



Minutes

**Fountain Inn, South Carolina
Regular City Council Meeting
Councilmember Installation Service
300 Wall Street, Fountain Inn, SC
Wednesday, December 1, 2021 - 6:00 PM**

1. Call to Order- Mayor McLeer

Mayor McLeer called the meeting order.

Statement from Mayor McLeer:

Yesterday morning we learned that our team member, our family member, our friend, and our colleague Robert Singletary passed away unexpectedly. Robert had been with the City of Fountain Inn for over 13 years and served as our Sanitation Supervisor.

Robert was, as Lori Cooper phrased it to me this morning - the backbone of our Public Works Department. He knew every corner of our city, every piece of equipment in his department, and most importantly - he knew and loved his team.

But more than just being a member of our Public Works crew, Robert was a part of our Fountain Inn family. His easy smile, kind presence, and thoughtful approach made the daily operation of our city smoother and enjoyable.

Almost every story involving Robert includes one of two things - a joke, or a solution - and it always includes a smile. He always had a way of making us laugh, of helping us find the good no matter the situation. He also was a problem-solver, finding a way forward through complex situations and reminding us of the simple solutions.

He knew our citizens. If a call came in from a resident about an issue that needed his attention, Robert would almost always personally handle it and, in many cases, wind up friends with that resident.

I always thought of Robert as the definition of the "soft touch" that defines our small town charm. He epitomized what makes Fountain Inn great.

Robert loved God, his family, this community, and his nation.

Caroline, his wife, and their children, grandchild, and Robert's mother are in our prayers this day, and every day. Caroline told me today that his ability to charm had the same effect on her as it did all of us - Robert was easy to love.

We will miss Robert. We will miss his leadership. But we will not forget the legacy he has left on our community, nor the example he set for us all.

Robert's family will be receiving family and friends tomorrow, Thursday December 2 from 12:30 - 1:30pm at Cannon-Byrd Funeral home.

2. Invocation

City Attorney, David Holmes gave the invocation.

3. Pledge of Allegiance

4. Council Installation - Councilmember Ward 1 - Jason Sanders, Councilmember Ward 3 - Joey Garrett, and Councilmember Ward 5 - John Don

City Attorney, David Holmes administered the Oath of Office to the newly elected Councilmembers: Jason Sanders, Ward 1; Joey Garret, Ward 3; and John Don, Ward 5.

5. Appoint Mayor Pro Tempore

Motion by Councilmember Thomason to nominate Councilmember Clemmer as Mayor Pro Tempore, second by Councilmember Blackstone. The motion carried unanimously.

6. 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.

Several members of the Shellstone Subdivision Community expressed their concerns to the Council concerning the annexation of the Shellstone Property. Their main concerns were about traffic.

Don Waller, 120 Shellstone Drive requested a delay in the annexation until the

developer can identify that he has adequate access to the property that does not involve Shellstone Subdivision.

7. Presentation

a. Kate Kizito - Main Street SC

Kate Kizito gave a presentation on the Municipal Associations Main Street, South Carolina initiative. She stated that Fountain Inn has moved from the "friend" level to "aspiring" level. The change gives Fountain Inn access to more resources, training, and grant opportunities, which is designed to help cities preserve, improve and invest in their community. There will be public input meetings scheduled in January.

8. 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. Approve October, 28, 2021 Council Workshop and November 10, 2021 Regular Council Meeting Minutes

Motion by Mayor Pro Tem Clemmer, second by Councilmember Blackstone to approve the October 28, 2021 Council Workshop and November 10, 2021 Regular Council Meeting Minutes. The motion carried unanimously 6/0.

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

a. November Reports

Shawn Bell updated Council on November events.

10. Unfinished Business -

a. Second Reading, Z 2021-2 S Woods Drive

Mr. Bell stated Z 2021-2 would rezone 10.9 acres on five parcels from S-1, Services District and I-1, Industrial District to C-2, Commercial District. The subject property is roughly bound by Interstate 385, SC-418, and S. Woods Drive. It is the former location of the Fountain Inn Frozen Food facility; the majority of the acreage is undeveloped.

The Planning Commission voted unanimously (4-0) in favor of the rezoning at the October 4, 2021 meeting.

The commercial broker, John Plank of SVN Blackstream, spoke in favor of the rezoning. He stated that the plans were still preliminary, may be mixed use, and C-2 zoning was chosen for the maximum number of land uses available to his client Pakt Divine LLC. Single-family attached (townhomes), multifamily, and commercial uses are all allowed in the C-2 Commercial zone.

Motion by Mayor Pro Tem Clemmer, second by Councilmember Blackstone to Approve Second Reading, Z 2021-2 S Woods Drive.

Roll Call Vote:

Aye: Mayor McLeer, Councilmember Sanders, Mayor Pro Tem Clemmer, Councilmember Don, Councilmember Blackstone

Nay: Councilmember Thomason, Councilmember Garrett

The motion carried 5/2.

b. Second Reading, Ordinance 2021-11 Business License Standardization

Mr. Bell stated this ordinance is to repeal Chapter 11, Article II - Business Licenses, of the code of Ordinances for the City of Fountain Inn and to adopt the model business license ordinance for 2021 requiring businesses in the city to obtain a business license and to pay the business license tax.

A Council work session was held on October 28th to review the South Carolina Business License Tax Standardization Act which becomes effective January 1, 2022. The Act mandates that the city adopts in its entirety the requirements of the Act so that the requirement to obtain a business license, the process to obtain a business license, and the application for a business license will be standardized statewide. The City is further required to consider and adjust the business license tax rate classifications and rates and rebalance the business license tax rates to ensure revenue neutrality during the 2022 business license cycle such that the mandated adoption of the new rate classification and rates will not result in a revenue windfall relative to the City's 2020 business license tax revenue.

Motion by Councilmember Thomason, second by Mayor Pro Tem Clemmer to Approve on second reading, Ordinance 2021-11 Business

License Standardization.
The motion carried unanimously 7/0.

c. Second Reading, Ordinance 2021-12 Development Agreement with Fox Tail Developers

Mr. Bell stated that Ordinance 2021-12 will adopt a development agreement with Fox Tail Developers, LLC; to authorize the reimbursement of an amount not to exceed \$200,000 for public sewer improvements to expand the city's sewer utility; and matters related thereto.

Fox Tail Developers, LLC owns certain real property within the corporate limits of Fountain Inn, described as 13.24 acres located at the intersection of Fairview Street Extension and Old Fairview Road. The developer intends to design, develop, construct, and do all other things necessary to provide for 53 residential lots for the construction of single-family homes on the project property.

The project includes certain public improvements as identified in the Project Development agreement to be entered into between FTD and the City concerning the construction of a sanitary sewer line that has sufficient capacity to serve the project and other real property within the sewer basin.

The project will expand the city's existing sewer system to serve property that is currently unserved, provide for the provision of natural gas to the development served by Fountain Inn Natural Gas, increase the tax base as a result of the public improvements being made, and is anticipated to act as a catalyst for high quality development in the surrounding area.

Motion by Councilmember Thomason, second by Councilmember Blackstone to Approve on second reading, Ordinance 2021-12 Development Agreement with Fox Tail Developers. The motion carried unanimously 7/0.

11. New Business -

a. First Reading, AX 2021-5 Lafayette Avenue

Mr. Bell stated that AX2021-5 would annex approximately 93 acres at 110 Lafayette Avenue into the City limits of the Fountain Inn; zone TMS# 0556010100400 to R-12, Residential District and assign the parcel to Council Ward 4. This tract of land is currently accessible from a dirt road extension of Hellams Street and a residential driveway located on TMS#

0557000101500 (Shellstone Park subdivision).

The applicants, DJ Acquisitions LLC and Doran Companies, are requesting annexation in order to explore developing a residential subdivision. The current property owner is Hinson Dianne T Revocable Trust.

The current zoning is R-S, Residential Suburban in Greenville County. Upon annexation the request is to rezone R-12, Residential, a Medium-Low Density zone per the 2017 Fountain Inn Master Plan. R-12 zoning allows for lots greater than 12,000 sq. ft. or 3.6 units per acre of development (15%-30% open space).

The Planning Commission voted unanimously (6-0) in favor of the annexation and zoning at the November 15, 2021 public hearing. No persons spoke in opposition at the hearing; however, staff has received fourteen phone calls, four emails, and two office visits regarding the notice signs posted near the property between November 15th and December 1st. All parties lived in the Shellstone (County) and Garrett Springs (City) communities.

Motion by Councilmember Thomason, second by Councilmember Garrett to table AX 2021-5 Lafayette Avenue. The motion carried unanimously 7/0.

b. First Reading TX 2021-3 to amend Article 5, District Regulations of the City of Fountain Inn Zoning Ordinance; to amend Section 5:6 - C-2, Commercial District and various provisions relating thereto

Mr. Bell stated that TX 2021-3 authorizes the amendment of Zoning Ordinance Article 5, District Regulations, Section 5:6 be amended as shown on attachment 1 entitled "Amendment to Zoning Ordinance", Section 5:6 - C-2, Commercial District" to remove "Any use permitted in the R-M, Multifamily Residential District; and C-1, Commercial District, excluding Detached single-family dwellings."

Zoning Ordinance, Article 5, District Regulations, Section 5:6.2. Uses permitted by Special Exception be amended as shown on Attachment 1 entitled: "AMENDMENT TO ZONING ORDINANCE, Section 5:6.-C-2, Commercial District." to add "attached single-family dwelling, Detached single-family dwelling, Dwelling, multifamily".

Motion by Mayor McLeer, second by Councilmember Don to Approve on first reading TX 2021-3 to amend Article 5, District Regulations of the City of Fountain Inn Zoning Ordinance; to amend Section 5:6 - C-2, Commercial District and various provisions relating thereto. The motion carried unanimously 7/0.

12. Executive Session -

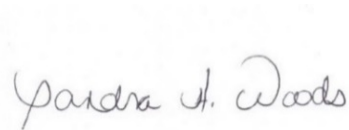
Mayor McLeer stated that the council will not be discussing the executive session agenda item tonight.

- a. Discussion of matters relating to the proposed location, expansion, or the provision of services related to Project Buffalo**

After coming out of Executive Session Council may vote on items discussed during Executive Session.

13. Adjourn

Motion by Mayor Pro Tem Clemmer, second by Councilmember Sanders to adjourn the meeting. The motion carried unanimously.

A handwritten signature in blue ink that reads "Sandra H. Woods". The signature is written in a cursive, flowing style.

Sandra H. Woods, CMC
Municipal Clerk