

AGENDA
OF THE SIMPSONVILLE CITY COUNCIL
BUSINESS MEETING
June 13, 2023
6:30pm
Council Chambers – City Hall

1. **CALL TO ORDER**.....Mayor Shewmaker
2. **ROLL CALL**.....City Clerk, Ashley Clark
3. **PLEDGE OF ALLEGIANCE**
4. **PRESENTATION-Proclamation**.....Mayor, Shewmaker
Juneteenth Day 2023
5. **APPROVAL OF MINUTES**- May 9, 2023
6. **CITIZEN COMMENTS**
7. **BUSINESS**
 - A. 2nd Reading of Ordinance O-2023-02, FY 2023-2024 Budget.....City Administrator, Dianna Gracely
 - B. Resolution 2023-03, Cooperative Agreement with Greenville County Redevelopment Authority.....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 ADOPT THE BUDGET FOR THE CITY OF SIMPSONVILLE, SOUTH CAROLINA, FOR FISCAL YEAR 2023-2024 ACCORDING TO THE TERMS AND PROVISIONS CONTAINED THEREIN; FIXING THE MILLAGE RATE AT 59.8 MILS; AUTHORIZING THE TRANSFER OF UP TO \$583,998 FROM THE SPECIAL REVENUE FUND TO PAY FOR OPERATIONAL EXPENSES; AUTHORIZING THE TRANSFER OF UP TO \$239,699 FROM THE SEWER FUND TO PAY FOR OPERATIONAL EXPENSES; AUTHORIZING THE TRANSFER OF UP TO \$250,000 FROM PUBLIC WORKS ENTERPRISE FUND FOR ROAD IMPROVEMENT EXPENSES; AUTHORIZING THE TRANSFER OF UP TO \$250,000 TO THE CAPITAL PROJECTS FUND; SETTING THE PUBLIC WORKS FEE TO BE COLLECTED ON ALL IMPROVED REAL PROPERTY; AND REPEALING ANY PREVIOUS ORDINANCE IN CONFLICT THEREWITH

BASIS FOR THE ORDINANCE: SOUTH CAROLINA CODE ANN. § 5-11-40 *et. seq.* South Carolina Code of Laws

EFFECTIVE DATE OF ORDINANCE: July 1, 2023, and upon final approval by Council after second reading and signing by the Mayor.

WHEREAS, pursuant to S.C. Code Ann. §5-11-40 the City Council shall adopt an annual budget for the operation of the City and capital improvements for Fiscal Year 2023-2024; and

WHEREAS, Council has carefully studied and examined the financial needs for operations for the coming fiscal year after discussions with the City Administrator and all Department Heads; and

WHEREAS, having considered the budget requests for the coming fiscal year and having determined that it is in the best interests of the taxpayers of the City to adopt a comprehensive budget based upon estimated revenues and to provide appropriations for City operations and debt service for all City departments; and

WHEREAS, pursuant to S.C. Code Ann. §6-1-80 the City has provided notice to the public by advertising the public hearing before the adoption of the budget for the next fiscal year in a newspaper of general circulation in the area, given that not less than fifteen days in advance of the public hearing in the form as prescribed by law; and

WHEREAS, after a public hearing and receiving public comment the City Council finds that the budget for Fiscal Year 2023-2024 should be adopted;

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

SECTION 1. ADOPTION OF THE BUDGET FOR THE CITY OF SIMPSONVILLE, SOUTH CAROLINA, FOR FISCAL YEAR 2023-2024:

1.1. The budget document entitled: "CITY OF SIMPSONVILLE: BUDGET FOR FISCAL YEAR 2023-2024" is hereby ADOPTED and incorporated herein by reference.

1.2. The millage rate for FY 2023-2024 is as follows:

OPERATING MILLAGE

	2022	Increase ¹		Total 2023
Operating Base Millage	59.8			59.8
Reserve Account Millage*				
Lease Purchase Millage**				
Debt Millage				
Total	59.8			59.8

*Millage levied pursuant to Sec. 6-1-320(D) to "maintain a reserve account."

**Millage levied pursuant to Sec. 6-1-320(D) for "real property purchased using a lease-purchase agreement"

¹Millage increases for 2021 are limited to the millage cap established by SC Code Sec 6-1-320.

SURCHARGE MILLAGE

	2022	2023
Surcharge Millage	0.0	0.0

Statutory Reasons under Section 6-1-320(B) for surcharge: (please check one)

- (1) deficiency of the preceding year
- (2) catastrophic event (natural disaster, act of God, etc.)
- (3) compliance with a court order or decree
- (4) taxpayer closure (decreases by 10% or more prior year revenue)
- (5) compliance with a federal or state unfunded regulation or statute

1.3. Public Works Fee:

- a. A Public Works Fee of One Hundred Sixty-Seven Dollars (\$167.00) shall be collected on each separate taxable parcel of improved real property located within the city limits of Simpsonville.
- b. A Public Works Fee of One Hundred Sixty-Seven Dollars (\$167.00) shall be collected times the number of commercial units or spaces located on each taxable parcel of improved real property located within the core central business district as that district is identified on a map maintained in the Office of the City Planning Director that currently use a single roll-a-waste container for solid waste collection. This service will not include recycling, brush, leaves or white

goods collection.

- c. A Public Works Fee of One Hundred Sixty-Seven Dollars (\$167.00) shall be collected on each dwelling unit of a duplex located on each taxable parcel of improved real property located in the City.
- d. A Public Works Fee of One Hundred Sixty-Seven Dollars (\$167.00) shall be collected on every mobile home located with a mobile home park. The City Treasurer shall cause the fee to be collected on the annual mobile home county tax notice.

1.4. The City Administrator is authorized to transfer an amount not to exceed Five Hundred Eighty-Three Thousand, Nine Hundred and Ninety-Eight Dollars (\$583,998) from the Special Revenue Fund to fund operational expenses.

1.5. The City Administrator is authorized to transfer an amount not to exceed Two Hundred Thirty-Nine Thousand, Six Hundred Ninety-Nine Dollars (\$239,699) from the Sewer Fund to fund operational expenses.

1.6. The City Administrator is authorized to transfer an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000) from the Public Works Enterprise Fund to fund road improvement expenses.

1.7. The City Administrator is authorized to transfer an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000) to the Capital Projects Fund to cover the purchase of a Heavy Rescue Fire Truck in fiscal year 2026-2027.

1.8. In order to provide for unforeseen expenditures or new opportunities throughout the year, the General Fund budget will have a contingency of Forty-Seven Thousand, Five Hundred Dollars (\$47,500) that will be used only with City Administrator approval.

1.9. All revenues provided for by law shall be collected and placed in ordinary City funds to supplement and provide sufficient funds for all ordinary City purposes. No public funds of the City of Simpsonville shall be deposited unless the bank or depository shall pledge to the City Administrator a security equal in value to the funds deposited, after Federal Deposit Insurance Corporation guarantees have been considered. The security shall consist of either a surety bond executed by a licensed surety company, United States Government Bonds, bonds of the State of South Carolina or such other security as shall be approved in writing by a majority of the City Council.

1.10. Funds appropriated herein are to be expended only in compliance with policies adopted by City Council or, at City Council's direction, as formulated and implemented by the City Administrator, either existing or adopted.

1.11. The County Auditor of Greenville County shall levy an ad valorem tax on all taxable property owned and used in the City of Simpsonville, South Carolina, except such as may be exempt from taxation under the Constitution and laws of the state of South

Carolina. The tax shall be collected and paid into the treasury of Greenville County for credit to the City of Simpsonville.

1.12. City Council reserves the right to amend and alter any appropriation contained herein.

1.13. Any transfer of funds, except as allowed for in this ordinance and except for transfers within a department's budget line items (provided the overall department's budget appropriations do not change) must be reported in the monthly Financial Report to City Council and must be approved by a majority vote of the City Council.

1.14. Expenditure of funds from the General Fund and other City funds, as outlined in the General Fund budget or other budget as approved by City Council, is hereby approved by the City Council and the City Administrator is authorized to expend funds in accordance therewith.

1.15. The annual budget documents and the estimated revenue for the payment of same is hereby adopted and is made a part of this Ordinance as fully as if incorporated herein.

1.16. The purchase of supplies and repairs must be in accordance with provisions of the City's Procurement Ordinance; however, the City Administrator is authorized to purchase used vehicles and equipment from scheduled surplus equipment sales sponsored by City, County, State and Federal government agencies, outside of the requirements of the Procurement Ordinance and procedures of the City of Simpsonville.

1.17. Fees collected by all offices of the City shall be remitted to the City Administrator or her designee for deposit for general City purposes.

1.18. The City Administrator is hereby directed to transfer that sum which represents 75% of the surplus funds, as determined by the annual audit, to the Capital improvement Fund.

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 and be in full force and effect from and after July 1, 2023, as set forth herein.

Done in meeting duly assembled this 13th day of June, 2023

SIGNATURE OF MAYOR:

Paul D. Shewmaker

ATTEST:

APPROVED AS TO FORM:

Ashley Clark
City Clerk

Daniel Hughes
City Attorney

FIRST READING: May 9, 2023
SECOND READING: June 13, 2023

RESOLUTION NUMBER R2023-03

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 2024 - 2026; 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 2024 - 2026.

PASSED, ADOPTED AND APPROVED, by the Council of the City of Simpsonville on this
13th day of June 2023.

Attest:

Paul Shewmaker, Mayor

Ashley Clark, City Clerk

Reviewed:

Dianna W. Gracely, City Administrator