

**CITY OF FOUNTAIN INN COUNCIL MEETING MINUTES
AUGUST 13, 2009 – 6:00 PM
COUNCIL CHAMBERS – CITY HALL**

COUNCIL IN ATTENDANCE: Jay Thomason, Celia Tuttle, Wanza Bates, Erick Chapman, Berry Woods, Jr., Matthew King, Mayor Long

STAFF IN ATTENDANCE: Eddie Case, Sandra Woods, Keith Morton, Mike Pitman, Chris Barrineau, Dan Powell, Van Broad, Ronnie Myers,

CITY ATTORNEY: David Holmes

WELCOME/CALL TO ORDER: Mayor Long

INVOCATION: Reverend Tim Pigg

PLEDGE OF ALLEGIANCE

Mayor Long requested that we change the order of business – Cigarette Litter Prevention Ordinance should be under new business. We will go into our citizen comment at this time.

CITIZEN COMMENT: Reverend Bearden, Reverend Lomax and Topper Hart
Reverend Mike Bearden – Spoke in opposition of the ordinance.
Reverend Steven Lomax – spoke in opposition of the ordinance.
Topper Hart – spoke in opposition of the ordinance.

Ordinance 2009-007 to amend Section 4-1 Entitled Definitions to define the words “Public Place” and various provisions relating thereto. First reading; also, suggested policy for Council to approve

Mayor Long explained that this was brought before Council by the Chamber of Commerce about a year ago. At that time it was tabled and given to the Economic Development Committee to work out a policy to give the Chamber of Commerce what they needed and a policy that would protect our city. My stand earlier was I did not want to see alcohol paraded about on our streets. The committee has laid out a pretty good plan. It will not please everyone if it passes, but it is a plan.

Celia Tuttle recommended that we change the definition of “public place” in the ordinance.

David Holmes reviewed the ordinance with Council. The current ordinance prohibits the consumption of alcohol in a public place, but it does not define what a public place is. The proposed ordinance adds the definition of public place by saying “it shall not include The Civic Center Complex, Fountain Inn Commerce Park and Historical Center, Fountain Inn Activities Center or the Fountain Inn Natural Gas building”. It is my

understanding that in addition to this change a policy from the Economic Development Committee would prohibit the sale of any alcoholic beverage. The policy will be presented at a later date.

Discussion

MOTION BY CELIA TUTTLE: to approve Ordinance 2009-007 as presented on first reading. Six in favor, one opposed (Erick Chapman) The motion carried.
(A workshop will be planned before second reading)

COMMITTEE REPORTS

Committee reports are on file with the City Clerk

CONSENT AGENDA:

Approval 7/9/09 Minutes

Approval of July 2009 financial statement

MOTION BY WANZA BATES: to approve the consent agenda. The motion carried unanimously.

OLD BUSINESS

Ordinance 2009-006 Hospitality Tax Penalty, Second Reading

Mayor Long reminded Council that this penalty is only for the businesses who fail to pay on time. The penalty shall be 1 ½% per month, 18% per year plus a \$500 administrative fee.

MOTION BY CELIA TUTTLE: to approve Ordinance 2009-006 Hospitality Tax Penalty as presented on second reading. The motion carried unanimously.

LAURENS ELECTRIC CONTRACT

This topic will be discussed in executive session.

NEW BUSINESS

SCDOT I-385 AGREEMENT

Tommy Elrod with SCDOT explained he is receiving bids next month on the project to reconstruct the pavement on a two mile section of I-385 from the Laurens County Line just south of 418 to tie into the new pavement at the Harrison Bridge Road project. Some of that is within the city limits and to comply with state law we have submitted a municipal state agreement to you. We need to obligate the money by the end of September, roughly ten million dollars, that's a critical part of meeting our obligations to use up the federal money that comes to us every year. We will raise the bridge at 418 and raise the bridge at Fairview Street about two feet. We will put a median barrier down the median so that there will no longer be the cable guard rail within those limits. The access lane will tie into the lane that merges with Harrison Bridge Road.

MOTION BY BERRY WOODS: to approve the agreement with SCDOT by resolution. The motion carried unanimously.

SENIOR ACTION – MEMORANDUM OF UNDERSTANDING

Eddie Case explained that we have been working with Senior Action to try to merge the Senior Action program at the Civic Center that has been going on a number of years that has dwindled in attendance with the Senior Adult program that is taking place at the Activities Center. This is for information, but we would like a resolution from Council.

MOTION BY ERICK CHAPMAN: to accept the memorandum of understanding with Senior Action. The motion carried unanimously.

Ordinance 2009-008 to authorize the transfer of city property to the SCDOT in connection with a road improvement project on N. Main Street between Howard Drive and Quail Run Circle

Eddie Case explained at the North Main/Quail Run Entrance where the meter station is there will have to be a turning there where the Commercial Bank of Honea Path will be. This is the first phase of this project

MOTION BY BERRY WOODS: to approve the ordinance on first reading. The motion carried unanimously.

CIGARETTE LITTER PREVENTION PROGRAM RESOLUTION

MOTION BY MATTHEW KING: to approve by resolution the Cigarette Litter Prevention Program Proclamation. The motion carried unanimously.

For the record – Berry Woods left the meeting at this point.

EXECUTIVE SESSION

Personnel matter, Legal briefing, Contract matter

MOTION BY JAY THOMASON: to meet in executive session.

Back in session.

MOTION BY JAY THOMASON: to amend the Laurens Electric contract by taking out two items of the Laurens Electric agreement. The motion carried unanimously.

Respectfully submitted,

Sandra H. Woods
Clerk/Treasurer