn

Council may enter executive session to discuss any item on the agenda as permitted by S.C. Code Ann. § 30-4-70.



For Office Use ONLY

This application is a: New Appointment ☐

Reappointment ☐

Council Ward: 1

Attendance Record: _____

CITY OF FOUNTAIN INN BOARD AND COMMISSION APPLICATION for Planning Commission and Board of Appeals

Name of Board or Commission to which you are applying: Planning Commission
An individual may only apply to serve on one board or commission during any election cycle.

Mr. ☐ Mrs. ☒
Ms. ☐ Dr. ☐

Name: Dusti Burgess McCraw

Home Address: 506 Fairview Street City: Fountain Inn Zip: 29044

County: Greenville Email Address: dusticaithyn@gmail.com

Home Phone: 804-517-7875 Work Phone: 804-802-1411 Other: _____

Occupation: Business owner Employer: B.W. Burdette + Son Hardware

School attended: Clemson University

Highest degree earned: Bachelors of Science Field of Study: Wildlife + Fisheries Biology

Volunteer Experience (Please list and describe): Chamber of Commerce Capstone Church, Foster parent, Gamma Sigma Sigma National Service Sorority

Describe your understanding of the position for which you are applying.

The planning commission creates and updates a city-wide plan for growth and development and keeps Fountain Inn citizens best interests in mind.
Reviews new plans submitted in accordance with regulations set by city council and administration.

What specific skills do you believe you could contribute as a member of this board or commission?

As a resident who lives and works downtown (and grew up in Simpsonville and Fountain Inn) I have a unique perspective of how growth, safety, and welfare are impacted by this committee's plans and regulation.
I have excellent communication and administrative skills as well as a passion for Fountain Inn and the environments we cultivate here!

Have you ever attended a meeting of this board or commission? viewed online Yes ☐ No ☒

Are you available to meet at the regularly scheduled date and time of the board or commission meetings? Yes ☒ No ☐

Do you or your family or business(es) regularly have dealing(s) with the board/commission? Yes ☐ No ☒
If yes, please explain: _____

Do you or any member of your immediate family receive direct services from this board? Yes ☐ No ☒
If yes, please explain: _____

Have you ever been convicted of a crime other than a minor traffic violation? Yes ☐ No ☒
If yes, please give details. _____

Do you currently hold any elected or appointed office or commission? Yes ☒ No ☐
If yes, please list Chamber of Commerce Board of Directors
Executive Committee, Secretary

Have you previously held any elected or appointed office or commission? Yes ☐ No ☒
If yes, please list _____

Have you ever been fined for an ethics violation? Yes ☐ No ☒
If yes, please explain: _____

Have you ever been subject to penalty relating to a violation of State ethics standards? Yes ☐ No ☒
If yes, please explain: _____

Are you current in payment of your Greenville County and/or Laurens County property taxes? Yes ☒ No ☐

Statement of Agreement and Understanding

By my signature, I attest all information contained in this application is true and accurate to the best of my knowledge;

I understand it is my responsibility to insure my application is submitted within the application period and that it has been received by the City Council office;

I understand my appointment to the board for which I am applying will not result in me receiving any compensation for my service;

Signature Husti B. McEraw Date 10/16/2023

Please return this completed form to Fountain Inn City Hall for consideration.



For Office Use ONLY

This application is a: New Appointment ☐

Reappointment ☐

Council Ward: 2

Attendance Record: _____

CITY OF FOUNTAIN INN BOARD AND COMMISSION APPLICATION for Planning Commission and Board of Appeals

Name of Board or Commission to which you are applying: Planning Commission

An individual may only apply to serve on one board or commission during any election cycle.

Mr. ☒ Mrs. ☐

Ms. ☐ Dr. ☐ Name: W. Stutts Armstrong

Home Address: 210 Oakland Way (as of 11/1/2023) City: Fountain Inn Zip: 29644

County: Greenville Email Address: stuttsa@charter.net

Home Phone: 864-322-3105 Work Phone: _____ Other: _____

Occupation: Sales Employer: Ocean Beauty Seafood

School attended: College of Charleston

Highest degree earned: BA Field of Study: Interdisciplinary Studies

Volunteer Experience (Please list and describe): Fairview Presbyterian Church - Active Deacon, also Budget and Finance Committee Chair
Previous - Board of Directors and Chairman of the Board John I Smith Center, Cub Scout and Boy Scout Den and Pack Leader

Describe your understanding of the position for which you are applying.

Review applications and presentations to the Planning Commission and make recommendations to City Council on zoning and annexations.

Involved with the overall planning to ensure Fountain Inn grows according to the goals and plans adopted by Fountain Inn

What specific skills do you believe you could contribute as a member of this board or commission?

Experience with working on boards, organizational skills and effective negotiator

Have you ever attended a meeting of this board or commission? Yes ☒ No ☐

Are you available to meet at the regularly scheduled date and time of the board or commission meetings? Yes ☒ No ☐

Do you or your family or business(es) regularly have dealing(s) with the board/commission? Yes ☐ No ☒
If yes, please explain: _____

Do you or any member of your immediate family receive direct services from this board? Yes ☐ No ☒
If yes, please explain: _____

Have you ever been convicted of a crime other than a minor traffic violation? Yes ☐ No ☒
If yes, please give details. _____

Do you currently hold any elected or appointed office or commission? Yes ☐ No ☒
If yes, please list _____

Have you previously held any elected or appointed office or commission? Yes ☐ No ☒
If yes, please list _____

Have you ever been fined for an ethics violation? Yes ☐ No ☒
If yes, please explain: _____

Have you ever been subject to penalty relating to a violation of State ethics standards? Yes ☐ No ☒
If yes, please explain: _____

Are you current in payment of your Greenville County and/or Laurens County property taxes? Yes ☒ No ☐

Statement of Agreement and Understanding

By my signature, I attest all information contained in this application is true and accurate to the best of my knowledge;

I understand it is my responsibility to insure my application is submitted within the application period and that it has been received by the City Council office;

I understand my appointment to the board for which I am applying will not result in me receiving any compensation for my service;

Signature W. Starnes Date 10/31/2023

Please return this completed form to Fountain Inn City Hall for consideration.



Application for Service
City of Fountain Inn - Boards and Commissions

Name: Erik Stoddard Home Phone: 864-207-6369

Home Address: 102 Icebow Rd Zip: 29644

Mailing Address (If different): _____

E-Mail Address: erik.stoddard@aatis-inc.com

Board/Commission Preference: Planning Commission

City of Fountain Resident: ☒ Yes ☐ No County: Laurens

City Ward (Please Circle One) 1 2 3 4 5 6 Mayor

Daytime/Business Telephone Number: _____

Business/Firm: AATIS, Inc.

Business Address: PMB 202, 3504 Highway 153 Zip: 29611

Position/Occupation: Systems Integration Engineer

How did you hear of City Boards and Commissions? ☐ City Staff ☒ City Council Member
Other _____

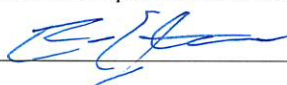
Background information you consider important to this application (including education, family, civic interest/organizations, etc.) Lifelong resident, actively involved with many ministries at my church, I work with a company that allows me to be Project Manager which entails critical business decisions, Masters Degree of Network Engineering + Management

Reasons for wanting to serve on a City Board/Commission: I believe that controlled growth is vital to the success of the future growth of the city of Fountain Inn. I want to be actively involved in the city in which I love.

List any governmental Boards/Commission on which you are currently serving on or have served on in the past:

N/A

Please read carefully the following statement before signing: I am willing to devote the time necessary to carry out the responsibilities and requirements of serving on a City of Fountain Inn Board/Commission.

Signature: 

Date: 4/12/21

RETURN APPLICATION AND/OR RESUME TO:

Clerk of Public Works • City of Fountain Inn • 315 North Main Street • Fountain Inn, SC 29644



For Office Use ONLY

This application is a: New Appointment ☐

Reappointment ☐

Council Ward: 4

Attendance Record: _____

CITY OF FOUNTAIN INN BOARD AND COMMISSION APPLICATION for Planning Commission and Board of Appeals

Name of Board or Commission to which you are applying: PLANNING COMMISSION
An individual may only apply to serve on one board or commission during any election cycle.

Mr. ☒ Mrs. ☐
Ms. ☐ Dr. ☐ Name: BREAN DEROBERTS

Home Address: 207 CHERRY LANE City: FOUNTAIN INN Zip: 29644

County: GREENVILLE Email Address: Bderoberts5@gmail.com

Home Phone: 864-444-9389 Work Phone: _____ Other: _____

Occupation: Construction Employer: Kristopher Homes LLC

School attended: Hillcrest High School

Highest degree earned: High School Diploma Field of Study: _____

Volunteer Experience (Please list and describe): Cross Country & Track coach for ten
years. Also started a church in Simpsonville.

Describe your understanding of the position for which you are applying.

TO APPROVE OR DISAPPROVE COMMUNITIES AND BUSINESSES COMING IN TO OUR
CITY. TO UPHOLD THE STANDARDS OF OUR CITY FOR NEW BUILDINGS PROPOSING
COMMUNITIES IN OUR CITY

What specific skills do you believe you could contribute as a member of this board or commission?

I HAVE BEEN IN THE BUILDING INDUSTRY MY ENTIRE ADULT LIFE AND
HAVE LIVED IN FOUNTAIN MOST OF MY ADULT LIFE. AS I FEEL I KNOW
WHAT WILL FIT OUR STANDARDS BASED ON MY KNOWLEDGE OF THIS INDUSTRY.

Have you ever attended a meeting of this board or commission? Yes ☒ No ☐

Are you available to meet at the regularly scheduled date and time of the board or commission meetings? Yes ☒ No ☐

Do you or your family or business(es) regularly have dealing(s) with the board/commission? Yes ☐ No ☒
If yes, please explain: _____

Do you or any member of your immediate family receive direct services from this board? Yes ☐ No ☒
If yes, please explain: _____

Have you ever been convicted of a crime other than a minor traffic violation? Yes ☐ No ☒
If yes, please give details: _____

Do you currently hold any elected or appointed office or commission? Yes ☐ No ☒
If yes, please list: _____

Have you previously held any elected or appointed office or commission? Yes ☐ No ☒
If yes, please list: _____

Have you ever been fined for an ethics violation? Yes ☐ No ☒
If yes, please explain: _____

Have you ever been subject to penalty relating to a violation of State ethics standards? Yes ☐ No ☒
If yes, please explain: _____

Are you current in payment of your Greenville County and/or Laurens County property taxes? Yes ☒ No ☐

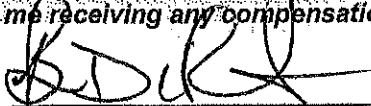
Statement of Agreement and Understanding

By my signature, I attest all information contained in this application is true and accurate to the best of my knowledge;

I understand it is my responsibility to insure my application is submitted within the application period and that it has been received by the City Council office;

I understand my appointment to the board for which I am applying will not result in me receiving any compensation for my service;

Signature



Date

10/12/23

Please return this completed form to Fountain Inn City Hall for consideration.



For Office Use ONLY

This application is a: New Appointment ☐

Reappointment ☐

Council Ward: 5

Attendance Record: _____

CITY OF FOUNTAIN INN BOARD AND COMMISSION APPLICATION for Planning Commission and Board of Appeals

Name of Board or Commission to which you are applying: Planning Commission

An individual may only apply to serve on one board or commission during any election cycle.

Mr. ☒ Mrs. ☐

Ms. ☐ Dr. ☐

Name: Mark H. Pease

Home Address: 200 Alyssa Landing Drive City: Fountain Inn Zip: 29644

County: Laurens Email Address: mpease10@gmail.com

Home Phone: (978) 502-9057 Work Phone: N/A Other: (864) 408-9272

Occupation: Retired Employer: N/A

School attended: Gateway Regional HS, Worcester Polytechnic Institute, Northeastern University

Highest degree earned: Master Degree Field of Study: Electrical Engineering

Volunteer Experience (Please list and describe): _____

Please see attached resume of City/Town Government involvement. All positions were volunteer (elected or appointed).

Describe your understanding of the position for which you are applying.

The title "Planning Commission" is a bit misleading. While the Board will get into a "Planning" mode, as with the recent update to the Cities' Comprehensive Plan rather the primary function of the Commission is to regulate Land use. This authority to approve or deny projects applies to residential as well as business uses.

Planning Commission decisions have a large effect on the way a community develops. A bad decision can cause problem(s) that are difficult, if not impossible to fix. That's why my motto has been "first do no harm...."

What specific skills do you believe you could contribute as a member of this board or commission?

1) 20 plus years on local Planning Boards, familiarity with Zoning Bylaws and Subdivision Rules and Regulations

2) Leadership, Chaired Boards for over a decade. Oversaw many Public Hearings (some not so friendly)

3) Technical Education, helped me to work with Civil Engineers and understand Site Plans

4) Collaborative working style, ability to work with City Leaders, Department heads and staff to complete project that will be for the good of the Community.

Have you ever attended a meeting of this board or commission? Yes ☐ No ☒

Are you available to meet at the regularly scheduled date and time of the board or commission meetings? Yes ☒ No ☐

Do you or your family or business(es) regularly have dealing(s) with the board/commission? Yes ☐ No ☒
If yes, please explain: _____

Do you or any member of your immediate family receive direct services from this board? Yes ☐ No ☒
If yes, please explain: _____

Have you ever been convicted of a crime other than a minor traffic violation? Yes ☐ No ☒
If yes, please give details. _____

Do you currently hold any elected or appointed office or commission? Yes ☐ No ☒
If yes, please list _____

Have you previously held any elected or appointed office or commission? Yes ☒ No ☐
If yes, please list Please see attached resume

Have you ever been fined for an ethics violation? Yes ☐ No ☒
If yes, please explain: _____

Have you ever been subject to penalty relating to a violation of State ethics standards? Yes ☐ No ☒
If yes, please explain: _____

Are you current in payment of your Greenville County and/or Laurens County property taxes? Yes ☒ No ☐

Statement of Agreement and Understanding

By my signature, I attest all information contained in this application is true and accurate to the best of my knowledge;

I understand it is my responsibility to insure my application is submitted within the application period and that it has been received by the City Council office;

I understand my appointment to the board for which I am applying will not result in me receiving any compensation for my service;

Signature Michael H. Pearson Date Oct. 17, 2023

Please return this completed form to Fountain Inn City Hall for consideration.

Mark H. Pease
200 Alyssa Landing Drive
Fountain Inn, SC 29644
(C) (978) 502-9057
Email: mpease10@gmail.com

Education:

BSEE – Electrical Engineering - Worcester Polytechnic Institute – 1983
MSEE - Electrical Engineering - Northeastern University – 1989

Town Government Involvement

Town of Tyngsboro, MA (pop. 12,000)

1999 - Elected to Planning Board (Reelected 2003)
2002 – 2007 - Planning Board Chairman
2002 - 2004 - Chaired Master Plan Committee
2004 - 2005 - Rewrite of Subdivision Rules and Regulations
2001 – 2007 - Planning Board Rep. to Community Preservation Committee

Town of Dracut, MA (pop. 33,000)

2009 – Appointed to Planning Board (reappointed every 3 years thereafter)
2015 – 2021 - Planning Board Chairman
2016 - 2018 – Initiated Master Plan process and served on Master Plan Committee
2018 – 2020 – Rewrite/Update Subdivision Rules and Regulations
2015 – 2021 - Planning Board Rep. to Community Preservation Committee



Fountain
Inn

Application for Service
City of Fountain Inn - Boards and Commissions

Name: Christopher M Ellison Home Phone: 864-409-6081

Home Address: 308 Fairview Street Zip: 29644

Mailing Address (If different): _____

E-Mail Address: CELLISO22@gmail.com

Board/Commission Preference: Planning

City of Fountain Resident: ☒ Yes ☐ No County: Calhoun

City Ward (Please Circle One) 1 2 3 4 5 6 Mayor

Daytime/Business Telephone Number: _____

Business/Firm: Village Vapors

Business Address: 308 Fairview Street Zip: _____

Position/Occupation: Owner

How did you hear of City Boards and Commissions? ☒ City Staff ☐ City Council Member
Other _____

Background information you consider important to this application (including education, family, civic interest/organizations, etc.) Zoning, Clemson, Fountain Inn Museum
Supporter

Reasons for wanting to serve on a City Board/Commission: To encourage positive and sustainable growth in the city of fountain inn

List any governmental Boards/Commission on which you are currently serving on or have served on in the past:
Zoning Board of Appeals - Current

Please read carefully the following statement before signing: I am willing to devote the time necessary to carry out the responsibilities and requirements of serving on a City of Fountain Inn Board/Commission.

Signature: Christopher M Ellison Date: 2 August 21

RETURN APPLICATION AND/OR RESUME TO:

Clerk of Public Works • City of Fountain Inn • 315 North Main Street • Fountain Inn, SC 29644



For Office Use ONLY

This application is a: New Appointment ☐

Reappointment ☐

Council Ward: 2

Attendance Record: _____

CITY OF FOUNTAIN INN BOARD AND COMMISSION APPLICATION for Planning Commission and Board of Appeals

Name of Board or Commission to which you are applying: PLANNING COMMISSION
An individual may only apply to serve on one board or commission during any election cycle.

Mr. ☒ Mrs. ☐
Ms. ☐ Dr. ☐

Name: SAMUEL N. FLINT

Home Address: 406 SCARLET OAK DR. City: FOUNTAIN INN Zip: 29644

County: GREENVILLE Email Address: SamuelNFlint@bellSouth.net

Home Phone: 864-409-9830 Work Phone: _____ Other: 864-313-6447

Occupation: PASTOR MT ZION BAPTIST CHURCH Employer: MT ZION BAPTIST CHURCH

School attended: COMMUNITY COLLEGE OF THE AIR FORCE

Highest degree earned: ASSOCIATES Field of Study: MANAGEMENT

Volunteer Experience (Please list and describe):
① ATTENDED CITIZENS POLICE ACADEMY AND SUBSEQUENTLY PLACED ON THE CITIZENS REVIEW COMMITTEE
② ON THE COMMITTEE FOR JUNETEENTH CELEBRATION
③ CURRENTLY IN THE LEADERSHIP GOLDEN STRIP CLASS 3

Describe your understanding of the position for which you are applying.

BECOME A MEMBER OF A GROUP OF INDIVIDUALS PLANNING THE FUTURE GROWTH OF FOUNTAIN INN BRINGING THE CITY INTO THE 21ST CENTURY - WHILE MAINTAINING A SMALL WARM COMMUNITY

What specific skills do you believe you could contribute as a member of this board or commission?

23 YEARS OF MILITARY EXPERIENCE, ROSE UP IN THE HIGHEST LEVEL OF MANAGEMENT, SUPERVISING INDIVIDUALS FROM NUMEROUS BACKGROUNDS. ATTENDED THE NCO & SENIOR NCO ACADEMY.

AFTER RETIRING WORKED FOR VARIOUS DEFENCE CONTRACTORS THE MOST NOTABLE WAS LOCKHEED MARTIN AS A PROGRAM MANAGER. GIVEN THE RISING STAR AWARD BY LOCKHEED. ATTENDED SEVERAL CORPORATE MANAGEMENT TRAINING COURSES. ADDITIONALLY AS A 21 YEAR RESIDENT OF FOUNTAIN INN I AM EXTREMELY INTERESTED IN OUR FUTURE.

Have you ever attended a meeting of this board or commission?

Yes ☐ No ☒

Are you available to meet at the regularly scheduled date and time of the board or commission meetings?

Yes ☒ No ☐

Do you or your family or business(es) regularly have dealing(s) with the board/commission?

Yes ☐ No ☒

If yes, please explain: _____

Do you or any member of your immediate family receive direct services from this board?

Yes ☐ No ☒

If yes, please explain: _____

Have you ever been convicted of a crime other than a minor traffic violation?

Yes ☐ No ☒

If yes, please give details. _____

Do you currently hold any elected or appointed office or commission?

Yes ☐ No ☒

If yes, please list _____

Have you previously held any elected or appointed office or commission?

Yes ☐ No ☒

If yes, please list _____

Have you ever been fined for an ethics violation?

Yes ☐ No ☒

If yes, please explain: _____

Have you ever been subject to penalty relating to a violation of State ethics standards?

Yes ☐ No ☒

If yes, please explain: _____

Are you current in payment of your Greenville County and/or Laurens County property taxes?

Yes ☒ No ☐

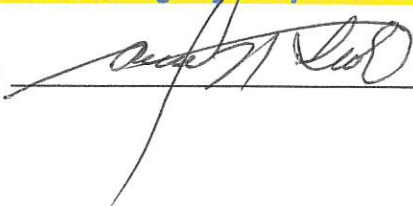
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Signature



Date 13 04 23



MINUTES FORMAL MEETING OF CITY COUNCIL

Thursday, October 12, 2023 at 6 p.m.

1. Call to Order- Mayor McLeer

Mayor McLeer called the meeting to order at 6 p.m. Mayor McLeer requested to add an Exec Session item to the agenda for legal advice.

2. Invocation and Pledge of Allegiance

3. Introduce New Employees

Chief Fortenberry introduced Heather Hendrickson and Courtney Gambill to our Police Department.

- | | | |
|-----------|----------------------------|---------------|
| a. | Courtney Gambill | Police |
| | Heather Hendrickson | Police |
| | Diana Gonzalez | Police |
| | David Dixon | Fire |

Police Chief Fortenberry introduced his employees.

4. Public Forum - Persons wishing to speak may signup 15 minutes prior to the meeting. Signups will be on a first-come, first-served basis. Your remarks will be limited to 3 minutes.

No one signed up for Public Forum.

5. Consent Agenda- There will be no discussion of Consent Agenda items unless a Councilmember so requests in which event the item in question will be considered separately.

- a. Approval of Minutes from the September 14, 2023 Regularly Scheduled Council Meeting**

6. City Administrator's Report- Shawn M. Bell

City Administrator, Shawn Bell, gave Council an update on the following topics: Interstate signage at exit 23 and 26 will start construction by the end of

October, Main Street streetscape will be up for approval by GLDTC on October 26, Municipal Complex masterplan kickoff meeting will take place on October 24, October 14 is the annual Pynkalicious Walk then the Fall litter clean up from 9 a.m. to 11 a.m. The FD Open House is scheduled from 10-2 p.m. Jeeps Creepers will take place on October 28 and October 31 will be the annual trick or treating on Main Street from 5-8 p.m. Natural Gas System improvement projects- pipe pavement completed, Durbin Creek crossing for \$217,000 under budget and will start in January 2024, North Main and Bryson will be completed by November 15. Comp Plan will host a joint meeting with Council, Planning Commission and the Steering Committee on October 24 followed by an open house from 6 to 7:30 p.m. October 25 will host Focus Group meetings at city hall throughout the morning. Miracle League on Mondays, Clinton House sporting clays tournament on November 3, and Christmas parade on December 6. The Younts Center will have In the Midnight Hour and Beauty and Beast. The Museums annual Gala taking place on October 18.

a. Department Reports

7. Unfinished Business

a. Second and Final Reading of Ordinance 2023-10 to Repeal and Replace Ordinance 2023-8, to Provide for the Special Property Tax Assessment Authorized By South Carolina Code Annotated Section 5-21-140; and other related matters.

Motion by Councilmember Garrett, second by Councilmember Don to approve Second and Final Reading of Ordinance 2023-10 to Repeal and Replace Ordinance 2023-8, to Provide for the Special Property Tax Assessment Authorized By South Carolina Code Annotated Section 5-21-140; and other related matters. The motion carried unanimously 7/0.

b. Second and Final Reading of Ordinance 2023-11 Amending Article 11, Specifically Section 11:3 of Appendix A (Zoning) of the City Code of Ordinances of the City of Fountain Inn, South Carolina, 1992, as Amended ("City Code") Regarding the Planning Commission; and invoking Pending Ordinance Doctrine.

Discussion held.

Motion by Councilmember 1 Sanders, second by Councilmember Thomason to approve Second and Final Reading of Ordinance 2023-11 Amending Article 11, Specifically Section 11:3 of Appendix A (Zoning) of the City Code of Ordinances of the City of Fountain Inn, South Carolina, 1992, as Amended ("City Code") Regarding the Planning Commission; and invoking Pending Ordinance Doctrine. The motion carried unanimously 7/0.

c. Second and Final Reading of Ordinance 2023-12 Amending Article 11, Specifically Section 11:7, through and including section 11:12, of

Appendix A (Zoning) of the City Code of Ordinances of the City of Fountain Inn, South Carolina, 1992, as amended ("City Code") regarding the Board of Zoning Appeals; and invoking pending ordinance doctrine.

Motion by Councilmember Blackstone, second by Councilmember Don to approve Second and Final Reading of Ordinance 2023-12 Amending Article 11, Specifically Section 11:7, through and including section 11:12, of Appendix A (Zoning) of the City Code of Ordinances of the City of Fountain Inn, South Carolina, 1992, as amended ("City Code") regarding the Board of Zoning Appeals; and invoking pending ordinance doctrine. The motion carried unanimously 7/0.

8. New Business

- a. First Reading of Ordinance 2023-13 Amending Ordinance No. 2023-11, enacted December 1, 2021, known as the City's Business License Ordinance to update the standardized business license class schedule.**

Motion by Councilmember Blackstone, second by Councilmember Thomason to approve First Reading of Ordinance 2023-13 Amending Ordinance No. 2023-11, enacted December 1, 2021, known as the City's Business License Ordinance to update the standardized business license class schedule. The motion carried unanimously 7/0.

- b. First and Final Reading of Resolution 2023-12 Authorizing an application to the South Carolina Water Quality Revolving Fund Authority regarding a potential loan from the water pollution control revolving fund.**

Motion by Mayor McLeer, second by Councilmember Garrett to approve First and Final Reading of Resolution 2023-12 Authorizing an application to the South Carolina Water Quality Revolving Fund Authority regarding a potential loan from the water pollution control revolving fund. The motion carried unanimously 7/0.

9. Executive Session -After coming out of executive session, Council may vote on items discussed during executive session.

Motion by Mayor Pro Tem Clemmer, second by Councilmember Sanders to enter into Executive Session to discuss matters relating to Project Grind and for legal advice at 6:23 p.m. The motion carried unanimously 7/0.

- a. Discussion of matters relating to the proposed location, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area – Project Grind**

Motion by Councilman Thomason, second by Councilmember Garrett to come out of Executive Session. No votes were taken during Executive Session.

After coming out of Executive Session and returning to Regular Session, Mayor McLeer made a motion to approve first reading of Ordinance 2023-14 on Project Grind leaving items, dates and monetary concerns blank. Councilman Don seconded the motion. The motion carried unanimously 7/0.

10. Adjourn

Motion by Councilman Garrett, second by Councilmember Clemmer to adjourn the meeting. The motion carried unanimously 7/0.



**MINUTES
SPECIAL CALLED MEETING OF CITY COUNCIL
AND PLANNING COMMISSION**

Tuesday, October 24 at 3:30 p.m.

**Fountain Inn Activities Center
610 Fairview Street, Fountain Inn, SC**

1. Call to Order- Mayor McLeer

Mayor McLeer called the meeting to order at 3:31 p.m. Members of City Council, Planning Commission, and the Steering Committee were in attendance.

2. Presentation

a. Draft INNvision Comprehensive Plan

Irene Tyson and Jake Petersky presented the draft INNvision Comp Plan. Questions directly from Council and PC

Breakout sessions.

3. Adjourn

Mayor McLeer adjourned the meeting at 5:09 p.m.

CITY ADMINISTRATOR REPORT



Agenda Date: November 9, 2023

To: Mayor and City Council

From: Shawn M. Bell, ICMA-CM
City Administrator

Administration

- Woodside Streetscape and Connector projects
 - SCDOT has awarded the projects to CP Builders, Inc. (Boiling Springs, SC)
 - Awaiting further details from SCDOT regarding a timeline
- Interstate Signage (Exits 23 and 26)
 - Construction has commenced; estimated completion date by the end of December 2023
- Main Street Streetscape
 - The Greenville Legislative Delegation Transportation Committee (GLDTC) approved \$1.25 million in FY24 and \$1.25 million in FY25 (\$2.5 million total)
 - The City now has \$5 million to continue the streetscape from S. Main & Jones and get as close to S. Main & SC-418 as funding will allow
 - CoTransCo is obtaining permits and is looking to bid the project out by the first quarter of 2024
- Municipal Complex Master Plan
 - Pushing to have conceptual drawings complete by January 2024

Community Relations

- *Christmas Inn Our Town 2023*
 - Annual Tree Lighting Ceremony on December 5 at 7:00 p.m. on Main Street at the Splash Pad
 - Cookies and Cocoa with Santa at the Younts Center for Performing Arts after the tree is lit
 - Carriage Rides on December 7-8 and 10-16 from 4:30 p.m. to 9:30 p.m.
 - Tickets are available online
 - Holiday Carnival on December 9 from 2:00 p.m. to 8:00 p.m.
 - Merry Market, Live Entertainment, Carnival Games, and a Movie in the Park
 - Rudolph Run at Night and Kids Fun Run on December 9
 - One-mile Kids Fun Run at 6:00 p.m.
 - 5K at 6:45 p.m.
 - Awards Ceremony at 8:00 p.m.

Fire

- 217 calls for service in October 2023
- Open House on October 14 had over 1,000 people in attendance

Human Resources

- Administration/Finance
 - Accounting Manager – One vacancy; recruiting in process (FGP)
 - Billing Specialist – One vacancy; recruiting in process - job posted
- Community Relations
 - Community Relations Specialist – One vacancy; recruiting in process - job posted
- Fire
 - Firefighter – One vacancy; applications under review
 - Part-time Firefighter – Three vacancies; interviews in process
- Natural Gas
 - Gas Tech 1 – Two vacancies; recruiting in process - job posted
 - Warehouse Coordinator – **Filled by an internal candidate**
- Police
 - Patrol Officer – Four vacancies; interviews and screenings in process
 - Dispatch – Two vacancies; interviews in process
- Public Works
 - Sanitation CDL Driver – Two vacancies; interviews in process
- Recreation
 - Recreation Coordinator – Two vacancies; interviews in process - posting closed

Natural Gas

- Gas Supply
 - Deliveries for October 2023
 - Gas volume of 57,763 Dekatherms
 - Gas consumption for October 2023 was down 14% from October 2022, and down 1% from the October three-year average.
 - Gas Prices/Rates
 - The price of natural gas for November 2023 settled at \$3.164 per Dekatherm, representing a \$0.40 increase from October 2023's price of \$2.764 per Dekatherm
- Gas Operations
 - Key Indicators
 - 715 feet of new gas main lines installed in October 2023
 - 69,039 feet installed Y-T-D
 - 5,536 feet of new service lines (58) installed in October 2023

- 38,006 feet (675) installed Y-T-D
- System Improvement Projects:
 - Durbin Creek Crossing at Jones Mill Road
 - The contractor has begun work and the line is expected to be in service by mid-December
 - Replace the Regulator Station at the corner of N. Main & Bryson Drive
 - The new station should be in service by November 30th

Planning & Development

- Building & Codes
 - October 2023
 - 39 permits issued with a total valuation of \$5,095,837
 - 386 inspections
 - 30 residential plan reviews; 10 commercial plan reviews
 - 42 certificates of occupancy issued
- Comprehensive Plan (INNvision) update
 - Draft plan can be accessed online at <https://www.fountaininn.org/311/INNvision-Comprehensive-Plan>
 - Public Hearing to be held at the December Planning Commission meeting on December 7 at 6:00 p.m.

Police

- Key Indicators
 - 1,271 calls for service in October 2023
 - 1,312 in October 2022
 - 119 citations and 240 warnings in October 2023
 - 94 citations and 99 warnings in October 2022
 - 45 collisions in October 2023
 - 32 in October 2022
- Thanksgiving Meal Delivery for Seniors on November 22

Recreation

- Veterans Day Program & Luncheon to be held on November 10 at 11:00 a.m. at the Activities Center
- Seniors Holiday Luncheon to be held on November 30
- Miracle League (Miracle Mondays) ended November 6
- Basketball and Wrestling registration ended on November 3
- Volleyball playoffs began on November 1; the championship game will be held at FIHS on November 9

- Flag Football, Fall Baseball, and Fall Softball in-house championship games taking place on November 9
- Tackle Football All-Starts
 - 8U was held on November 6 in Seneca
 - 10U to be held on November 13 in either Greer or Easley
 - 12U to be held on November 13 in either Mauldin or Easley

Chamber of Commerce

- Christmas Parade on December 6 at 5:30 p.m.

Younts Center

- Disney's Beauty and the Beast, Jr.
 - 7:30 p.m. showings on November 10-11 & 17-18
 - 2:00 p.m. showings on November 11 & 18
- Finally, It's Christmas!
 - 7:30 p.m. showings on December 1-2 & 7-9
 - 3:00 p.m. showings on December 3 & 9
 - 2:00 p.m. showing on December 2
- The Gullah Singers: A Hallelujah Christmas
 - December 10 at 6:30 p.m.
- Fountain Inn Chorale: Home for the Holidays
 - December 15 at 7:30 p.m. & December 17 at 3:00 p.m.
- The Stage Academy: The Nutcracker
 - December 21-23

November 2023 Council Report

Website by the Numbers



Sessions

12K



Top Metrics

10K Users

51.2% Bounce Rate

00:01:42 Average
Session Duration

Social Connection Year to Date

Impressions

2,051,073

Engagements

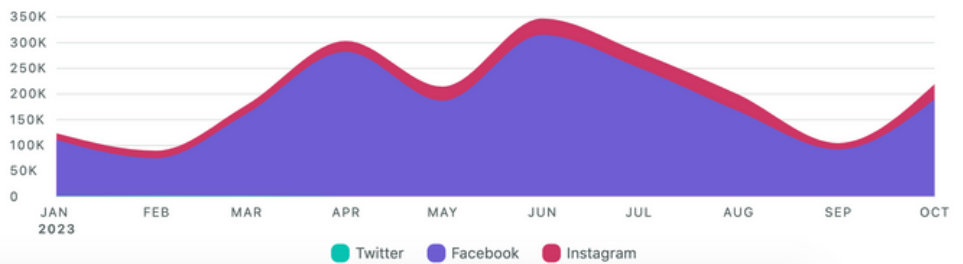
157,434



Impressions

Review how your content was seen across networks during the reporting period.

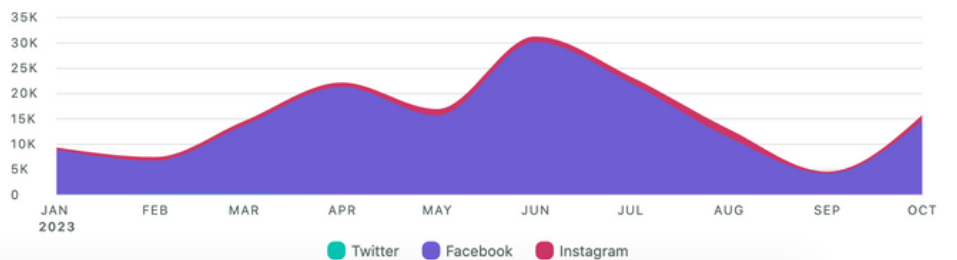
Impressions, by Month



Engagement

See how people are engaging with your posts during the reporting period.

Engagements, by Month



October Numbers



Impressions

218,257

Engagements

15,625

Post Clicks

1,187



Fountain Inn in the News

- Fountain Inn orders master plan to address packed municipal complex | Greenville Journal | www.greenvillejournal.com
- A Day In Fountain Inn | Kidding Around Greenville | www.kiddingaroundgreenville.com
- City of Fountain Inn kicks off another Miracle League season | Fox Carolina | www.foxcarolina.com

Downtown in October



Visits

#92.5K

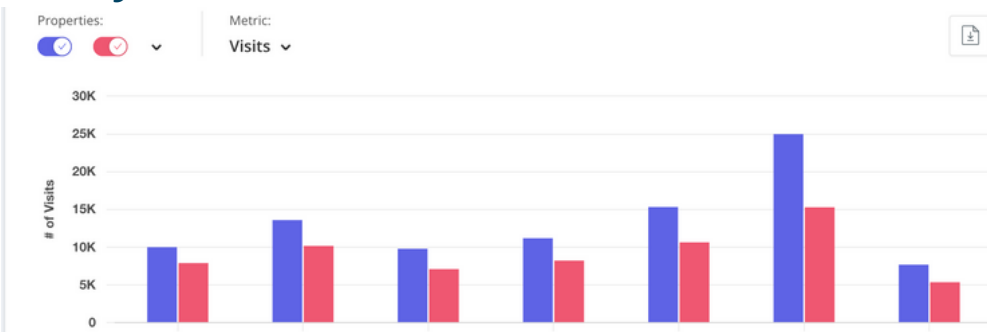
Visitors

#54.5K

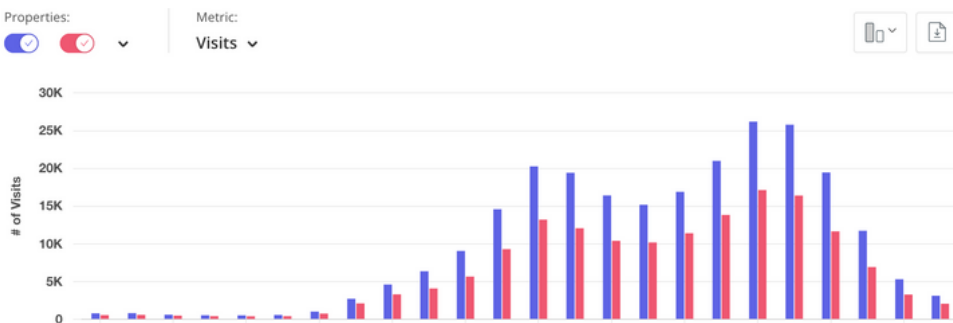
Visit Frequency 1.7

Visitor Information

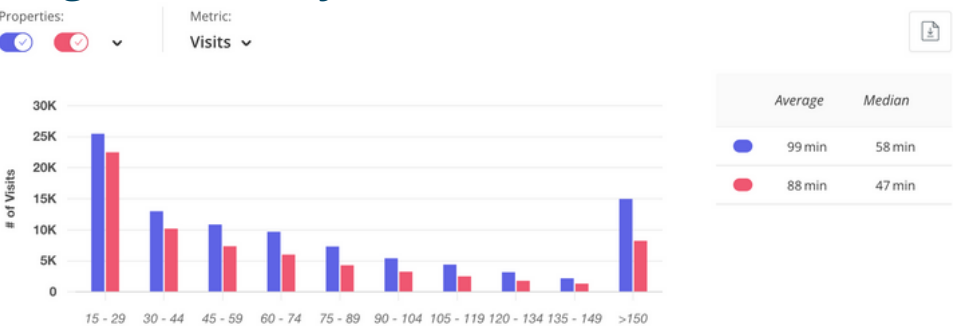
Daily Visits



Hourly Visits



Length of Stay



Visit Trend



In 2023

Visits

#818.9k

Visitors

#190.2k

Average
Dwell Time

88 Min

Visit

Frequency

4.31 visits

Events

Past Events

- Mac Arnold Cornbread & Collard Greens Blues Festival- 6,500 Attendance
- Italian American Heritage Festival - 9,000 Attendance
- Juneteenth Soul Food Festival - 5,500 attendance
- Fireworks Spectacular - 7,700 attendance
- Sounds of Summer - 20,100 total attendance
- Farmers Market - 20,000 total attendance
- Jeepers Creepers Cruise Inn - 8,000 total attendance

Upcoming Events

Christmas Inn Our Town

- **Tree Lighting Ceremony**
- **Christmas Parade**
- **Holiday Carnival/Merry Market**
 - Vendors have been selected
 - Carousel and Carnival Games are coordinated
- **Carriage Rides**
 - Carriage Companies booked
 - Traditional Route
 - Tickets on sale

Main Street Buildings in Façade Grant Program Awarded and Approved

9

1. Swanky Steer
2. Voodoo Brewing
3. Bundle of Joy
4. Longevity Pilates
5. Earthwise
6. Back Door Gallery
7. Outdoor Properties (RE/MAX Building)
8. Gio's
9. 200 S Main Street (Venus Poe)

Facade Grant Update



Before



After



Downtown Investment 2023

\$4,980,407

**Now Accepting Grant Applications
for the 23-24 Fiscal year**

2023/2024 Goals

General

- Refresh all website pages
- Increase social media engagement by 20%
- Acquire .com, myfountaininn.com
- Work with Younts Center for Programming
- Create a Business Start-up Guide

Events

- Update Vendor applications
- Consolidate event footprint
- Investigate alternative Carriage Route
- Sell carriages by row/carriage rather than by the seat

Website

- Increase organic growth by 10%
- Increase data collection by 10%
- Establish Consistent navigation

Main Street

- Complete Trade St Improvements
- Research mural/signage
- Create a new social media campaign for MSFI by September 1
- Expand grants where appropriate

FINANCE – ACCOUNTING DIVISION DEPARTMENT SUMMARY

Annual Audit

Due to staff turnover and vacant positions, audit fieldwork has been postponed to the week of November 27, 2023 to allow Finance to properly close FY2023 and prepare audit schedules.

Business License

PERFORMANCE INDICATORS	CURRENT	Y-T-D	PRIOR YEAR
TOTAL BUSINESS LICENSES ISSUED	51	162	1,059
TOTAL BUSINESS LICENSE REVENUE	\$17,312	\$151,408	\$1,596,938
DATAMAX – COLLECTED REVENUE	*N/A	\$3,013	\$69,780

**Datamax revenue report not available until the 15th of every month*

Hospitality

PERFORMANCE INDICATORS	CURRENT	Y-T-D	PRIOR YEAR
TOTAL COMPANIES/FOOD TRUCKS	48	48	60
TOTAL HOSPITALITY TAX REVENUE	*\$58,094	*\$174,091	*\$670,354

**Revenue is collected in subsequent month. Revenue reported is for transactions through 9/30/2023.*

FINANCE – UTILITY BILLING DIVISION

Monthly Highlights

Our new payment website Paystar, has been running smoothly since we started in mid-September. We have been hearing positive feedback from our customers regarding the change.

Service Lines	Current	YTD	Prior Year
New Service Line Applications	15	239	N/A
Service Lines Completed	65	241	N/A
Total Amount Billed	Current	YTD	Prior Year
Total Gas Billed	\$138,478.61	\$447,098.37	N/A
Aging 30 days	-\$52,299.32	-\$52,299.32	N/A
Aging 60 days	\$31.55	\$31.55	N/A

Aging 90 days	-\$611.48	-\$611.48	N/A
Aging 120+ days	\$350,582.26	\$350,582.26	N/A
New Applications	Current	YTD	Prior Year
New Customer Applications	135	758	N/A
Customer Service Statistics	Current	YTD	Prior Year
Incoming Phone Calls	1,521	6,151	N/A
Web Based Payments	3,278	23,699	N/A
ACH	1,242	5,003	N/A
In House Payments	9,447	37,096	N/A

(-) A/R balances include unapplied overpayments for customers who take advantage of budget billing

GAS SUPPLY

- Gas volume moved through our system: 57,763 Dths for the month of October.
- Gas consumption for October was down over 14% from last October, and down over 1% from the October 3-year average.
- The price of natural gas for the month of November settled at \$3.164 per Dekatherm. This represents an increase of \$0.40 from October's price of \$2.764 per Dekatherm. Please keep in mind this represents the commodity price only, there are other factors that impact the final "Cost of Gas" which is used in FING's monthly billing calculations.

GAS OPERATIONS

- The 3 system improvements listed below are in progress as follows:
 - Directional bore Durbin Creek at Jones Mill Rd. to loop the North end of our system.
 - The contract has started the work, we expect this line to be in service by mid-December.
 - Replace the regulator station at the corner of North Main and Bryson Rd.
 - The station has been fabricated and delivered to FING. Now that the 6" plastic job mentioned above is in service, we will start. We are planning to have the new station in service by November 30th.
 - FING obsolete meter replacement has been put on hold until next Spring to avoid this type of work during the cold season.
 - Todd Ford is leaving the gas department for personal reasons. The job opening has been posted and expect to fill the job by December 1st.
 - A new and improved gas modeling system has been rolled out. This new software will analyze system performance, recommend areas for improvements, and help size new subdivisions.

Winter Weather Outlook

- We anticipate gas consumption to be lower 2022 at around 975,000 Dths.; however due to the lower cost of the gas commodity, customers should see lower bills this winter season.
- The USA has entered the weather pattern called "El Niño". This pattern traditionally brings cooler and wetter weather to the Southeast which means gas residential demand should be higher than last winter.
- The market should remain stable through winter with prices between \$3.10 and \$4.00 per dekatherm, unless a polar event or other large unforeseen market event sends prices up.

GAS PRICES

NORTH CAROLINA/SOUTH CAROLINA/VIRGINIA GAS RATE COMPARISONS					
October 2023					
COMPANY	SERVICE CLASS	METER CHARGE PER MONTH	AVEWRAGE RATE PER THERM	AVG. USAGE THERMS	TOTAL COST PER MONTH
CITY OF DANVILLE, VA	Residential	\$12.15	\$0.58100	35.00	\$32.49
PIEDMONT, SC	Residential	\$10.00	\$0.89730	35.00	\$41.41
GREENWOOD CPW, SC	Residential	\$10.00	\$0.93700	35.00	\$42.80
GREER CPW, SC	Residential	\$10.00	\$0.93700	35.00	\$42.80
CITY OF SHELBY, NC	Residential	\$8.50	\$0.98460	35.00	\$42.96
FORT HILL NATURAL GAS, SC	Residential	\$10.00	\$0.98000	35.00	\$44.30
CITY OF ORANGEBURG, SC	Residential	\$10.00	\$0.99219	35.00	\$44.73
LANCASTER COUNTY, SC	Residential	\$10.00	\$1.07000	35.00	\$47.45
DOMINION, NC	Residential	\$10.00	\$1.08303	35.00	\$47.91
YORK NATURAL GAS, SC	Residential	\$9.25	\$1.15545	35.00	\$49.69
CHESTER COUNTY, SC	Residential	\$6.50	\$1.28899	35.00	\$51.61
FOUNTAIN INN, SC	Residential	\$9.00	\$1.30980	35.00	\$54.84
PIEDMONT, NC	Residential	\$10.00	\$1.35957	35.00	\$57.58
GREENVILLE UTILITIES, NC	Residential	\$14.00	\$1.43410	35.00	\$64.19
DOMINION, SC	Residential	\$10.90	\$1.64898	35.00	\$68.61
CLINTON-NEWBERRY, SC	Residential	\$12.00	n/a		#VALUE!
CITY OF MONROE, NC	Residential	\$10.00	n/a		#VALUE!
LAURENCE CPW	Residential	\$10.00	n/a		#VALUE!
CITY OF LEXINGTON, NC	Residential	\$10.00	n/a		#VALUE!
PUBLIC SERVICE OF NC	Residential	\$10.00	n/a		#VALUE!

KEY INDICATORS

PERFORMANCE INDICATORS	CURRENT	Y-T-D
NEW MAIN LINES INSTALLED	715 ft.	69,039 ft.
NEW SERVICE LINES INSTALLED	58 SL; 5,536 ft.	675 SL; 38,006 ft.



City of Fountain Inn - Human Resources Monthly Report - October 2023

Home Department**	September Headcount	October Hires / Transfers In	October Terms	October Transfers Out	October Headcount	DIVERSITY					
						Asian	Black or African American	Hispanic or Latino	White	Pacific Islander	One or More
000411 / Administration	2	0	0	0	2	0	0	0	2	0	0
000412 / Judicial	5	0	0	0	5	0	0	0	4	1	0
000413 / Council	8	0	0	0	8	0	0	1	7	0	0
000414 / Community Relations	5	0	0	0	5	0	0	0	5	0	0
000416 / Finance	10	0	0	1	9	0	1	0	8	0	0
000417 / Human Resources	2	0	0	0	2	0	0	1	1	0	0
000421 / Police	42	0	1	0	41	0	3	3	34	0	1
000422 / Fire	30	0	0	0	30	0	2	0	28	0	0
000424 / Public Works	3	0	1	0	2	0	1	0	1	0	0
000425 / Planning & Development	3	0	1	0	2	0	0	0	2	0	0
000431 / Streets & Grounds	7	0	0	0	7	0	2	0	5	0	0
000432 / Sanitation	9	0	1	1	7	0	2	0	5	0	0
000434 / Sewer	5	1	0	0	6	0	1	0	5	0	0
000451 / Recreation	48	0	1	0	47	0	13	0	34	0	0
000453 / Facilities Maintenance	2	0	0	0	2	0	0	1	1	0	0
000510 / Gas Field	17	1	1	0	17	0	0	1	16	0	0
Totals:	198	2	6	2	192	0	25	7	158	1	1

**Based on Home Departments

FULL TIME 141 / PART TIME 51

Recruitment Status for Open Positions - AS OF 11/6/23

414 Community Relations: Community Relations Specialist (1) Vacancy; recruiting in process / job posted

416 Finance: Accounting Manager (1) Vacancy; recruiting in process (**agency**)

416 Finance: Billing Specialist (1) Vacancy; recruiting in process / job posted

421 Police: Patrol Officer (4) Vacancies; interviews & screenings in process

421/422 Dispatch: Dispatcher (2) Vacancies; interviews in process

422 Fire: Part-Time Firefighter (3) Vacancies; interviews in process

422 Fire: Firefighter (1) Vacancy; applications under review

432 Sanitation: CDL Driver (2) Vacancies; interviews in process

451 Recreation: Recreation Coordinator (2) Vacancies; interviews in process / **posting closed**

510 Gas: Warehouse Coordinator (1) Vacancy; **FILLED BY INTERNAL CANDIDATE**

510 Gas: Gas Tech I (2) Vacancies; recruiting in process / job posted

NO OCTOBER HIRES (Transfers Only)

PLANNING & ZONING DIVISION ACTIVITY

Comprehensive Plan Project Update

During October, the Comprehensive Plan Team held a Joint Planning Commission/ City Council meeting and three Focus Group meetings. The meetings were held October 24th and 25th. The team will make final edits to the plan in preparation for a submittal to the Planning Commission on December 7th.

BOARDS AND COMMISSION

Planning Commission

The Fountain Inn Planning Commission November meeting included two requests.

PP-2023-004

Request: Preliminary Plan Approval for Barton Hollow
TMS: 0562010102801, 0562010102822, 0562010102815,
0562010102823, 0562010102820, and 0562010102800
Location: Highway 418 and Greenpond Road
Zoning: PD, Planned Development District

PZ-2023-013

Request: Rezoning request for 407 North Main Street
TMS: 0344000200600
Location: 407 North Main Street
Requested Zoning: From R-15, Residential District to POD, Planned Office District

Board of Zoning Appeals

The regularly scheduled Board of Zoning Appeals meeting will be on November 20th. Two cases are currently on the docket.

PB-2023-007

Request: Use by Special Exception
TMS: 0360000100206
Location: 812 Hellams Street, Fountain Inn, SC 29644
Zoning: R-12, Residential District

PB-2023-008

Request: Use by Special Exception
TMS: 03400000600100, 03400000600103, 03400000600104
Location: 608 Fairview Street, Fountain Inn, SC 29644
Zoning: R-M, Multi-Family District

BUILDING AND CODES DIVISION

INSPECTIONS	OCTOBER	SEPTEMBER	LAST YEAR
ALL CONSTRUCTION	386	412	x
REINSPECTIONS	28	25	x
SAFETY INSPECTIONS	0	0	x
COMPLAINT INSPECTIONS	1	1	x
TOTAL INSPECTIONS	386	412	x
PERMITS			
PERMITS ISSUED	39	26	x
NEW SINGLE FAMILY	15	13	x
NEW MULTI-FAMILY (UNITS)	0	0	x
NEW COMMERCIAL	0	0	x
CERTIFICATES OF OCCUPANCY -ISSUED	42	34	x
REMODEL/ADD. RESIDENTIAL	7	5	x
REMODEL/ADD. COMMERCIAL	5	2	x
SIGN/ROOFING/SOLAR/MISC TRADE	20	19	x
PLAN REVIEWS			
COMMERCIAL PLAN REVIEWS	10	5	x
RESIDENTIAL PLAN REVIEWS	30	11	x

CODE COMPLIANCE

BUILDING CODE COMPLAINTS	OCTOBER	SEPTEMBER	LAST YEAR
OPEN COMPLAINTS	1	2	x
PENDING INSPECTION	8	5	x
RESOLVED COMPLAINTS	4	14	x
PENDING COURT	1	1	x
TOTAL COMPLAINTS (*DOES NOT INCLUDE COMPLAINTS PENDING COURT)	13	21	x
ACTIVE COMPLAINTS BY TYPE			
BUILDING – UNSAFE CONDITIONS	1	2	x
PROPERTY MAINTENANCE	5	16	x
VEHICLES/OTHER	7	3	x

DEPARTMENT HIGHLIGHTS

Financial Summary

FINANCIAL STATISTICS	OCTOBER	SEPTEMBER	LAST YEAR
TOTAL VALUATION	\$5,095,837	\$5,169,039	x
TOTAL PERMIT FEES	\$17,350	\$26,516	x
TOTAL PLAN REVIEW REVENUE	\$7,655	\$13,250	x

Current Projects

- Comprehensive Plan Update – Project Manager: Dean Miller, Senior Planner
- Planning Process Audit – Project Manager: Kendig Keast Collaborative
- Permitting Process Audit – Project Manager: SafeBuilt



Police Department *October 2023 Monthly Report*



Walk to School Day with Jones Mill Crossing



Officer Atwood



Officer Hutchison
SCCJA Graduation



Domestic Violence Walk





Aunt Het Festival



Civics Academy





Halloween Festivities

Upcoming Events



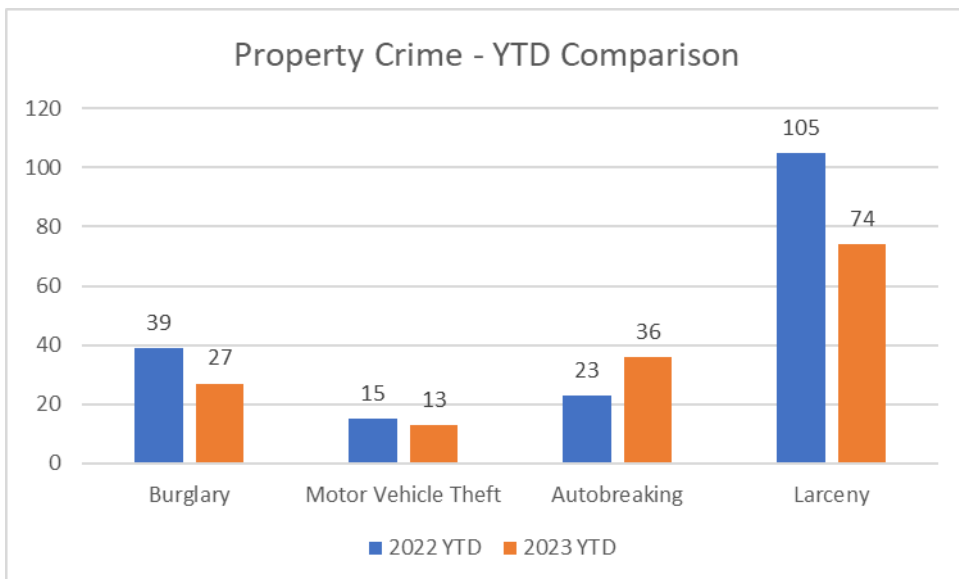
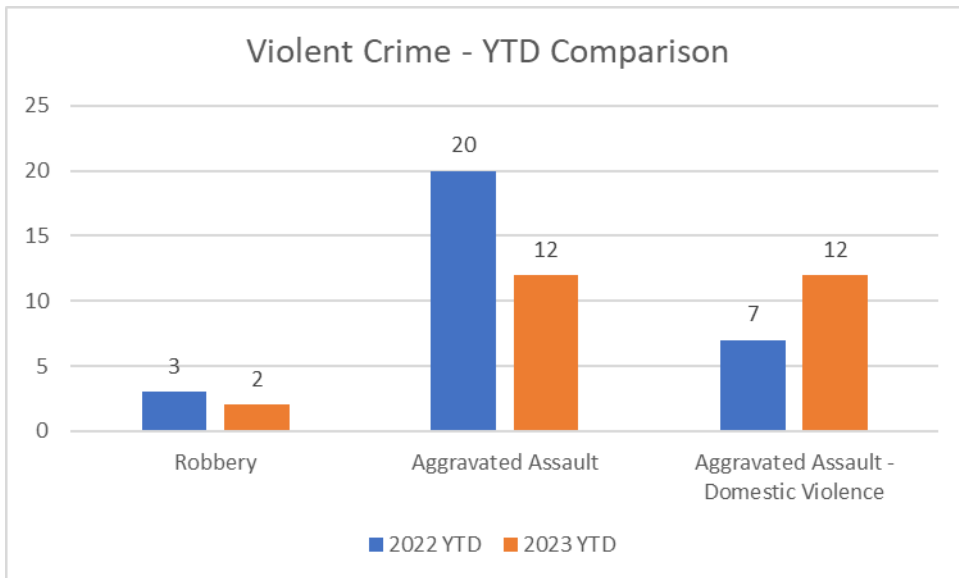
Thanksgiving Meal Preparation for Seniors- November 21st

Senior Thanksgiving Meal Delivery- November 22nd



Part I Crime Statistics

Violent Crime								
Crime Type	Oct 2022	Oct 2023	% Change	2022 YTD	2023 YTD	% Change	YTD Cases Cleared	% Cleared
Robbery	0	0	0.0%	3	2	-33.3%	1	50.0%
Aggravated Assault	4	3	-25.0%	20	12	-40.0%	6	50.0%
Aggravated Assault - Domestic Violence	1	0	-100.0%	7	12	71.4%	11	91.7%
Property Crime								
Crime Type	Oct 2022	Oct 2023	% Change	2022 YTD	2023 YTD	% Change	YTD Cases Cleared	% Cleared
Burglary	4	1	-75.0%	39	27	-30.8%	3	11.1%
Motor Vehicle Theft	0	1	100.0%	15	13	-13.3%	4	30.8%
Autobreaking	1	1	0.0%	23	36	56.5%	5	13.9%
Larceny	7	8	14.3%	105	74	-29.5%	19	25.7%

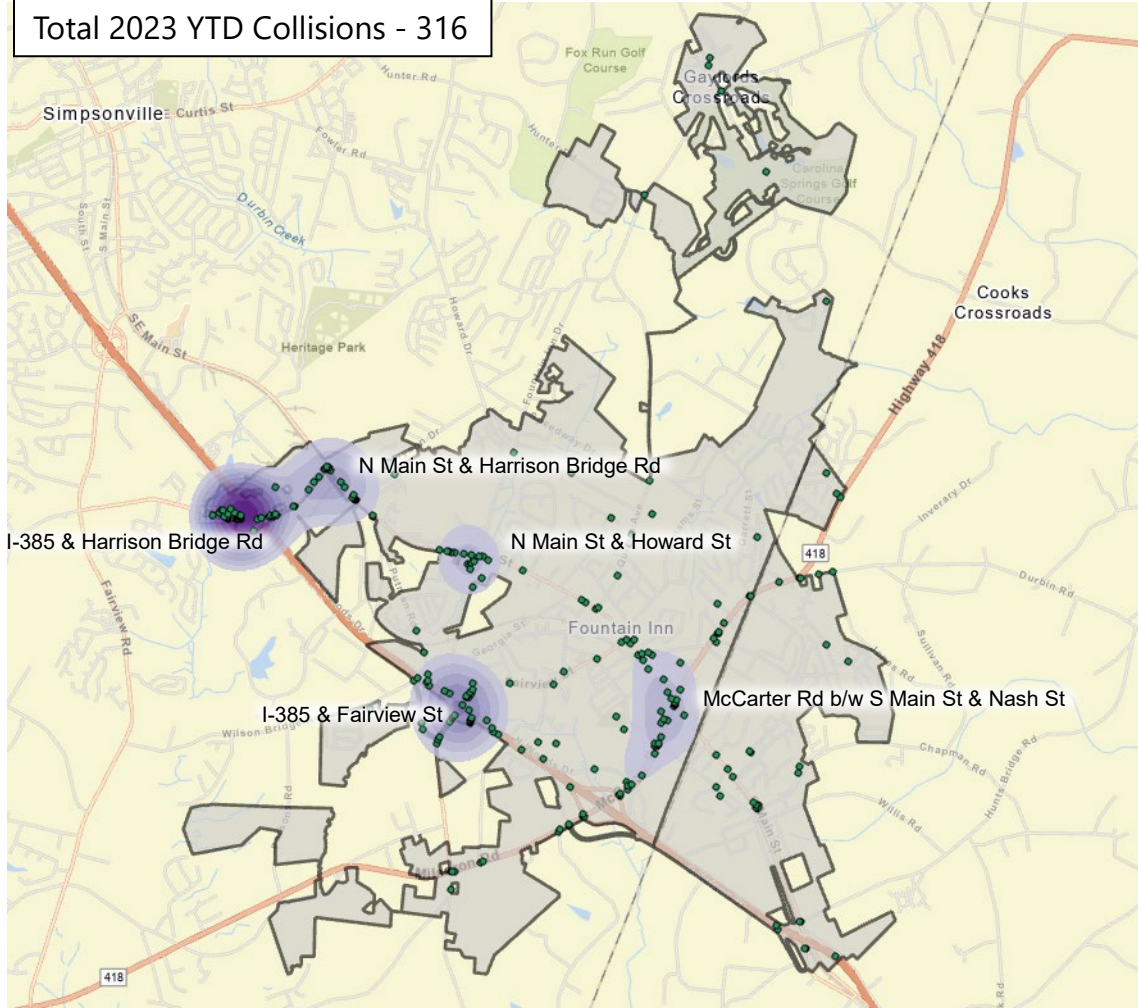




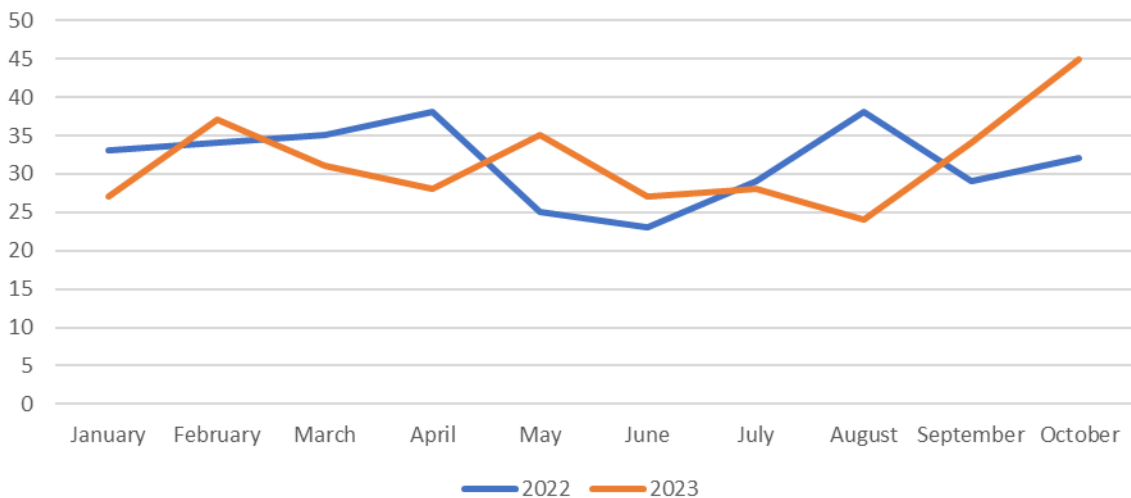
Collision Statistics

Count	Oct 2022	Oct 2023	% Change	2022 YTD	2023 YTD	% Change
Collisions	32	45	40.6%	316	316	0.0%

Total 2023 YTD Collisions - 316



Collisions by Month - 2022 YTD/2023 YTD





Collisions by Day of Week and Hour								
Hour	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Grand Total
12 AM				1	1		1	3
1 AM	1	1		1				3
2 AM							1	1
3 AM	2							2
5 AM		1	1	2				4
6 AM		1	4	1	1	2		9
7 AM	1	5	7	2	10	3	1	29
8 AM		6	6	3	3	1		19
9 AM	2	1		2	1	4		10
10 AM	3	1	1	2	1	2		10
11 AM	2				1	4	4	11
12 PM	3	1		3	2	2	2	13
1 PM	4	3	2	2	4	1	1	17
2 PM	3	2	5	2	5	7	2	26
3 PM	2	5	5	7	3	5	4	31
4 PM	4	4	6	3	8	8	1	34
5 PM	4	5	6	7	7	3	2	34
6 PM	1	4	3	5	3	3	2	21
7 PM	3		4	2	1	3	1	14
8 PM		1			1	1	2	5
9 PM	2		1	3	1		2	9
10 PM		1	1	1	2	1	1	7
11 PM	3						1	4
Grand Total	40	42	52	49	55	50	28	316

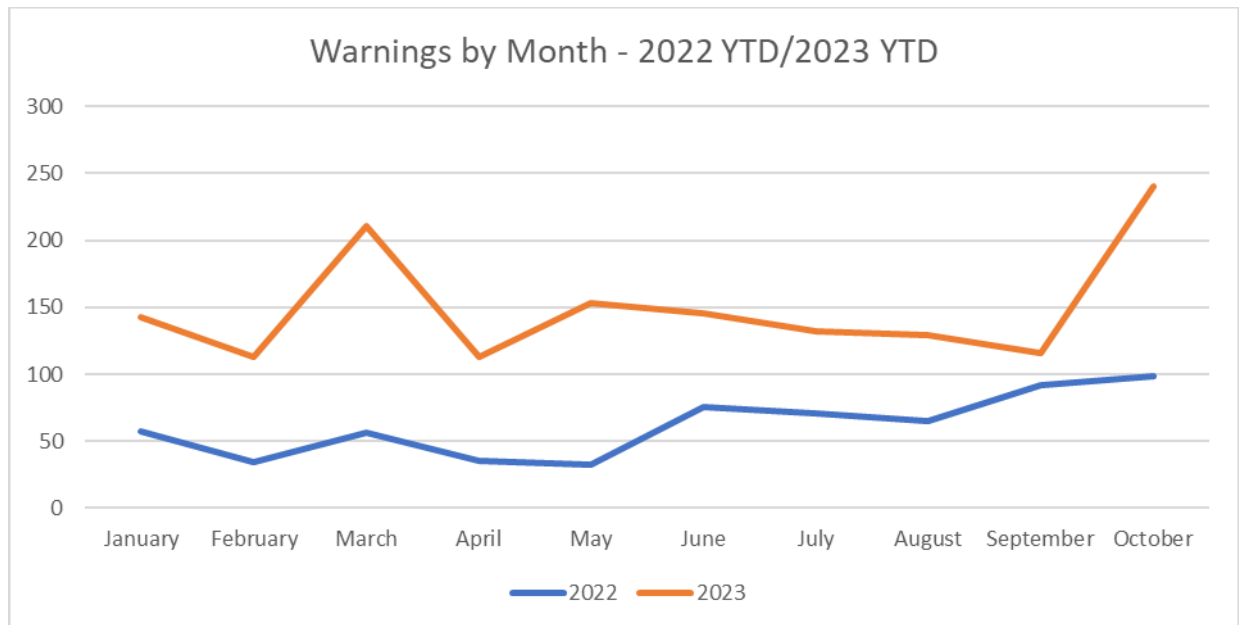
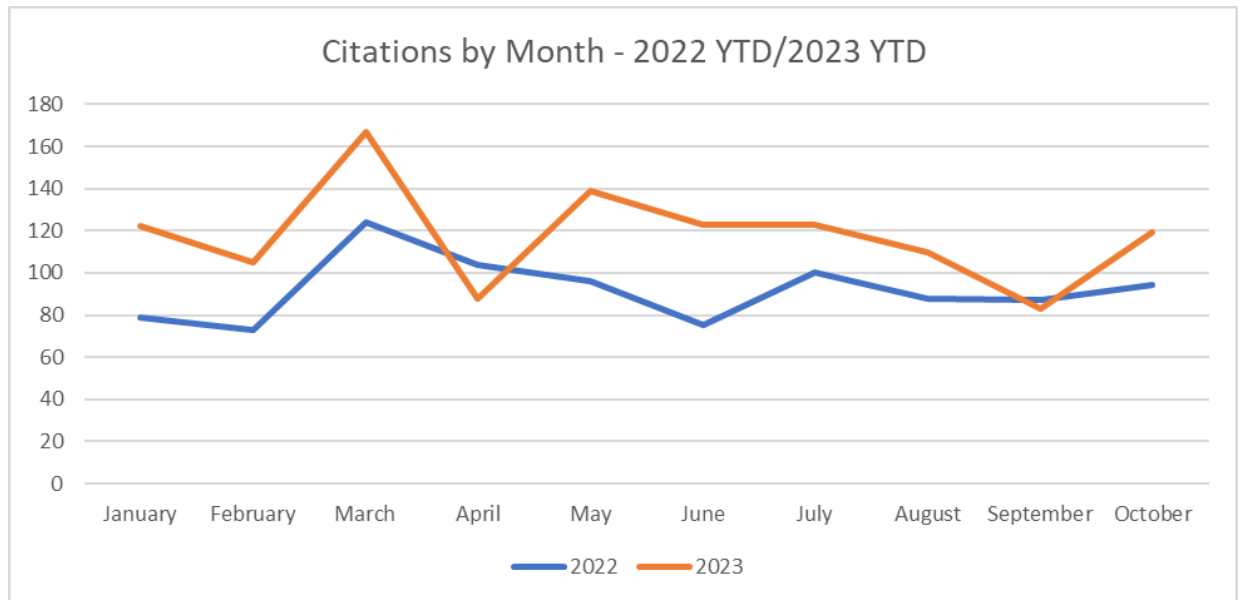
Top Contributing Factors	Oct 2023
Failed to Yield Right of Way	12
Followed Too Closely	10
Distracted / Inattention	7

Top Contributing Factors	2023 YTD
Failed to Yield ROW	80
Distracted / Inattention	67
Followed Too Closely	58
Driving Too Fast for Conditions	45



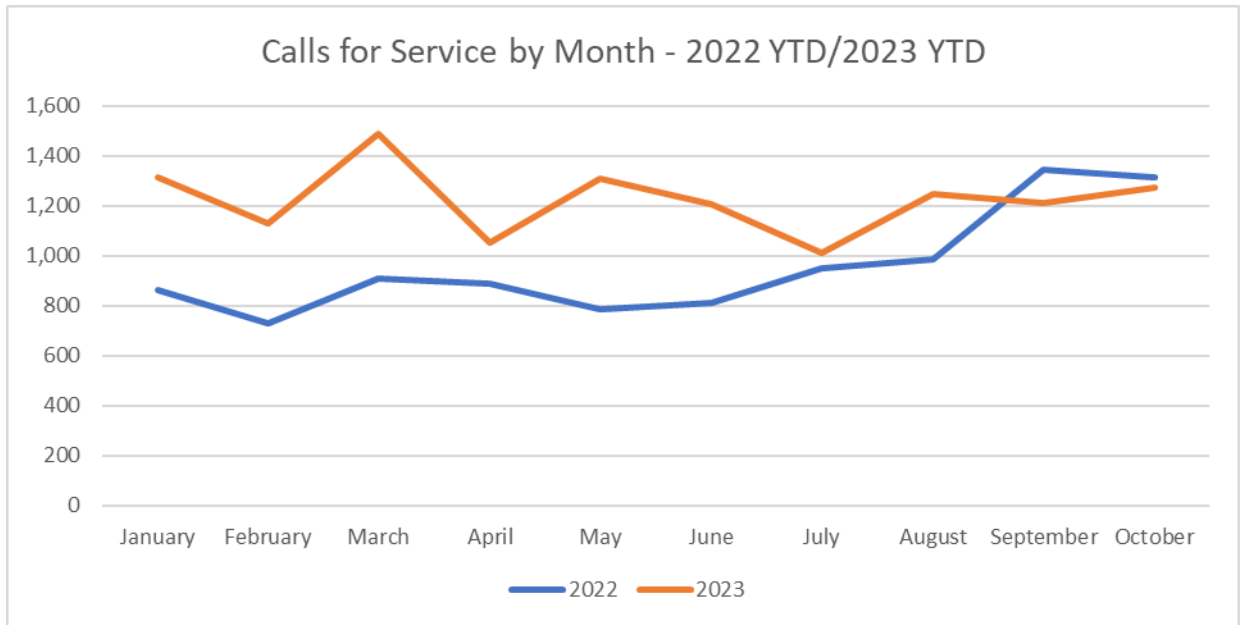
Citation/Warning Statistics

Contact Type	Oct 2022	Oct 2023	% Change	2022 YTD	2023 YTD	% Change
Citations	94	119	26.6%	920	1,179	28.2%
Warnings	99	240	142.4%	618	1,495	141.9%





Count	October 2022	October 2023	% Change	2022 YTD	2023 YTD	% Change
Calls for Service	1,312	1,271	-3.1%	9,581	12,237	27.7%



Communications Call Summary Report

Call Summary				
Call Type		Oct 2022	Oct 2023	% Change
911	Inbound	241	323	34.0%
	Inbound	1,520	1,504	-1.1%
	Outbound	743	516	-30.6%

Public Works – October 2023 Council Report

Work Orders

PERFORMANCE INDICATORS	CURRENT	Y-T-D	PRIOR YEAR
Animal Control	5	25	16
Facilities Maintenance	16	125	88
Sanitation	49	520	336
Streets and Grounds	17	111	53
Utilities	3	81	22

DEPARTMENT HIGHLIGHTS

Current Projects

- **Interstate Signage.** Construction has begun on the Signage project. Approximate completion date is December 2023.
- **Main Street, Street Scape.** Received funding from GLDTC on Thursday, 28 September 23 in the amount of \$2.5 million over two fiscal years. Still leaves a budget shortfall of \$1.8 million dollars, will have to reduce the scope of the street scape. Next step is to bid project out.
- **Woodside Street Scape.** Project will be let by SCDOT in October 23.
- **Woodside Park Connector.** Project will be let by SCDOT in October 23.
- **Durbin Creek Sewer Rehabilitation.** Received bids for Sewer Rehabilitation project. The winning bid was below what was projected and appears that we will be able to line all remaining clay pipe and a significant amount of laterals in our worst sewer basin. Plan to start lining in early 2024.
- **Parking Lot Revitalization Project.** Finalizing the designs for the Splash pad, Finance, and Jones Street parking lots. Hope to have RFP released November 23.
- **Stormwater Model.** Have identified several areas in the city that have experienced flooding during major rain events. Still taking surveys in the problem areas and starting the models to address some of the issues.
- **Municipal Complex.** Started gathering data on a new municipal complex. Hope to have conceptual drawings available to review in January 2024.
- **Fire Station #3.** Intent to release the RFP for an architectural firm in November 2023.

Parks & Recreation –DEPARTMENT SUMMARY & HIGHLIGHTS

Current Objectives

- **Staffing** – We are committed to hiring additional staff to meet recreational needs. (2 Recreation Coordinators, and additional support staff)-Interviews Start Tuesday November 7, 2023
- **Rudolph Run at Night (Upstate Race Series will handle timing, identifying sponsors and incentives)**

Current Staff – James Rice

1. Activities Manager-Beth Anne
2. Senior Activities Assistant-Sue Grubbs
3. Activities Assistant-Heather Johnson

Activities Center Recent Successful Events: Bingo and Tea Party, Coming Up Veterans Day event 11/10, Holiday Luncheon 11/30, and Thanksgiving Bingo

Recreation Staff

1. Recreation Coordinator-Vacant
2. Recreation Coordinator-Vacant
3. **City Support Staff** (Harold Chapman, Jeannie McBride, Derrick Drummond, Harold Medley, Lucky Murray)

- **Policy Procedures-** All aspects of policy and procedures are being evaluated
- **Current Sports**

Volleyball- Playoffs start November the 1st. The championship game will be held at Fountain Inn High School gym, Thursday, November 9th.

Flag Football/Baseball/ Softball- In-house playoffs for all teams currently. Championship games will take place on November 9th

Tackle Football-

- SCAP All-Stars-8U first game will be on 11/6/23 @Seneca High School
- SCAP All-Stars-10U first game will be on 11/13/23 in either Geer or Easley
- SCAP All-Stars-12U first game will be on 11/13/23 In either Mauldin or Easley

Basketball and Wrestling- Registration is closing on 11/3/2023
Wrestling (55) Registered - Basketball (130) Registered across all age groups

The Miracle League- Seasons End November 6th

**REQUEST FOR COUNCIL ACTION**

City of Fountain Inn, South Carolina

To: Mayor and Members of City Council
From: Shawn M. Bell, City Administrator

November 9, 2023

Regular City Council Meeting

☐ Ordinance/First Reading ☒ Ordinance/Second Reading ☐ Resolution/First & Final Reading**Agenda Date Requested:** **November 9, 2023**

Ordinance/Resolution Caption: Second Reading of Ordinance 2023-13 Amending Ordinance No. 2023-11, enacted December 1, 2021, known as the City's Business License Ordinance to update the standardized business license class schedule.

Summary Background: South Carolina's Act 176, the Business License Standardization Act, requires every municipality and county government with a business license tax to update its business licensing class schedule every odd-numbered year to go into effect the following year. As such, 2023 is a time to update your licensing practices to remain in compliance with the state law.

As required by Act 176, the class schedule updates use the latest statistical data on business profitability from the IRS, which then receives approval from the SC Revenue and Fiscal Affairs Office.

The City of Fountain Inn must adopt these by December 31, 2023, to address those licensing renewals that will take place for the license year running from May 1, 2024 – April 30, 2025.

**CITY OF FOUNTAIN INN, SOUTH CAROLINA
ORDINANCE 2023-13**

**AMENDING ORDINANCE NO. 2021-11, ENACTED DECEMBER 1, 2021,
KNOWN AS THE CITY'S BUSINESS LICENSE ORDINANCE, TO
UPDATE THE STANDARDIZED BUSINESS LICENSE CLASS
SCHEDULE.**

WHEREAS, the City of Fountain Inn ("City") is authorized by South Carolina Code Annotated section 5-7-30 and South Carolina Code Annotated Title 6, Chapter 1, Article 3 to impose a business license tax on all gross income;

WHEREAS, by Act No. 176 of 2020 ("South Carolina Business License Tax Standardization Act"), which is codified in South Carolina Code Annotated section 6-1-400 through -420 (collectively, "Standardization Act"), the South Carolina General Assembly imposed additional requirements and conditions on the administration of business license taxes;

WHEREAS, the Standardization Act requires that by December 31 of every odd numbered year, any municipality levying a business license tax must adopt, by ordinance, the latest Standardized Business License Class Schedule, which is recommended by the Municipal Association of South Carolina ("Association") and adopted by the Director of the South Carolina Revenue and Fiscal Affairs Office;

WHEREAS, following the enactment of the Standardization Act, the City enacted Ordinance No. 2021-11, on December 1, 2021, to comply with the requirements of the Standardization Act ("Current Business License Ordinance");

WHEREAS, the City Council of the City ("Council") now wishes to amend the Current Business License Ordinance to adopt the latest Standardized Business License Class Schedule as required by the Standardization Act, and provided make other minor amendments as recommended by the Association;

NOW, THEREFORE, the Council ordains:

Section 1. Amendments to Appendix A. Appendix A to the Current Business License Ordinance, the "Business License Rate Schedule," is hereby amended as follows:

(a) Class 8.3 is hereby amended by deleting the NAICS Codes and replacing them with NAICS 517111, 517112, 517122 – Telephone Companies.

(b) Class 8.6 is hereby amended and restated in its entirety to read as follows: "8.6 NAICS Code Varies – Billiard or Pool Tables. A business that offers the use of billiard or pool tables shall be subject to business license taxation under its natural class for all gross income of the business excluding the gross income attributable to the billiard or pool tables. In addition, the billiard or pool tables shall require their own separate business licenses pursuant to SC Code § 12-21-2746 and shall be subject to a license tax of \$5.00 per table measuring less than 3½ feet wide and 7 feet long, and \$12.50 per table longer than that."

(c) The NAICS codes corresponding to Classes 9.41 and 9.42 have been eliminated. Businesses that were previously classified into 9.41 or 9.42 shall be required to apply and pay for a business license in their natural class.

Section 2. Amendments to Appendix B. Appendix B to the Current Business License Ordinance, the "Business License Class Schedule," is hereby amended as follows:

(a) Classes 1 through 8 in Appendix B to the Current Business License Ordinance, the “Business License Class Schedule,” are hereby amended and restated as set forth on the attached Exhibit A.

(b) Class 9 in Appendix B to the Current Business License Ordinance, the “Business License Class Schedule,” shall remain in full force and effect as set forth in the Current Business License Ordinance.

(c) The NAICS codes corresponding to Classes 9.41 and 9.42 have been eliminated. Businesses that were previously classified into 9.41 or 9.42 shall be required to apply and pay for a business license in their natural class.

Section 3. Codification. The amendment to the section(s) of the City Code referenced in this Ordinance shall be codified as part of each applicable section of the City Code of Ordinances of the City of Fountain Inn, South Carolina, 1992, as amended, or as otherwise provided as part of the City’s next re-codification.

Section 4. Severability. If any part of this Ordinance is unenforceable for any reason, then the remainder of this Ordinance remains in full force and effect.

Section 5. Savings Clause. Any actions taken or authorized to be taken that have accrued under or pursuant to the Current Business License Ordinance prior to the final reading of this Ordinance are treated as remaining in full force and effect for the purpose of sustaining any pending or vested right, as of the first reading of this Ordinance, and for the enforcement of rights, duties, and liabilities as they stood under, and prior to, the first reading of this Ordinance.

Section 6. Reservation to City. The City reserves the right to repeal or amend this Ordinance, at any time, from time to time, as often as the City, in its sole discretion, deems appropriate.

Section 7. Repealer. All ordinances in conflict with this ordinance are hereby repealed.

Section 8. Effective Date. This Ordinance is effective with respect to the business license year beginning on May 1, 2024.

[ONE SIGNATURE PAGE AND ONE EXHIBIT FOLLOW]
[REMAINDER OF PAGE INTENTIONALLY BLANK]

CITY OF FOUNTAIN INN, SOUTH CAROLINA

George Patrick McLeer, Jr., Mayor

[CITY SEAL]

ATTEST:

Elizabeth Adams, City Clerk

APPROVED AS TO FORM:

Michael E. Kozlarek, Esq.
King Kozlarek Law LLC

First Reading: October 12, 2023
Second Reading / Final Approval: November 9, 2023

Exhibit A: Amendment to Classes 1-8 in Appendix B of the Current Business License Ordinance

APPENDIX B
Classes 1-8: Business License Class Schedule by NAICS Codes

NAICS Sector/Subsector	Industry Sector	Class
11	Agriculture, forestry, hunting and fishing	1
21	Mining	2
22	Utilities	1
31 - 33	Manufacturing	3
42	Wholesale trade	1
44 - 45	Retail trade	1
48 - 49	Transportation and warehousing	1
51	Information	4
52	Finance and insurance	7
53	Real estate and rental and leasing	7
54	Professional, scientific, and technical services	5
55	Management of companies	7
56	Administrative and support and waste management and remediation services	3
61	Educational services	3
62	Health care and social assistance	4
71	Arts, entertainment, and recreation	3
721	Accommodation	1
722	Food services and drinking places	2
81	Other services	4
Class 8	Subclasses	
23	Construction	8.1
482	Rail Transportation	8.2
517111	Wired Telecommunications Carriers	8.3
517112	Wireless Telecommunications Carriers (except Satellite)	8.3
517122	Agents for Wireless Telecommunications Services	8.3
5241	Insurance Carriers	8.4
5242	Insurance Brokers for non-admitted Insurance Carriers	8.4
713120	Amusement Parks and Arcades	8.51
713290	Nonpayout Amusement Machines	8.52
713990	All Other Amusement and Recreational Industries (pool tables)	8.6

2023 Class Schedule is based on a three-year average (2017 - 2019) of IRS statistical data.

**REQUEST FOR COUNCIL ACTION**

City of Fountain Inn, South Carolina

To: Mayor and Members of City Council
From: Shawn M. Bell, City Administrator

November 9, 2023

Regular City Council Meeting

☒ Ordinance/First Reading ☐ Ordinance/Second Reading ☐ Resolution/First & Final Reading**Agenda Date Requested:** November 9, 2023**Ordinance/Resolution Caption:** An ordinance to amend the official zoning Map of Fountain Inn, said amendment for the purpose of changing the zoning classification of the property described in this ordinance (407 North Main Street).**Summary Background:**

Z-2023-7 would rezone one parcel at 407 North Main Street, Tax Map Number 0344000200600 from R-15, Residential District to POD, Planned Office District.

The site was established as a medical office before the City of Fountain Inn adopted zoning (R-15 Residential District). It remained a medical office until the site became vacant in 2017. The applicant intends to purchase the property and re-establish the site as a medical office for his veterinary business. The applicant stated the business would operate as an office for medical treatment only, with no after-hours service and no boarding of animals. Medical offices are not allowed in the R-15, Residential Zoning District, but are allowed in the POD, Planned Office District.

The POD district is established to accommodate office development that is found to be compatible with surrounding physical development. Uses permitted in this district are limited to office and research facilities and shall not include any use engaged in retail sales or the stocking and storage of merchandise.

On November 2, 2023, the City of Fountain Inn Planning Commission voted (4-0) in favor of rezoning the property to POD, Planned Office District, with the following condition:

- The applicant provides a site plan for planning staff to review, including a landscape plan demonstrating appropriate buffer and screening along all property lines adjacent to residential lots.

Impact If Denied: The site would remain vacant and in a state of disrepair.**Impact If Approved:** The site would become active with improvements to the building, parking lot, lighting, and landscape. A second veterinary business would be established in Fountain Inn providing a much-needed service to the community.**Financial Impact:** No negative financial impact has been identified.

AN ORDINANCE

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF
FOUNTAIN INN, SAID AMENDMENT FOR THE PURPOSE OF
CHANGING THE ZONING CLASSIFICATION OF THE PROPERTY
DESCRIBED IN THIS ORDINANCE (407 NORTH MAIN STREET).

WHEREAS, the City of Fountain Inn received a petition for re-zoning of the real property described herein; and

WHEREAS, the Fountain Inn Planning Commission conducted a public hearing on the re-zoning petition and after duly considered same and the receiving a staff report voted to recommend the approval of the re-zoning request from R-15: Residential District to POD: Planned Office District;

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Fountain Inn, South Carolina:

SECTION 1: That the real property referred to herein is described fully in Docket Number PZ-2023-013 and is located at 407 North Main Street, containing approximately 0.47 acres Greenville County Tax Map 0344000200600, located in the City of Fountain Inn, South Carolina and more fully described on Exhibit A attached hereto and made a part hereof by reference.

SECTION 2. The Property is hereby rezoned from R-15: Residential District to POD: Planned Office District.

SECTION 3. This Ordinance shall be effective upon second and final reading by the City Council.

DONE IN REGULAR MEETING DECEMBER 1, 2023.

CITY OF FOUNTAIN INN, SOUTH CAROLINA

George Patrick McLeer, Jr., Mayor

[CITY SEAL]

ATTEST:

Elizabeth Adams, City Clerk

APPROVED AS TO FORM:

Michael E. Kozlarek, Esq.
King Kozlarek Law LLC

First Reading: November 9, 2023
Second Reading / Final Approval: December 1, 2023

EXHIBIT A



Fountain Inn Planning and Development
200 North Main Street
Fountain Inn, SC 29644
Office: 864.409.3334

TO: Mayor and City Council
Planning Commission

FROM: Planning and Development Department

RE: PZ-2023-013

APPLICANT: Logan McCraw for Dobson Rentals LLC

PROPERTY LOCATION: 407 North Main Street

PIN/TMS#(s): 0344000200600

EXISTING ZONING: R-15, Residential District

REQUESTED ZONING: POD, Planned Office District

PROPOSED LAND USE: Medical Office (Veterinary)

ACREAGE: 0.43

COUNCIL WARD: 6 - Blackstone

EXISTING LAND USE: Vacant - Medical Office

**AREA
CHARACTERISTICS:**

Direction	Zoning	Land Use
North	R-15	Single-Family Residential
East	R-15, POD	Single-Family Residential, Office
South	R-15	Single-Family Residential
West	R-15	Single-Family Residential

WATER AVAILABILITY: Greenville Water

SEWER AVAILABILITY: City of Fountain Inn

**Fountain Inn Master
Plan CONFORMANCE:**

The subject property is part of the Fountain Inn Master Plan, where it is designated as *Medium-Low Density Residential*. **Please refer to the Future Land Use Map at the end of the document. **

ROADS AND TRAFFIC:

The property is located on the corner of North main Street and Craig Street. North Main Street is a four-lane State-maintained arterial road. Craig Street is a two-lane State-maintained local road. The parcel has approximately 122 feet of frontage along North Main Street and approximately 170 feet of frontage on Craig Street. There are sidewalks along both street frontages.

Location of Traffic Count	Distance to Site	2017	2019	2021
North Main Street	3,136' NW	8,900	9,900 +10%	10,300 +3.88%

**CULTURAL AND
ENVIRONMENTAL:**

No floodplain is present on the site. There are no known historic or cultural resources on the site. Two schools are located within one mile of the site: Fountain Inn Elementary and Fountain Inn High School.

CONCLUSION:

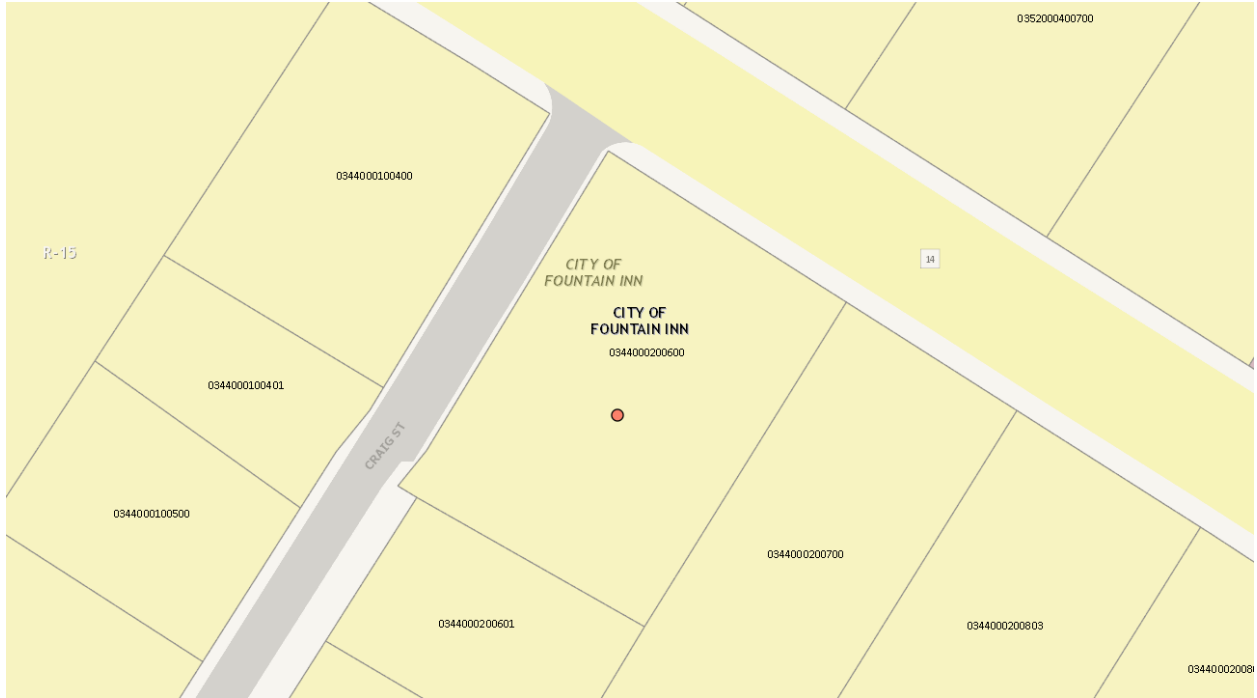
The subject parcel, zoned R-15, Residential District is located along North Main Street, a two-lane State-maintained arterial road. The Fountain Inn Master Plan designated the parcel as *Medium- Low Density Residential*. Although the Master Plan does not identify medical office as a use for this property, the site was occupied as a medical office for many years before becoming vacant the past several years. The request is to rezone to POD, Planned Office District, a district that would allow the continuance of the prior use of the medical office. The subject parcel is located near two other parcels zoned POD. The applicant is proposing upgrades to the site to include parking, landscaping, and lighting. Staff is of the opinion that a successful rezoning to POD, Planned Office District, is consistent with the current site configuration, and surrounding physical environment.

STAFF**RECOMMENDATION:**

Based on these reasons, staff recommends approval of the requested rezoning to POD Planned Office District.

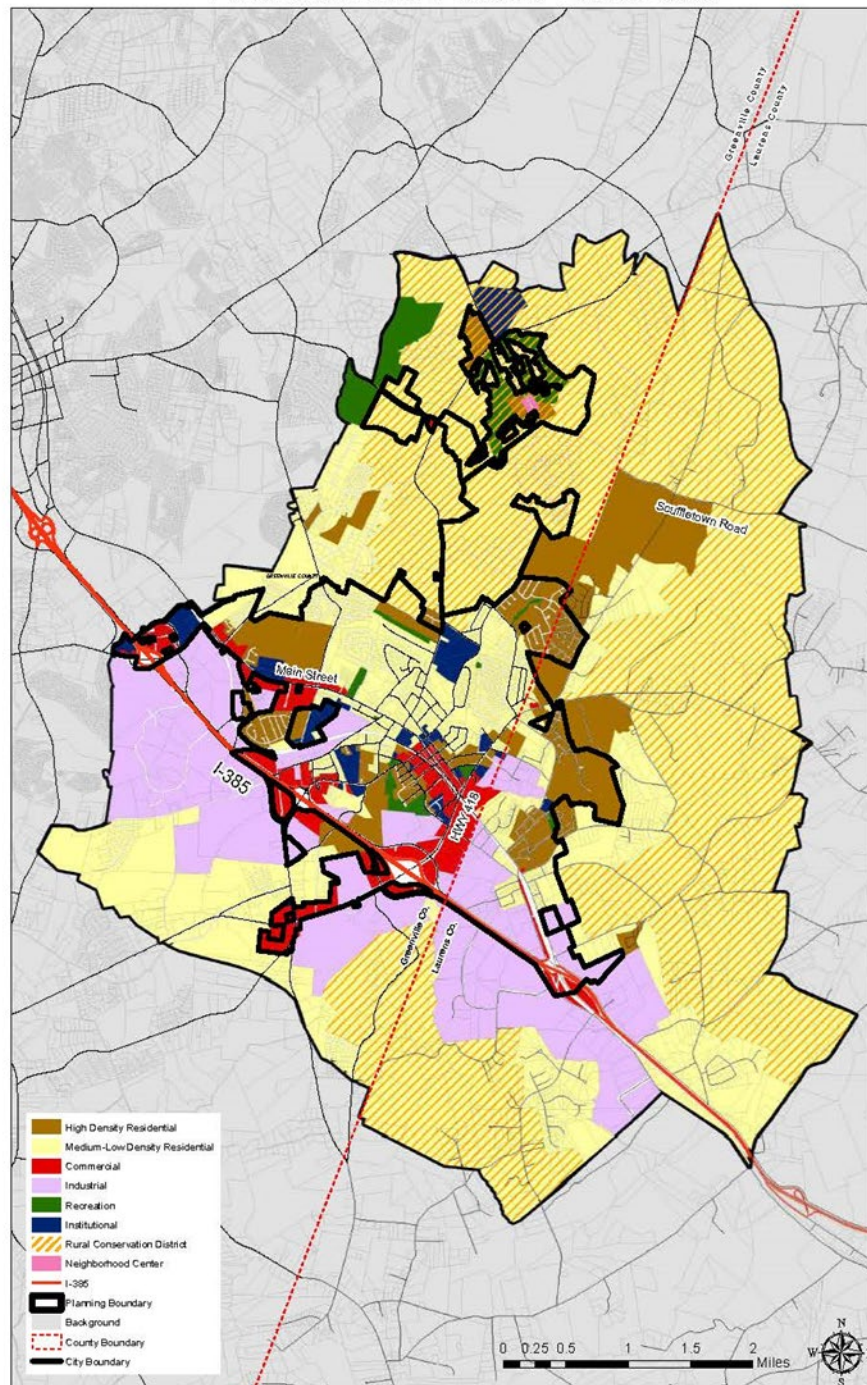


Aerial Photography



Zoning Map

Fountain Inn Future Land Use



Fountain Inn Master Plan, Future Land Use Map



FOUNTAIN INN

est 1886

CITY OF FOUNTAIN INN APPLICATION FOR REZONING

Owner Allison Dobson

1. I (We) Allison Dobson / Logan McCraw Agent N/A

2. Of 125 Club Drive
Address Simpsonville, SC, 29681, 864-270-1275
City State Zip Telephone

Do hereby petition for a variance of the zoning ordinance of Fountain Inn, South Carolina

3. By varying from R-15 to Planned Office District

4. the property located at 407 N Main St.

and having frontage(s) along bordering streets as follows:

North Main + Craig Street

5. containing 0.47 acres more or less and being lot(s) 407, block 400
as shown on the Greenville and Laurens County Tax Maps.

6. This property is more specifically described by a metes and bounds description attached hereto,
and as shown on attached plat on tax map.

7. Name of owner(s) of each lot is as shown on a certificate of ownership from the Greenville and
Laurens County Tax Coordinator's office attached hereto.

8. Receipt(s) of notice(s) that were sent by certified mail to owners who are not co-signers of petition
is attached hereto.

9. The filing fee of _____ is attached hereto. (call 862-7233)

10. Signatures of owner(s) Allison B. Dobson

By _____ Agent

125 Club Drive, Simp. SC
Address 864-270-1275 29681
Telephone

APPLICATION FEES ARE NON-REFUNDABLE AND NON-TRANSFERABLE

Proposed Development of 407 N. Main St

About us

- Dr. Logan McCraw, DVM and Samantha McCraw together we own and operate McCraw Veterinary Medicine L.L.C.
- The McCraw family comes from a rich history of business owners and community servants here in Fountain Inn. Starting with my great grandfather, Arthur Edwin Green, who ran a service station after serving in the U.S. Army. Ed Green was also the mayor of Fountain Inn from 1950 - 1960. Continuing with Deaver Dayton McCraw who was the pastor of Fountain Inn First Baptist Church for 21 years. Furthermore, my grandfather Joe McCraw followed suit with a NAPA auto parts store and service center on the corner where CVS currently sits. He was followed by my father and uncle who brought Burdette's Hardware to Fountain Inn in 1991. This location is currently owned and operated by my brother and his wife, Connor and Dusti McCraw. Last, but not least my cousin Hayley Dye, previously Hayley McCraw now owns Cakes to Dye For here in Fountain Inn.

The Site

- The location we intend to rezone is 407 N. Main Street. This property is currently vacant and has been since 2017. Prior to this vacancy the property was the medical office of Dr. Maynard William Bland. Dr. Bland was a general practitioner who served the residents of Fountain Inn for many years until his passing in 2017.

The Plan

- Our intention is to rezone this property as Planned Office District (POD), in order to bring a Veterinary Medical Office to Fountain Inn. We believe this zoning classification is beneficial for the surrounding residents and should allow for this medical clinic to be revitalized and begin serving the needs of residents once again, but in a different capacity.
- The Current acceptable uses listed under POD include
 - Banks or similar financial institutes
 - Business incubator centers
 - Care Facilities
 - Child/adult
 - Day care
 - Nursing care
 - Dwelling
 - Gunsmith
 - Medical Clinic
 - Offices
 - Business
 - Medical

- Charitable
- Special Exceptions include
 - Government facilities and operations
 - Civil facilities
 - Home occupation
 - Post office
 - Recreation - community area, public or private
- Based on the list of permitted uses, veterinary medicine should be classified under medical clinic / medical office. There is no current definition of medical clinic / medical office that excludes veterinary medicine and with good reason. Veterinary medicine at its core functions as a branch of the public health system. Veterinary medicine helps prevent the spread of disease from animals to humans ranging from viral to parasitic and beyond. A visit to the vet is structured in the same way as a visit to the doctor; reception greets you, a nurse brings you and the patient into a private exam room and collects baseline vitals, the doctor comes in to discuss the medical problem, a treatment plan is designed and follow up visits are scheduled as needed.
- At this office there would be no boarding of patients, Hospitalizations will be limited to business hour stays for outpatient surgical procedures and minor outpatient procedures. Patients requiring 24 hour hospitalization will be stabilized and referred to a tertiary facility better equipped for their care.
- This medical office will operate during business hours only Monday - Friday, 8 am - 5 pm.
- This zoning classification would allow us to update the current site to meet code requirements, with very little change to the aesthetic look of main street.
- This zoning classification is also beneficial for the residential area surrounding the property because it lays out specific uses for the property all of which would hold reasonable business hours. As opposed to C2 or S1 which both carry a vast array of business that can be conducted under those zoning classification, some of which are not appropriate for the site's location.

Zoning Requirements

- The existing site provides an excellent canvas for meeting Planned Office District standards. The changes needed to meet POD requirements would not drastically alter the aesthetic of Main Street, only enhance it.
- Parking
 - We will update the current parking and meet all parking requirements as the existing site allows.
- Signage
 - All requirements will be met as the plans for the signs will be professionally drawn/installed and will be approved by the city prior to installation.
- Landscaping
 - Screening between residential properties and the current location will be drawn up, approved and installed as appropriate based on POD guidelines.

- Appropriate walkways from parking to front entrance will be installed and landscaped in accordance to POD guidelines.
- Trash Pick up: A dumpster will be installed but not be visible to the public eye in accordance with POD guidelines to maintain the aesthetic of Main Street.
- Lighting
 - The current site will allow for wall mounted cut-off lighting that will face down on the parking lot only as listed current POD guidelines as to not disturb surrounding residential properties.

Rationale

- The reasoning behind bringing a second veterinary office to Fountain Inn is two fold. The main reason is due to the massive demand for veterinary medicine from local residents. As we have all seen, there has been an explosion of growth in Fountain Inn and with the influx of residents and pets an apparent need in infrastructure has been revealed. Currently, Fountain Inn has one veterinary clinic, who does a great job serving the residents to the best of their ability. Unfortunately they are unable to fully meet the demand, due to sheer volume of patients. Many patients are being referred to facilities in Mauldin and Greenville for services because current bookings are 4-6 weeks out. By starting a second clinic in Fountain Inn we can provide these services locally rather than referring to neighboring cities. The second reason is one that is important to my family and I. We could easily find a location in a neighboring city and start this veterinary clinic elsewhere, but Fountain Inn is home to us. We have a deep history in this city with multiple generations serving in Fountain Inn and having the opportunity to provide a critical service in Fountain Inn has been a lifelong goal.

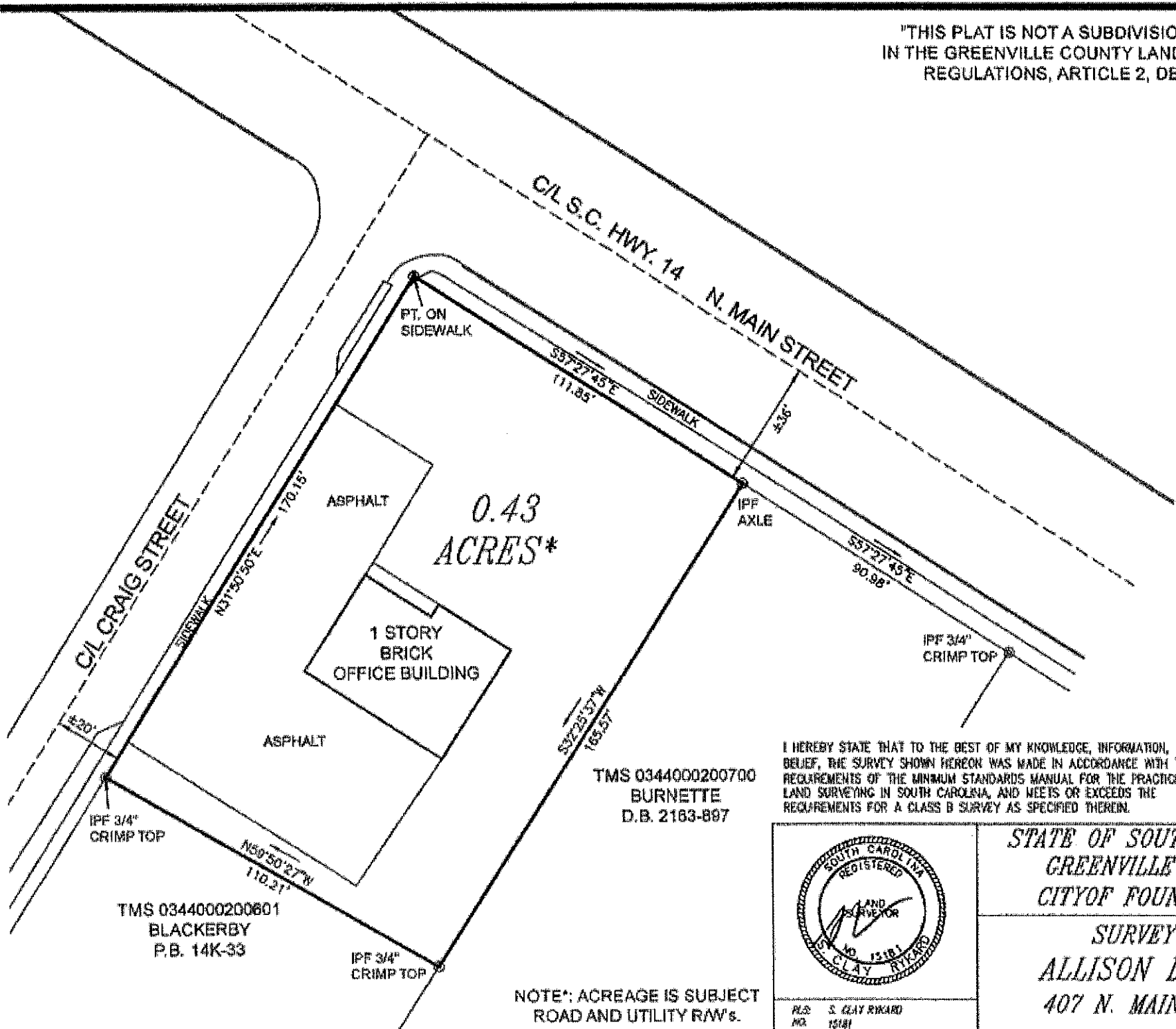
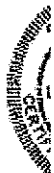








"THIS PLAT IS NOT A SUBDIVISION AS DEFINED
IN THE GREENVILLE COUNTY LAND DEVELOPMENT
REGULATIONS, ARTICLE 2, DEFINITIONS."



0.43
ACRES*

1 STORY
BRICK
OFFICE BUILDING

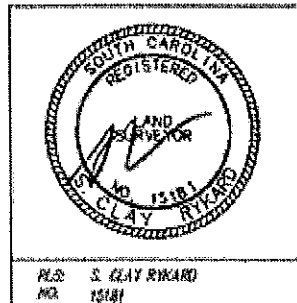
TMS 0344000200700
BURNETTE
D.B. 2163-897

TMS 0344000200601
BLACKERBY
P.B. 14K-33

NOTE*: ACREAGE IS SUBJECT
ROAD AND UTILITY R/W's.

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS B SURVEY AS SPECIFIED THEREIN.

0' 30' 60'
SCALE 1" = 30'



STATE OF SOUTH CAROLINA GREENVILLE COUNTY CITY OF FOUNTAIN INN		RYKARD LAND S P. LAUREL (26 2019)
SURVEY FOR ALLISON DOBSON 407 N. MAIN STREET		REF. PLAT BOOK REF. FIELD BOOK TAX MAP PARTY CHECK DRAWN DATE DWG. NO.

Section 5:9.2. POD, planned office district.

5:9.2.1. POD, Planned office district, Intent. This district is established to accommodate office development that is found to be compatible with surrounding physical development. Uses permitted in this district are limited to office and research facilities, and shall not include any use engaged in retail sales or the stocking and storage of merchandise.

5:9.2.2. Criteria to consider when rezoning property POD:

- A. Approval of the POD zoning classification must not alter the existing development patterns within the area;
- B. It should be determined that POD district is the appropriate office district compatible with surrounding physical development;
- C. The POD use must not put any undue burden on existing streets or utilities;
- D. Wherever possible, group development should be encouraged at intersections in an effort to concentrate POD uses and discourage sprawl and strip development;
- E. The POD zone shall be located on a collector or an arterial street.

5:9.2.3. POD, Planned Office Development, permitted uses.

Banks or similar financial institutions

Business incubator centers

Care facilities

Child/adult care centers

Day care centers

Day care centers in a church

Nursing care facility

Dwelling

Accessory, temporary

Multiple family

Single-family detached

Zero lot line

Gunsmith

Medical clinic

Offices

Business

Medical

Charitable

5:9.2.4. Uses permitted by special exception for POD districts.

Governmental facilities and operations

Civic facilities

Home occupation

Post office

Recreation—Community area, public or private

5:9.2.5. Prohibited uses. Mini storage units, taverns, drive-in restaurants, sexually oriented businesses, night clubs, video poker, tattoo parlors, body piercing, and package liquor stores are prohibited uses.

5:9.2.6. Height limitation. No structure shall exceed a height of 35 feet, but no more than 30% higher than average building height for adjacent buildings.

5:9.2.7. Dimension requirements.

5:9.2.7-1. Front setback. All buildings and structures shall be set back from all street rights-of-way not less than 15 feet.

5:9.2.7-2. Side setback. No building shall be located closer than ten feet to a side lot line.

5:9.2.7-3. Rear setback. No building shall be located closer than 20 feet to a rear lot line.

5:9.2.8. Relationship of buildings to lots. One or more principal structures may be permitted on a single lot.

5:9.2.9. Off-street parking. No parking area to be located along frontage, or otherwise between building and road. Pedestrian access points will connect adjacent parking lots with pedestrian walkways and in accordance with the standards in [Section] 5:9.8.4, Pedestrian Flows.

Off-street parking requirements shall be provided in accordance with Section 19:9, Off-Street Parking.

5:9.2.10. Off-street loading. Off-street loading shall be provided in accordance with the provisions set forth in Section 19:11, Off-Street Loading located below.

5:9.2.11. Signs. Identification signs and business signs are allowed subject to review by the Planning Commission and provisions set forth in Article 6. No signs shall have flashing lights or movable display parts. The sign appearance should blend in with the residential character of the surrounding neighborhood.

Freestanding signs for single tenant commercial, office and residential uses shall meet the following requirements:

- A. Sign shall not exceed six (6) feet in height as measured above grade.
- B. Maximum sign face dimension shall be thirty-five (35) square feet.
- C. Maximum height for a group sign is twelve (12) feet and a maximum sign face dimension shall be eighty (80) square feet.
- D. Facade mounted signs shall not exceed 10 percent of the area of the facade upon which they are placed, with the maximum size of any one sign limited to fifty (50) square feet.

5:9.2.12. Screening and landscaping. Screening and landscaping are subject to the provisions in Section 5:11 - Landscaping Buffer Yards and Detention Ponds, Section 19:10 - Landscaping of Parking Area, and Section 7:13 - Commercial Design Standards.

A screening and landscaping plan shall be approved by the city planning commission. Screening shall be provided along the side and rear property lines. Landscaping shall be provided along street frontages. Natural landscaping may be counted toward this requirement.

5:9.2.13. Lighting standards. In addition to the provisions set forth in the Commercial Design Standards Section 7:13, lighting of horizontal tasks such as roadways, sidewalks, entrances and parking areas, fixtures shall meet IESNA "full-cutoff" (no light output above 90 degrees at any lateral angle around the fixture). Fixtures shall not be mounted in excess of sixteen (16) feet above finished grade. All other outdoor lighting such as floodlights and

spotlights shall be aimed, located, designed, fitted and maintained so as not to present a hazard to drivers or pedestrians by impairing their ability to safely traverse and so as not to create a nuisance by projecting or reflecting objectionable light skyward, onto a neighboring property or onto a public roadway. Flashing lights are prohibited.

5:9.2.14. Pedestrian access. In addition to the provisions set forth in the Commercial Design Standards Section 7:13, pedestrian sidewalks and/or pathways must be provided on the site and shall provide safe, all weather, efficient, and aesthetically pleasing means of on-site movement and shall be an integral part of the overall site design concept. Pedestrian pathway connections to parking areas, buildings, other amenities, residential areas, commercial areas, and between on-site and perimeter pedestrian systems shall be planned and installed wherever feasible. All pathways and sidewalks shall be a minimum of five (5) feet in width, and paved. Sidewalks are required along all roadways and road right-of-ways.

5:9.2.15. Off-street parking. Off-street parking requirements are subject to the provisions in Section 19:9 (see below). In addition parking shall be provided at the time of the erection of any building, or at the time any principal building is enlarged or increased in capacity by adding dwelling units, guest rooms, seats, or floor area; or before conversion from one type of use of occupancy to another, permanent off-street parking space in the amount specified by this section. Such parking space may be provided in a parking garage or properly graded and improved open space. All portions of the required space, which are paved, shall be marked in accordance with the standards contained herein. Lines shall be visibly marked with paint.

5:9.2.15-1. Design of parking areas. Parking shall be located solely in the side or rear yard areas and excluded from the area between the public right-of-way and the front face of the building. The planning commission may permit parking between the public right-of-way line and the front face of buildings when it can be demonstrated that no other alternative exists.

5:9.2.15-2. Landscaping of parking lots. Off-street parking lot landscaping shall be provided in accordance with the provisions set forth in [Section] 19:10, Landscaping of Parking Area (see below).

5:9.2.16. Design standards and architectural features. Non-residential building design in POD districts must follow the provisions set forth in Article 7:13, Commercial Design Standards.

5:9.2.17. Requirements for POD, office districts development and site plan review. This section lists the criteria by which POD, Planned Office Districts, are reviewed. Permitted uses must be in conformance with the zoning district requirements.

A site plan meeting the requirements of this section shall be reviewed and approved by the county planning commission staff prior to the issuing of permits (i.e., grading, encroachment, etc.). All site plan review approvals are valid for one year, whereupon if no permit has been issued, a new site plan review will be required. Provided, however, approved site plans for the zoning districts covered under this Section, POD, is subject to the provisions of the city's Vested Rights Ordinance.

5:9.2.17-1. Application for site plan review. All applications for development in POD, Planned Office Districts, shall be made to the office of the county planning commission. The application fee of \$75.00 shall accompany the application. The county planning commission staff shall provide the applicant or his designated representative with an adequate number of public notice plan review signs to allow the applicant or his designated representative to properly post and maintain on the property a notice of public hearing at least 15 days prior to the date of the city planning commission hearing. The city planning commission may authorize the planning staff to review and approve site plans. At the discretion of the planning staff or in the case of an appeal of the decision of the planning staff, the city planning commission will act on the application. In this case, the county planning commission staff shall submit a written review and recommendation of the application to the city planning commission. The city planning commission will evaluate the staff's recommendation in its consideration of the application. The city planning commission may impose additional or more restrictive requirements if it is determined that it is within the best public interest.

Before the planning staff makes a recommendation to the planning commission, it shall determine the following:

- A. That the spirit of the zoning district shall not be violated.
- B. That the proposed development will be in harmony with existing developments.
- C. That the proposed development will be a desirable addition to the physical pattern of the neighborhood.
- D. That the design be such that additional traffic will not be a burden on existing streets.
- E. That no adverse environmental impacts will be created by the proposed development.
- F. That the visual appearance of the development will be in harmony with the existing development.
- G. That the architectural character blends with the surrounding area.

5:9.2.17-2. Site plan submittal requirements. Two reproducible copies of the site plan meeting the requirements of this section must be submitted to the planning commission office. No building permit shall be issued until site plans have been reviewed and approved by the planning commission following the process outlined in this section.

In order to ensure proper and expeditious review, the site plan must meet the following criteria:

- A. The site plan must be drawn to a scale of not less than 100 feet to 1 inch by a registered engineer/surveyor of the state of South Carolina;
- B. A vicinity map, title block, scale, north arrow, site size, and property line survey;
- C. The location of any utility easements;
- D. The land use for every part of the site and the number of acres devoted to each use;
- E. The site's traffic circulation plan, including the location of curb cuts and points of ingress/egress, and also including the location and width of all streets, drives, medians, service areas, dumpster pads, entrances to parking areas, etc.;
- F. The site's parking plan, including all off-street parking, loading/unloading areas, and structures, and also including all parking spaces and their dimensions;
- G. Storm water management and sedimentation and erosion control plans, which must be submitted to the county soil and water conservation district;
- H. The site's sign plan, which includes all exterior signage of the development;
- I. The site's lighting plan, including the location, height, and type of all exterior light fixtures;
- J. If applicable, the location of all proposed nonresidential buildings or structures, their general exterior dimensions, and gross square footage;
- K. If applicable, the location of all proposed residential structures, their general exterior dimensions, the number of residential dwelling units by type, and the number of the bedrooms in each unit;
- L. If applicable, the site's pedestrian circulation plan, including the location of all sidewalks, paths, trails, etc., and the dimensions thereof;
- M. The screening and landscape plan for the site; including the location, size, and type of plant material;

-
- N. Specifications indicating the proposed treatment or improvements to all open space areas and the delineation of those areas proposed for specific types of developed recreational activities;
 - O. Elevations of proposed development; and
 - P. Perspective sketch indicating colors and materials of all structures and screening.

The applicant shall submit a report setting forth the characteristics of the proposed Neighborhood Commercial and Planned Office Districts including the following:

1. A statement addressing plans for all existing structures on the subject property, including but not limited to planned exterior renovations or demolition.
2. A statement addressing the architectural style of existing and proposed buildings.
3. A statement concerning the appearance, landscaping, screening, and maintenance of any proposed pond, lake, or retention pond contained in the development.
4. Any such information or descriptions as may be deemed reasonably appropriate for review.

5:9.2.18. Residential uses. Residential uses are permitted subject to the provisions in Section 5.1 and 5.2, residential districts and the following requirements:

- A. Residential dwelling units may be located in the same building as an office or commercial use permitted in the district;
- B. Maximum residential density is 10 units per acre based on the total project area.

5:9.2.19. Building and occupancy permit. No permits shall be issued for any building or occupancy until a development plan has been approved by the city planning commission.

5:9.2.20. Annual review. After a period of one year from the date of the POD application, the zoning administrator shall review and report the status of the approved POD development to the city council. If significant progress is not demonstrated at that time, the zoning administrator shall advise the city council of his findings.

(Ord. No. TX 2016-001, § 1(Att. 1), 8-11-16)

**REQUEST FOR COUNCIL ACTION**

City of Fountain Inn, South Carolina

To: Mayor and Members of City Council
From: Shawn M. Bell, City Administrator

November 9, 2023

Regular City Council Meeting

☐ Ordinance/First Reading ☐ Ordinance/Second Reading ☒ Resolution/First & Final Reading**Agenda Date Requested:** November 9, 2023**Ordinance/Resolution Caption:** Authorizing the Chief of Police to execute a Memorandum of Understanding between The Bureau of Alcohol, Tobacco, Firearms, and Explosives and the Fountain Inn Police Department.**Summary Background:** The Fountain Inn Police Department has had an officer assigned to the ATF as a part-time task force officer since January 2020. This officer is deputized by the U.S. Marshals Service to extend their jurisdiction while working on task force cases. The Task Force investigates firearms trafficking, firearms-related violent crimes, and gathers intelligence data related to firearms trafficking.**Impact If Denied:** The Fountain Inn Police Department would not have an assigned task force officer who would be provided with information concerning assigned federal investigations occurring within our jurisdiction. Federal resources would not be as readily available to FIPD during investigations involving firearms-related crimes.**Impact If Approved:** An executed MOU will allow the Fountain Inn Police Department to have federal resources readily available to assist in investigations involving firearms-related crimes. Federal resources can be invaluable when a violent crime occurs; and can assist in the clearance of a case in a timelier manner.**Financial Impact:** None

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES (ATF),

And

Fountain Inn Police Dept.

This Memorandum of Understanding ("MOU") is entered into by and between the Bureau of Alcohol, Tobacco, Firearms and Explosives ("ATF") and Fountain Inn Police Dept. as it relates to the ATF Task Force (herein referred to as the "Task Force").

- *The MOU is specific to the task force being referenced and applies only to the above-named participating agency, although other agencies may also be taking part on the same task force.*

BACKGROUND

- *This section is optional.*

AUTHORITIES

The authority to investigate and enforce offenses under provisions of this MOU are found at 28 U.S.C. § 599A, 28 C.F.R. §§ 0.130, 0.131, and 18 U.S.C. § 3051.

PURPOSE

The Task Force will perform the activities and duties described below:

- a. Investigate firearms trafficking
 - b. Investigate firearms related violent crime
 - c. Gather and report intelligence data relating to trafficking in firearms
 - d. Conduct undercover operations where appropriate and engage in other traditional methods of investigation in order that the Task Force's activities will result in effective prosecution before the courts of the United States and the State of SC.
- *This section will vary depending upon the mission of the task force.*

MEASUREMENT OF SUCCESS

The ability to measure the success of this initiative will depend on the participating agencies' willingness to share certain information, (i.e., crime statistics).

- *This section will vary depending upon the mission of the task force.*
- *This section should mirror the four Mission Activities Strategic Goals listed on page 6 of the FY 2017 – FY 2022 Strategic Plan. The ATF Performance Measurement Index is found on page 20, and the same performance indicators will be used. A copy of the plan can be found on the Strategic Management tab of the ATF Portal:*
<https://share.doj.gov/GetConnected/Directorates/100000/OSM/Strategic%20Plan/ATF%20Strategic%20Plan%20FY17%20to%20FY22%20-%20Detailed%20Version.pdf#search=strategic%20plan>

PHYSICAL LOCATION

Officers/troopers/agents assigned to this Task Force by their employer shall be referred to as task force officers (TFOs). TFOs will be assigned to the ATF Greenville Field Office and will be located at 301 North Main St. Suite 1802 Greenville, SC.

SUPERVISION AND CONTROL

The day-to-day supervision and administrative control of TFOs will be the mutual responsibility of the participants, with the ATF Special Agent in Charge or his/her designee having operational control over all operations related to this Task Force.

TFOs shall remain subject to their respective agencies' policies and shall report to their respective agencies regarding matters unrelated to this agreement/task force. With regard to matters related to the Task Force, TFOs will be subject to Federal law and Department of Justice and ATF orders, regulations and policies, including those related to standards of conduct, sexual harassment, equal opportunity issues, and Federal disclosure laws.

Failure to comply with this section could result in a TFO's dismissal from the Task Force.

- *This language does not dictate any particular command structure for TFs. As long as ATF retains supervisory authority, the internal organization of the TF is based on the discretion of ATF management. Therefore, this paragraph can be modified to incorporate state or local supervisory personnel into the command structure of the TF with the approval of FMS and Chief Counsel's Office.*

PERSONNEL, RESOURCES AND SUPERVISION

To accomplish the objectives of the Task Force, ATF will assign __ Special Agents to the Task Force. ATF will also, subject to the availability of funds, provide necessary funds and

equipment to support the activities of the ATF Special Agents and TFOs assigned to the Task Force. This support may include office space, office supplies, travel funds, funds for the purchase of evidence and information, investigative equipment, training, and other support items.

- *This section will vary depending upon the resources ATF will commit to the task force.*

Each participating agency agrees to make available to its assigned task members any equipment ordinarily assigned for use by that agency. In the event ATF supplies equipment (which may include vehicles, weapons, or radios), TFOs must abide by any applicable ATF property orders and policy, and may be required to enter into a separate agreement for their use.

To accomplish the objectives of the Task Force, the Fountain Inn Police Dept. agrees to detail 1 part-time TFOs and/or 0 Special Deputies (SDs) to the Task Force for a period of not less than two (2) years. As per ATF O 3501.1A, a Special Deputy is a sworn State, county, or local law enforcement officer assigned to an ATF task force on a part time basis and whose department has a fully executed task force MOU on file with ATF. For purposes of this particular MOU, SDs are included under the term "TFOs" unless the MOU provision expressly indicates that it applies only to "full-time TFOs."

All full-time TFOs shall qualify with their respective firearms by complying with ATF's Firearms and Weapons Policy.

SECURITY CLEARANCES

All TFOs will undergo a security clearance and background investigation, and ATF shall bear the costs associated with those investigations. TFOs must not be the subject of any ongoing investigation by their department or any other law enforcement agency, and past behavior or punishment, disciplinary, punitive, or otherwise, may disqualify one from eligibility to join the Task Force. ATF has final authority as to the suitability of TFOs for inclusion on the Task Force.

DEPUTATIONS

ATF, as the sponsoring Federal law enforcement agency, will require that the participating agency's TFOs be deputized by the U.S. Marshals Service to extend their jurisdiction, to include applying for and executing Federal search and arrest warrants, and requesting and executing Federal grand jury subpoenas for records and evidence involving violations of Federal laws.

A TFO will not be considered for Department of Justice legal representation if named as a defendant in an individual-capacity lawsuit alleging constitutional violations unless all deputation paperwork has been completed and approved prior to the event(s) at issue in the lawsuit.

The participating agencies agree that any Federal authority that may be conferred by a deputation is limited to activities supervised by ATF and will terminate when this MOU is terminated or when the deputized TFOs leave the Task Force, or at the discretion of ATF.

ASSIGNMENTS, REPORTS, AND INFORMATION SHARING

An ATF supervisor or designee will be empowered with designated oversight for investigative and personnel matters related to the Task Force and will be responsible for opening, monitoring, directing, and closing Task Force investigations in accordance with ATF policy and the applicable United States Attorney General's Guidelines.

Assignments will be based on, but not limited to, experience, training, and performance, in addition to the discretion of the ATF supervisor.

All investigative reports will be prepared utilizing ATF's investigative case management system, (N-Force) utilizing ATF case report numbers. The participating agency will share investigative reports, findings, intelligence, etc., in furtherance of the mission of this agreement, to the fullest extent allowed by law. For the purposes of uniformity, there will be no duplication of reports, but rather a single report prepared by a designated individual which can be duplicated as necessary. Every effort should be made to document investigative activity on ATF Reports of Investigation (ROI), unless otherwise agreed to by ATF and the participating agency(ies). This section does not preclude the necessity of individual TFOs to complete forms required by their employing agency.

Information will be freely shared among the TFOs and ATF personnel with the understanding that all investigative information will be kept strictly confidential and will only be used in furtherance of criminal investigations. No information gathered during the course of the Task Force, to include informal communications between TFOs and ATF personnel, may be disseminated to any third party, non-task force member by any task force member without the express permission of the ATF Special Agent in Charge or his/her designee.

Any public requests for access to the records or any disclosures of information obtained by task force members during Task Force investigations will be handled in accordance with applicable federal statutes, regulations, and policies pursuant to the Freedom of Information Act and the Privacy Act, and other applicable federal and/or state statutes and regulations.

INVESTIGATIVE METHODS

The parties agree to utilize Federal standards pertaining to evidence handling and electronic surveillance activities to the greatest extent possible. However, in situations where state or local laws are more restrictive than comparable Federal law, investigative methods employed by state and local law enforcement agencies shall conform to those requirements, pending a decision as to a venue for prosecution.

The use of other investigative methods (search warrants, interceptions of oral communications, etc.) and reporting procedures in connection therewith will be consistent with the policy and

procedures of ATF. All Task Force operations will be conducted and reviewed in accordance with applicable ATF and Department of Justice policy and guidelines.

None of the parties to this MOU will knowingly seek investigations under this MOU that would cause a conflict with any ongoing investigation of an agency not party to this MOU. It is incumbent upon each participating agency to notify its personnel regarding the Task Force's areas of concern and jurisdiction. All law enforcement actions will be coordinated and cooperatively carried out by all parties to this MOU.

INFORMANTS

ATF guidelines and policy regarding the operation of informants and cooperating witnesses will apply to all informants and cooperating witnesses directed by TFOs.

Informants developed by TFOs may be registered as informants of their respective agencies for administrative purposes and handling. The policies and procedures of the participating agency for handling informants will apply to all informants that the participating agency registers. In addition, it will be incumbent upon the registering participating agency to maintain a file with respect to the performance of all informants or witnesses it registers. All information obtained from an informant and relevant to matters within the jurisdiction of this MOU will be shared with all parties to this MOU. The registering agency will pay all reasonable and necessary informant expenses for each informant that a participating agency registers.

DECONFLICTION

Each participating agency agrees that the deconfliction process requires the sharing of certain operational information with the Task Force, which, if disclosed to unauthorized persons, could endanger law enforcement personnel and the public. As a result of this concern, each participating agency agrees to adopt security measures set forth herein:

- a. Each participating agency will assign primary and secondary points of contact.
- b. Each participating agency agrees to keep its points of contact list updated.

The points of contact for this Task Force are:

ATF: Michael Horn RAC Greenville Field Office

Participating Agency: Robert Nelson Fountain Inn Police Dept.

EVIDENCE

Evidence will be maintained by the lead agency having jurisdiction in the court system intended for prosecution. Evidence generated from investigations initiated by a TFO or ATF special agent intended for Federal prosecution will be placed in the ATF designated vault, using the procedures found in ATF orders.

All firearms seized by a TFO must be submitted for fingerprint analysis and for a National Integrated Ballistic Information Network (NIBIN) examination. Once all analyses are completed, all firearms seized under Federal law shall be placed into the ATF designated vault for proper storage. All firearms information/descriptions taken into ATF custody must be submitted to ATF's National Tracing Center.

- *This could be modified to include DNA testing of all firearms taken into custody by the task force.*

JURISDICTION/PROSECUTIONS

Cases will be reviewed by the ATF Special Agent in Charge or his/her designee in consultation with the participating agency and the United States Attorney's Office and appropriate state's attorney offices, to determine whether cases will be referred for prosecution to the U.S. Attorney's Office or to the relevant state's attorney's office. This determination will be based upon which level of prosecution will best serve the interests of justice and the greatest overall benefit to the public. Any question that arises pertaining to prosecution will be resolved through discussion among the investigative agencies and prosecuting entities having an interest in the matter.

In the event that a state or local matter is developed that is outside the jurisdiction of ATF or it is decided that a case will be prosecuted on the state or local level, ATF will provide all relevant information to state and local authorities, subject to Federal law. Whether to continue investigation of state and local crimes is at the sole discretion of the state or local participating agency.

USE OF FORCE

All TFOs will comply with ATF and the Department of Justice's (DOJ's) Use of Force orders and policies. TFOs must be briefed on ATF's and DOJ's Use of Force policy by an ATF official and will be provided with a copy of such policy.

BODY WORN CAMERAS AND TASK FORCE OFFICERS

In accordance with ATF Order 3020.4, dated June 2, 2022, and incorporated herein, Body Worn Cameras (BWCs) may be worn by TFOs operating on a Federal Task Force when their parent agency mandates their use by personnel assigned to the task force. In such cases, the TFO and parent agency shall comply with all DOJ and ATF policies, and the required procedures, documentation, and reporting while participating on the task force.

MEDIA

Media relations will be handled by ATF and the U.S. Attorney's Office's public information officers in coordination with each participating agency. Information for press releases will be reviewed and mutually agreed upon by all participating agencies, who will take part in press conferences. Assigned personnel will be informed not to give statements to the media

concerning any ongoing investigation or prosecution under this MOU without the concurrence of the other participants and, when appropriate, the relevant prosecutor's office.

All personnel from the participating agencies shall strictly adhere to the requirements of Title 26, United States Code, § 6103. Disclosure of tax return information and tax information acquired during the course of investigations involving National Firearms Act (NFA) firearms as defined in 26 U.S.C., Chapter 53 shall not be made except as provided by law.

SALARY/OVERTIME COMPENSATION

During the period of the MOU, participating agencies will provide for the salary and employment benefits of their respective employees. All participating agencies will retain control over their employees' work hours, including the approval of overtime.

ATF may have funds available to reimburse overtime to the state and local TFO's agency, subject to the guidelines of the Department of Justice Asset Forfeiture Fund. This funding would be available under the terms of a memorandum of agreement (MOA) established pursuant to the provisions of 28 U.S.C. section 524. The participating agency agrees to abide by the applicable Federal law and policy with regard to the payment of overtime from the Department of Justice Asset Forfeiture Fund. The participating agency must be recognized under state law as a law enforcement agency and their officers/ troopers/investigators as sworn law enforcement officers. If required or requested, the participating agency shall be responsible for demonstrating to the Department of Justice that its personnel are law enforcement officers for the purpose of overtime payment from the Department of Justice Asset Forfeiture Fund. **This MOU is not a funding document.**

In accordance with these provisions and any MOA on asset forfeiture, the ATF Special Agent in Charge or designee shall be responsible for certifying reimbursement requests for overtime expenses incurred as a result of this agreement.

AUDIT INFORMATION

Operations under this MOU are subject to audit by ATF, the Department of Justice's Office of the Inspector General, the Government Accountability Office, and other Government-designated auditors. Participating agencies agree to permit such audits and to maintain all records relating to Department of Justice Asset Forfeiture Fund payments for expenses either incurred during the course of this Task Force or for a period of not less than three (3) years and, if an audit is being conducted, until such time that the audit is officially completed, whichever is greater.

FORFEITURES/SEIZURES

All assets seized for administrative forfeiture will be seized and forfeited in compliance with the rules and regulations set forth by the U.S. Department of Justice Asset Forfeiture guidelines. When the size or composition of the item(s) seized make it impossible for ATF to store it, any of the participating agencies having the storage facilities to handle the seized property agree to store the property at no charge and to maintain the property in the same condition as when it was first

taken into custody. The agency storing said seized property agrees not to dispose of the property until authorized to do so by ATF.

The MOU provides that proceeds from forfeitures will be shared, with sharing percentages based upon the U.S. Department of Justice Asset Forfeiture policies on equitable sharing of assets, such as determining the level of involvement by each participating agency. Task Force assets seized through administrative forfeiture will be distributed in equitable amounts based upon the number of full-time persons committed by each participating agency. Should it become impossible to separate the assets into equal shares, it will be the responsibility of all the participating agencies to come to an equitable decision. If this process fails and an impasse results ATF will become the final arbitrator of the distributive shares for the participating agencies

DISPUTE RESOLUTION

In cases of overlapping jurisdiction, the participating agencies agree to work in concert to achieve the Task Force's goals and objectives. The parties to this MOU agree to attempt to resolve any disputes regarding jurisdiction, case assignments and workload at the lowest level possible.

LIABILITY

ATF acknowledges that the United States is liable for the wrongful or negligent acts or omissions of its officers and employees, including TFOs, while on duty and acting within the scope of their federal employment, to the extent permitted by the Federal Tort Claims Act, 28 U.S.C. sections 1346(b), 2672-2680.

Claims against the United States for injury or loss of property, personal injury, or death arising or resulting from the negligent or wrongful act or omission of any Federal employee while acting within the scope of his or her office or employment are governed by the Federal Tort Claims Act, (unless the claim arises from a violation of the Constitution of the United States, or a violation of a statute of the United States under which other recovery is authorized).

Except as otherwise provided, the parties agree to be solely responsible for the negligent or wrongful acts or omissions of their respective employees and will not seek financial contributions from the other for such acts or omissions. Legal representation by the United States for individual capacity claims is determined by the United States Department of Justice on a case-by-case basis. ATF cannot guarantee the United States will provide legal representation to any state or local law enforcement officer.

Liability for any negligent or willful acts of any agent or officer undertaken outside the terms of this MOU will be the sole responsibility of the respective agent or officer and agency involved.

DURATION

This MOU is effective with the signatures of all parties and terminates at the close of business on September 30, 2028.

This MOU supersedes previously signed MOUs and shall remain in effect until the aforementioned expiration date or until it is terminated in writing (to include electronic mail and facsimile), whichever comes first. All participating agencies agree that no agency shall withdraw from the Task Force without providing ninety (90) days written notice to other participating agencies. If any participating agency withdraws from the Task Force prior to its termination, the remaining participating agencies shall determine the distributive share of assets for the withdrawing agency, in accordance with Department of Justice guidelines and directives.

This MOU shall be deemed terminated at the time all participating agencies withdraw and ATF elects not to replace such members, or in the event ATF unilaterally terminates the MOU upon 90 days written notice to all the remaining participating agencies.

MODIFICATIONS

This agreement may be modified at any time by written consent of all participating agencies. Modifications shall have no force and effect unless such modifications are reduced to writing and signed by an authorized representative of each participating agency.

SIGNATURES

Patrick Fortenberry
Chief of Police
Fountain Inn Police Dept.

Kenneth Jordan Date
Special Agent in Charge, ATF
763055 Greenville Field Office



Stewart · Cooper · Newell Architects

October 30, 2023

Chief Russell Alexander
Fountain Inn Fire Department
200 North Main Street
Fountain Inn, SC 29644

Re: Fountain Inn Fire Department
New Fire Sub Station and Training Structure
Phase I Design Services Proposal: Programming and Conceptual Design

Dear Chief Alexander,

Thank you for requesting a proposal from Stewart-Cooper-Newell Architects (SCNA) for this exciting project. As you know, we specialize in the study, planning, and design of fire stations, training centers, and public safety facilities across the nation, but especially here in our home region of the Carolinas.

As requested, we are proposing providing the requested design services for the two facilities in multiple options. The purpose of itemizing the components of the conceptual design phases is to better determine the exact scope of each facility and to comply with the Fire Department's current authorization on the project. The project requirements for the two facilities differ from each other, thus, the same phases for each facility will have different levels of deliverables.

Project Understanding

Fountain Inn intends to build a new fire sub station and a new fire training structure on separate parcels. The fire station will occupy the northeast corner of Scuffletown Road and Jones Mill Road. It is anticipated to be between 8,000 and 10,000 Square Feet. The training structure will occupy a two-acre parcel identified as Tax ID 068-00-00-021. The training structure may be similar in size and scope (estimated training area of 3,500 SF) to the South Greenville sketches received by FIFD.

New Fire Station – Schematic Design (including Programming)

- SCNA will work with FIFD to Program every interior and exterior space requested by FIFD. Each space will be described by its necessary characteristics and equipment that it will accommodate. Each space will be quantified by its size (SF). The total station size (SF) will be calculated. The Program will include an Opinion of Probable Construction Cost (OPCC) for the station cost.
- Once FIFD approves the Program size and OPCC, SCNA will work with FIFD to develop the conceptual Site Plan, Floor Plan, and Exterior Elevations of the station. After the design consensus is reached, SCNA will provide color renderings of all the above Schematic Design drawings.



New Fire Station – Schematic Design Fee Proposal: \$70,000, plus reimbursables.

This proposed fee is based on the scope of a station project with a current estimated size of 8,000 SF to 10,000 SF. If FIFD approves a Program significantly different than this size, the fee to complete the Schematic Design will be adjusted accordingly.

New Fire Station – Programming Alone

- SCNA will work with FIFD to Program every interior and exterior space requested by FIFD. Each space will be described by its necessary characteristics and equipment that it will accommodate. Each space will be quantified by its size (SF). The total station size (SF) will be calculated. The Program will include an Opinion of Probable Construction Cost (OPCC) for the station cost.

New Fire Station – Programming (without remaining Schematic Design) Fee Proposal: \$15,360, plus reimbursables.

New Training Structure – Programming Alone

- SCNA will work with FIFD to Program every interior and exterior space requested by FIFD. Each space will be described by its necessary characteristics and equipment that it will accommodate. Each space will be quantified by its size (SF). The total structure size (SF) will be calculated. The Program will include an Opinion of Probable Construction Cost (OPCC) for the station cost.

New Training Structure – Programming (without remaining Schematic Design) Fee Proposal: \$3,800, plus reimbursables.

This proposed fee is based on the Programming of the Fire Training Structure happening concurrently with the New Fire Station Programming.

New Training Structure – Schematic Design (including Programming)

- SCNA will work with FIFD to Program every interior and exterior space requested by FIFD. Each space will be described by its necessary characteristics and equipment that it will accommodate. Each space will be quantified by its size (SF). The total structure size (SF) will be calculated. The Program will include an Opinion of Probable Construction Cost (OPCC) for the structure cost.
- Once FIFD approves the Program size and OPCC, SCNA will work with FIFD to develop the conceptual Site Plan, Floor Plan, and Exterior Elevations of the structure. After the design consensus is reached, SCNA will provide color renderings of all the above Schematic Design drawings.



New Training Structure – Schematic Design Fee Proposal: \$15,010, plus reimbursables.

This proposed fee is based on the scope of a structure project with a current estimated size of 3,000 SF to 4,000 SF. If FIFD approves a Program significantly different than this size, the fee to complete the Schematic Design will be adjusted accordingly. This proposed fee is based on the Schematic Design of the Fire Training Structure happening concurrently with the New Fire Station Schematic Design.

After we perform this first design scope, we will credit the appropriate portions of the fee paid towards the remainder of the project, in the upcoming proposal for the remaining design phases.

If this proposal is acceptable, we will be happy to incorporate it into the appropriate AIA agreement for your review.

We look forward to working with you on this important project. Please let me know if you have any questions regarding this proposal or would like any additional information.

Sincerely,

Ken Newell

Ken Newell, AIA, LEED-AP BD+C

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