

AGENDA
OF THE SIMPSONVILLE CITY
COUNCIL BUSINESS MEETING
July 12, 2022
6:30pm
City Hall – Council Chambers

1. **CALL TO ORDER**..... Mayor Shewmaker
2. **ROLL CALL**..... City Clerk, Phyllis Long
3. **PLEDGE OF ALLEGIANCE**
4. **PRESENTATION - Susan McLarty – Greenville Homeless Alliance**
5. **APPROVAL OF MINUTES – June 14, 2022**
6. **CITIZENS COMMENTS**
7. **BUSINESS**
 - a. 2nd Reading of AXZ-2022-01, Proposed Annexation/Rezoning of property located at 305 Harrison Bridge Road
.....Jon Derby, Planner
 - b. Re-Alignment to Counter Clockwise Direction – Academy and Curtis.....City Administrator, Dianna Gracely
 - c. 1st Reading of Ordinance #2022-03, Appointments, Terms of Office and Responsibilities.....City Administrator,
Dianna Gracely
 - d. Resolution #2022-03, Cooperative Agreement with GCRA.....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.

ORDINANCE NO. AXZ-2022-01

AN ORDINANCE TO ADOPT A PETITION FOR ANNEXATION OF 305 HARRISON BRIDGE RD, BY MARTIN FAMILY LIMITED PARTNERS INTO THE CITY OF SIMPSONVILLE, SOUTH CAROLINA

WHEREAS, the South Carolina Code of Laws of 1976, as amended, Chapter 23 Title 5 provides for the process for municipalities to annex and rezone property; and

WHEREAS, the City of Simpsonville has enacted a Zoning Ordinance which governs amendments to the Official Zoning Map; and

WHEREAS, the hereinafter described property was advertised on April 1, 2022, and the City of Simpsonville Planning Commission held a public hearing on May 3, 2022.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIMPSONVILLE, SOUTH CAROLINA, THAT:

1. **ANNEXATION:** The attached Petition for Annexation and Rezoning into the City pursuant to South Carolina Code of Laws Section 5-3-150, wherein the property owner has signed a petition requesting annexation into the City of Simpsonville requesting the annexation of land depicted in the deeds contained in Book 2405 on Page 376 of the official records of the Greenville County Register of Deeds and as depicted in Exhibit “A” & “B” attached hereto, is hereby made a part of this Ordinance and approved and the property described therein is hereby declared to be annexed into the City of Simpsonville.

2. **ZONING CLASSIFICATION:** The Official Zoning Map of the City of Simpsonville is hereby amended to assign these properties as depicted in Exhibit “A” & “B”, the zoning classification of B-G, Business-General District.

3. **FUTURE LAND USE MAP DESIGNATION:** The Future Land Use Map of the City of Simpsonville is hereby amended to assign all property depicted in Exhibit “A” & “B”, the future land use map designation of Village Activity Center.

4. **PROVISION SEVERAGE:** It is hereby declared to be the intention of the governing authority of this municipality that the sections, subsections, paragraphs, sentences, clauses and phrases are severable, and if any phrase, clause, sentence, paragraph, subsection, or section of this Ordinance shall be declared invalid or unconstitutional by the valid judgment or decree of any court or competent jurisdiction, such invalidity or unconstitutionality shall not effect any of the remaining portions of this Ordinance so held to be invalid.

5. **ORDINANCE SUPERSEDES PREVIOUS INCONSISTENT LEGISLATION:** All Ordinances or parts of Ordinances inconsistent herewith, which may have heretofore been passed by the Simpsonville City Council, are hereby repealed.

6. **DISTRICT ASSIGNMENT:** The within described property shall be assigned to City Council Ward Five (5).

7. **FLOOD RATE INSURANCE MAPS:** In accordance with the provisions of 44 CFR §64.4, in the event that the newly annexed area was previously located in a community participating in the NFIP Program, pending formal adoption of the amendment to its flood plain management regulations, the City hereby certifies that within the newly annexed area the flood plain management requirements previously applicable in the area remain in force. In the event that the newly annexed area was previously located in a community not participating in the NFIP Program, upon annexation, and pending formal adoption of the amendments to its flood plain management regulations, the City certifies that it shall enforce within the newly annexed area, existing flood insurance policies which shall remain in effect until their date of expiration may be renewed, and new policies may be issued.

8. **METROPOLITAN SEWER SUBDISTRICT:** It is the intent of City Council that the area described herein to be annexed is currently served by Metropolitan Sewer Subdistrict (hereinafter “Metropolitan”). At the time of the passage of this Ordinance, it is the intent of the City that Metropolitan shall continue to provide sewer service to the annexed area. Therefore, Greenville County shall continue to collect the millage currently assessed by Metropolitan on the annexed area and to remit the same directly to Metropolitan until notified otherwise by the City.

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

SIGNATURE OF MAYOR:

Paul Shewmaker

ATTEST:

APPROVED AS TO FORM:

Phyllis Long
City Clerk

Daniel Hughes
City Attorney

First Reading: June 14, 2022

Second Reading: July 12, 2022

ORDINANCE NUMBER 2022-03

**AN ORDINANCE TO AMEND SECTION 2-191 AND SECTION 2-221 OF
ARTICLE III (OFFICERS AND EMPLOYEES) OF CHAPTER 2
(ADMINISTRATION) OF THE CITY OF SIMPSONVILLE CODE OF
ORDINANCES**

WHEREAS, the City of Simpsonville City Council reviews its Ordinances at various times to make necessary improvements and/or changes; and,

WHEREAS, the City of Simpsonville desires to amend its existing ordinances to remove mandatory terms of appointment for the City Clerk, City Treasurer, and City Attorney.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Simpsonville as follows:

Section 1. Amendment. Amend Section 2-191 and Section 2-221 of Article III (Officers and Employees) of Chapter 2 (Administration) as follows:

Sec. 2-191. Election; term.

At the time appointed for the regular election of the officers of the city, there shall be elected by the council an officer to be known as the city clerk and an officer to be known as the city treasurer. These officers shall hold office at the pleasure of council. ~~for the term of two years, or until his successor is duly elected and qualified, unless removed from office by the council.~~
(Code 1995 § 2-166)

Sec. 2-221. Appointment; term.

The council shall appoint as city attorney a person who is a member of the state bar association and admitted to practice law in the state. The attorney shall serve at the pleasure of council. ~~The appointment will be for a period of two years, the term to begin on January 1 after appointment and expire on December 31.~~
(Code 1995, § 2-191)

Section 2. This ordinance shall be effective immediately upon second reading approval hereof.

CITY OF SIMPSONVILLE, SOUTH CAROLINA

Paul Shewmaker, Mayor

ATTEST:

Phyllis Long, Municipal Clerk

First Reading: _____, 2022

Second and
Final Reading: _____, 2022

Approved as to Form:

Daniel R. Hughes, City Attorney

RESOLUTION NUMBER #2022-03

A RESOLUTION ALLOWING THE CITY OF SIMPSONVILLE TO CONTINUE THE COOPERATIVE AGREEMENT WITH THE COUNTY OF GREENVILLE AND THE GREENVILLE COUNTY REDVELOPMENT AUTHORITY IN ORDER TO MAINTAIN URBAN COUNTY STATUS WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

WHEREAS, since 1978 the County of Greenville has joined with the five included small municipalities of Fountain Inn, Greer, Mauldin, Simpsonville, and Travelers Rest, executing a Cooperative Agreement every three years, in order to obtain Urban County status with the United States Department of Housing and Urban Development and be eligible to receive annual Urban County entitlement grants of Community Development Block Grant, HOME Partnership Grant, and Emergency Solutions Grant funds; and

WHEREAS, said partnership has been successful, resulting in the receipt of millions of dollars in grant funds by the County and these municipalities which has been vital in providing and improving housing for low- and moderate-income families in the County and said municipalities as well as the infrastructure, recreation, and social services in their communities and throughout the County; and

WHEREAS, the County and said municipalities have designated the Greenville County Redevelopment Authority as their agent to administer said grant funds; and

WHEREAS, this partnership and arrangement has been beneficial to all parties; and

WHEREAS, it is now time to recertify participation in the continuous Cooperative Agreement for fiscal years 2023 - 2025; and

WHEREAS, this Cooperative Agreement shall automatically be renewed for participation in successive three-year qualification periods, unless the County of Greenville or the participating municipalities of Fountain Inn, Greer, Mauldin, Simpsonville, and Travelers Rest elect not to participate in a new qualification period;

NOW, BE IT THEREFORE RESOLVED, that the City of Simpsonville shall continue its Cooperative Agreement with the County of Greenville and appoint the Greenville County Redevelopment Authority as its agent for the purpose of administering any grant funds received as a result of said agreement for fiscal years 2023 - 2025.

PASSED, ADOPTED AND APPROVED, by the Council of the City of Simpsonville on this _____ day of _____ 2022.

Attest:

Paul Shewmaker, Mayor

Phyllis Long, City Clerk

Reviewed:

Dianna W. Gracely, City Administrator