

**AGENDA**  
OF THE SIMPSONVILLE CITY COUNCIL  
**COMMITTEE OF THE WHOLE**  
**April 26, 2022**  
**6:30pm**  
**Council Chambers – City Hall**

1. **CALL TO ORDER**.....Mayor Shewmaker
2. **ROLL CALL**.....City Clerk, Phyllis Long
3. **PLEDGE OF ALLEGIANCE**
4. **APPROVAL OF MINUTES** – March 22, 2022
5. **CITIZEN COMMENTS**
6. **STAFF REPORTS** – Department Heads will be available to answer any questions concerning the departmental monthly reports for Police, Fire, Recreation and Public Works
  - a. Monthly Financial Report ..... Director Finance, Christine Furino
  - b. Economic Development..... Planning & Economic Development Director, Jason Knudsen
  - c. Community Relations Specialist Report.....Community Relations Specialist, Justin Campbell
  - d. City Administrator Report..... City Administrator, Dianna Gracely
7. **BUSINESS**  
*Items Anticipated to Come Before Council*
  - a. SP-2022-03, Fairview Road Storage ID Major Change.....Jon Derby, Planner
  - b. Discussion of the Proposed FY 2022-2023 Budget.....City Administrator, Dianna Gracely
  - c. Discussion of Ordinance #2022-01 Sewer Rate Structure.....City Administrator, Dianna Gracely
  - d. Resolution #2022-02, ARPA.....City Administrator, Dianna Gracely
8. **ADJOURN**

**PLEASE NOTE: This Agenda is accurate as of the Friday immediately preceding the Council meeting but is subject to change until twenty-four (24) hours prior to the meeting. Please contact the City Clerk the day of the meeting for the latest agenda information.**

**CITY OF SIMPSONVILLE, SOUTH CAROLINA**

**TITLE: AN ORDINANCE TO RE-STATE AND CLARIFY THE CITY'S SEWER RATE FEES AND REPEALING ANY PREVIOUS ORDINANCE IN CONFLICT THEREWITH**

**BASIS FOR THE ORDINANCE:** SOUTH CAROLINA CODE ANN. § 6-1-330 *et. seq.* South Carolina Code of Laws

**EFFECTIVE DATE OF ORDINANCE:** Upon final approval by Council after second reading and signing by the Mayor.

**WHEREAS**, pursuant to S.C. Code Ann. §6-1-330 the City may adopt and impose user fees, to include fees for the City's sewer utility; and

**WHEREAS**, on June 12, 2012 Ordinance 2012-006 was passed, whereby the City adopted an updated "Sewer Service Fee Schedule;" and

**WHEREAS**, the 2012 Sewer Service Rate Schedule was based upon a fee study performed by Raftelis Financial Consultants, Inc. commissioned by the City to determine the fees needed to fund a nine-year sanitary sewer rehabilitation program so that the City could meet its obligations specified in an "Inter-local Agreement" the City entered with Renewable Water Resources; and,

**WHEREAS**, the rate schedule adopted in Ordinance 2012-006 was a summary schedule that did not include all of the details upon which the rate schedule was approved; and

**WHEREAS**, staff has received questions concerning how the rate schedule applies in particular circumstances and, therefore, finds that Council should adopt and publish a more detailed version of the sewer rate schedule; and

**WHEREAS**, the detailed sewer rate schedule attached to this Ordinance as Exhibit A does not change or amend in any way the City's existing sewer rate schedule, but clarifies and re-states it so that staff can correctly respond to customer questions about the fees charged;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIMPSONVILLE, SOUTH CAROLINA, AS FOLLOWS:**

**SECTION 1.** City Council does hereby adopt the Sewer Service Rate Schedule that is shown on Exhibit A attached hereto and made a part hereof by reference. In adopting the Sewer Service Rate Schedule, Council does not intend to change, amend or modify the existing sewer fee being charged.

**SECTION 2. REPEAL OF CONFLICTING ORDINANCES:** All ordinances, order, resolutions, and parts thereof in conflict herewith are, but only to the extent of such conflict, are hereby **REPEALED** and this Ordinance shall take effect and be in full force from and after its passage and approval.

**SECTION 3. PROVISION SEVERAGE:** If any section, subsection, sentence, clause, or phrase of

this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The CITY COUNCIL hereby declares that it would have passed this ordinance, and each section, subsection, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 4. AUTHORIZATION: The Mayor, City Administrator, and the City Clerk, for and on behalf of the City, acting jointly or individually, are fully empowered and authorized to take such further action as may be reasonably necessary to effect the amendments authorized by this Ordinance in accordance with the conditions herein set forth.

SECTION 5. SAVINGS CLAUSE: Nothing in this ordinance hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as stated in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this ordinance.

SECTION 6. The CITY CLERK is hereby ordered and directed to cause this ordinance to be published according to law.

SECTION 7. EFFECTIVE DATE: This ordinance and the rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect upon passage and signing by the Mayor.

**Done in meeting duly assembled this \_\_\_\_ day of \_\_\_\_\_, 2022**

SIGNATURE OF MAYOR:

\_\_\_\_\_  
Paul D. Shewmaker

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Phyllis Long  
City Clerk

\_\_\_\_\_  
David W. Holmes  
City Attorney

FIRST READING: \_\_\_\_\_

SECOND READING: \_\_\_\_\_

EXHIBIT A

Sewer Service Rate Schedule

Low Volume Users Water Meter Size	Monthly Sewer Service Fees (Base Fee up to 500,000 gallons per month)	
	Inside City	Outside City
Residential Users <2,700 per month	\$5.21	\$7.82
Residential Users >2,700 per month 5/8" & 3/4"	\$15.42	\$22.58
Multi-Family - \$15.42 x Multiplier (Volume use does not apply)	\$15.42	N/A
3/4"	\$21.50	\$3.50 per 1,000 gallons of water used
1"	\$37.29	\$3.50 per 1,000 gallons of water used
1.5"	\$53.75	\$3.50 per 1,000 gallons of water used
2"	\$161.25	\$3.50 per 1,000 gallons of water used
3"	\$268.75	\$3.50 per 1,000 gallons of water used
4"	\$617.79	\$3.50 per 1,000 gallons of water used
6"	\$806.25	\$3.50 per 1,000 gallons of water used
8"	\$1,075.00	\$3.50 per 1,000 gallons of water used

High Volume Users	Sewer Service per 1,000 gallons	
Base Fee as Above, Plus:	Inside City	Outside City
Usage Beyond 500,000 gallons per month	\$0.54	\$1.00

A RESOLUTION

A RESOLUTION ELECTING THE STANDARD ALLOWANCE FOR LOST REVENUES  
UNDER THE AMERICAN RESCUE PLAN

**WHEREAS**, the Final Rule for Coronavirus State and Local Fiscal Recovery Funds, 31 C.F.R. Part 35 (the “Final Rule”), provides that American Rescue Plan Act Local Fiscal Recovery Funds (“ARPA Funds”) may be used for the provision of government services to the extent of the reduction in the recipient’s general revenue due to the public health emergency, 31 C.F.R. § 35.6(d); and

**WHEREAS**, the Final Rule allows recipients to determine the reduction in general revenue by applying a standard allowance of \$10 million, 31 C.F.R. § 35.6(d)(1), or by applying a formula, 31 C.F.R. § 35.6(d)(2); and

**WHEREAS**, the Final Rule allows recipients to determine the reduction in general revenue by applying a standard allowance of \$10 million, 31 C.F.R. § 35.6(d)(1), or by applying a formula, 31 C.F.R. § 35.6(d)(2);

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of City of Simpsonville, South Carolina, as follows:

Section 1. The Council of the Municipality hereby elects to apply the standard allowance of \$10 million to calculate the reduction in its general revenue during the test period.

Section 2. The Municipality acknowledges that the Final Rule does not become effective until April 1, 2022. As noted in the Overview of the Final Rule provided by the United States Department of the Treasury, however, “recipients can choose to take advantage of the final rule’s flexibilities and simplifications now, even ahead of the effective date.” *See Coronavirus State & Local Fiscal Recovery Funds: Overview of the Final Rule*, U.S. Department of the Treasury, p. 5. The Municipality is hereby choosing to take advantage of such flexibilities and simplifications.

Section 3. The Municipality acknowledges that the standard allowance is limited to the amount of ARPA Funds actually received by the Municipality. The Municipality therefore declares that the reduction in its general revenue during the test period is equal to the lesser of (a) \$10 million, or (b) the amount of ARPA Funds awarded to and/or received by the Municipality.

Section 4. The Municipality will appropriate the ARPA Funds by budget ordinance, and will expend the ARPA Funds for qualifying purposes, before December 31, 2024.

Section 5. The City Administrator of the Municipality is hereby authorized and directed to provide such additional documentation, assurances, or certifications as may be required by the United States Government or the State of South Carolina in order to carry out the purposes of this resolution.

Done in meeting duly assembled this 26<sup>th</sup> day of Aril, 2022.

**CITY OF SIMPSONVILLE, SOUTH CAROLINA**

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

