

Exhibit A

Seneca City Council Meeting

August 11, 2020

Page one of four

The Seneca City Council held a Council Meeting on Tuesday, August 11, 2020, at 6:00 pm in the Seneca City Hall Council Chambers. Members present were: Mayor Daniel Alexander, Mayor Pro Tem Ronnie O'Kelley, Denise Rozman, Stuart Pohl, Joel Ward, Dana Moore, Scott Durham, and WC Honeycutt. Absent: Al Gaines.

Also present were: Scott Moulder, City Administrator; Josh Riches, Finance Director; Ed Halbig, Planning Director; John Covington, Police Chief; Bob Faires, Utilities Director; Danielle Smith, Assistant Finance Officer; Debbie Williams, Executive Administrative Assistant; Carol Hall, Clerk; and other interested citizens. The press and public were notified of the meeting in advance as required by law.

Meeting to
Order

Mayor Alexander called the meeting to order. Mr. Ward gave the invocation and Mrs. Rozman led the pledge of allegiance.

Approval of
Previous
Meeting
Minutes

Motion by Mr. Honeycutt to approve the City of Seneca Council meeting minutes dated July 14, 2020, exhibit A.

Seconded by Mr. Moore

The motion passed by unanimous vote (8)

Motion by Mr. Durham to approve the City of Seneca Special Called Council meeting minutes dated July 28, 2020, exhibit B.

Seconded by Mr. Honeycutt

The motion passed by unanimous vote (8)

Motion by Mr. Ward to approve the Seneca Planning Commission meeting minutes dated July 20, 2020, exhibit C.

Seconded by Mr. Durham

The motion passed by unanimous vote (8)

Motion by Mr. Durham to approve the Zoning Board of Appeals meeting minutes dated July 23, 2020, exhibit D.

Seconded by Mr. Pohl

The motion passed by unanimous vote (8)

Public
Comment

Robert Bird – 513 W Quincy Rd

Mr. Bird spoke about his perspective of the April 13th Tornado. He is speaking to council as someone who lives in the City and works for the City. As he was working during the aftermath of the tornado, he saw the City Administrator, the Mayor, some of Councilmembers, and the Fire Department.

He saw Street Department employees trying to clear out rights-of-way for the power guys to get the power back on, guys in the Sanitation Department working with chain saws trying to clear roads so that emergency crews could get through, Water & Sewer Department employees using chain saws to help clear rights-of-way for the power guys and the other power guys that came from outside the City, a guy driving the garbage truck running a chain saw so that people could get to their homes.

Seneca City Council Meeting

August 11, 2020

Page two of four

He spoke about these guys having families at home and them coming to help and working everyday so that he could get to his house. Mr. Bird was out there working with them, so he saw them working hard every day. He said that the City has some of the greatest people working for the City and he wanted to take this opportunity to tell council how great the people are who work for the City. They forsook their families for weeks on end. One guy was running parts that they needed back and forth to the guys to get their power back on.

Mr. Bird expressed his thanks to Council and City employees for a wonderful job they did during the aftermath of the tornado.

Pay City's
Bills

Motion by Mr. O'Kelley to pay the City's bills.

Seconded by Mr. Moore

The motion passed by unanimous vote (8)

Golden Corner
Food Pantry
Request

Motion by Mr. Ward to donate up to the requested \$2,000 to the Golden Corner Food Pantry. Funds to come from Seneca Light & Water Donation & Grant Funds, exhibit E.

Seconded by Mr. Durham

The motion passed by unanimous vote (8)

Resolution –
Annex Certain
Properties

Motion by Mr. Honeycutt to approve the Resolution to annex certain properties owned by the City of Seneca into the Corporate Limits of the City of Seneca, exhibit F.

Seconded by Mr. Moore

The motion passed by unanimous vote (8)

Ord 2020-14
Rezone 10126
Clemson Blvd

Motion by Mr. Ward to approve on 2nd Reading Ordinance 2020-14, an ordinance to rezone 10126 Clemson Blvd from RM-16 to HC, exhibit G.

Seconded by Mr. Pohl

The motion passed by unanimous vote (8)

Ord 2020-15
Correct
Building Form
& Parking
Requirements

Motion by Mr. Pohl to approve on 1st Reading Ordinance 2020-15, an ordinance to correct for Building Form and Parking Requirements in Core Commercial for the Conditional Use of Short-Term Rentals, exhibit H.

Seconded by Mr. Durham

The motion passed by unanimous vote (8)

Ord 2020-16
Amend Code
of Ordinances
CBIP

Motion by Mr. Moore to approve on 1st Reading Ordinance 2020-16, an ordinance to Amend the Code of Ordinances – Commercial Building Improvement Program (CBIP), exhibit I.

Seconded by Mr. Durham

The motion passed by unanimous vote (8)

Ord 2020-17
Amend Code
of Ordinances
EDIP

Motion by Mr. Honeycutt to approve on 1st Reading Ordinance 2020-17, an ordinance to Amend the Code of Ordinances-Economic Development Incentives Program (EDIP), exhibit J.

Seconded by Mr. Moore

The motion passed by unanimous vote (8)

Ord 2020-18
Abandon
Unimproved
Right-of-Way
S Fairplay St -
S Townville S

Motion by Mr. Honeycutt to approve on 1st Reading Ordinance 2020-18, an ordinance to Abandon Unimproved Right-of-Way located between South Fairplay Street and South Townville Street, exhibit K.

Seconded by Mr. Durham

Mr. Moulder explained that these streets were abandoned right-of-way for a road that the City has no use for and discussed turning those properties over to the adjacent property owners.

Mr. Halbig explained that the council approved abandoning the right-of-way at the beginning of the year. A survey was done, and we can divide the right-of-way up equitably between the adjacent property owners.

The motion passed by unanimous vote (8)

Ord 2020-19
General
Obligation
Bonds
\$2,500,000
Issuance &
Sale

Mayor Alexander asked Mr. Moulder to explain the next motion to be brought before council.

Mr. Moulder explained the need and the process for the General Obligation Bond. This would be additional money to carry the City through the rest of the year because of lack of Operating Capital due to responding to the tornado.

This is a timely process. The ordinance will need two readings. There is a 60-day waiting period before the bonds could be issued to the City in addition to any public sale. We are probably three months away before we see any of those funds. We looked at our short-term and long-term cash needs. Our short-term needs were resolved when the State Revolving Funds reimbursement came in. We are now looking at the long-term for November and December which is a very critical time as we forecast out what our cash needs are going to be at that time. The finance staff has gone through and analyzed prior spending. They are looking for when revenues are going to come in and determining our money needs at the November & December time frame.

Because November & December is a very critical time frame for us, we are recommending that we go ahead and start the process of approving an ordinance so that we can meet the time schedule.

General Obligation Bonds are paid through debt millage. The motion is to not exceed \$2,500,000, but that doesn't mean we have to borrow the total amount. We could borrow only \$1,000,000 depending on our needs. Because a General Obligation Bond is paid through debt millage, the millage rate would increase, probably next year. The millage could be increased two to seven mills. The Constitution sets the authority of setting the millage rate to the County Auditor, Ms. Christy Hubbard. We would issue the debt, that bond ordinance would then go to Ms. Hubbard and she would determine the millage rate based on our payment schedule in order to satisfy the annual payments. This is not something the City should consider lightly.

Balancing the fact that we still have incurred expenses for the tornado, we have spent approximately \$7 million for the tornado. Our cash levels for November and December are critical.

Seneca City Council Meeting

August 11, 2020

Page four of four

Motion by Mr. O'Kelley to approve on 1st Reading Ordinance 2020-19, an ordinance to authorize the Issuance and Sale of not exceeding \$2,500,000 in one or more series, of the City of Seneca, SC; Fixing the form and details of the bonds; authorizing the Mayor or City Administrator to determine certain matters relating to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto.

Seconded by Mr. Honeycutt

Mrs. Rozman asked if the ordinance is passed, the millage rate is increased, then we get reimbursed from FEMA, and our budget is a little more healthy, can the millage rate be decreased or does the millage rate have to stay the same?

Mr. Moulder said that we would build into the payment an early payoff without penalty. With it being taxable, we will be able to pay it off without penalty early. If we received the FEMA reimbursement, we would pay off the bond off and the millage would stop at that point because there would be no need to assess it because there wouldn't be an annual payment.

Mr. Pohl asked who the bonds would be sold to? Mr. Moulder said that they would be private placed where we would invite banks to come in and bid through a bidding process or the public market depending on where we can get the best rate. Our bond council feels that the rate would be 1.3% or 1.4%, is what we would actually see.

Mr. Pohl asked about closing costs? Mr. Moulder said that there are issuance costs and the cost would be \$40,000 to \$50,000. They would be taken care of through the proceeds of the bonds. It wouldn't be cash that would need to be brought to the closing.

Mr. Moulder said department heads have been counseled and they are working to cut back on any unnecessary expenses to reserve those expenses in cash. Some events have been canceled, pulling back on certain expenses, and trying to cut back on cleaning of buildings that don't get visited as much because of COVID.

The motion passed by unanimous vote (8)

Adjourn

Mayor Alexander called the meeting adjourned at 6:22 pm.

Daniel W Alexander, Mayor

Carol Hall, Clerk

Exhibit B

Seneca City Special Called Council Meeting

August 25, 2020

Page one of two

The Seneca City Council held a Special Called Council Meeting on Tuesday, August 25, 2020, at 6:13 pm in the Seneca City Hall Council Chambers. Members present were: Mayor Daniel Alexander, Mayor Pro Tem Ronnie O'Kelley, Al Gaines, Denise Rozman, Stuart Pohl, Joel Ward, Dana Moore, Scott Durham, and WC Honeycutt.

Also present were: Scott Moulder, City Administrator; Josh Riches, Finance Director; Ed Halbig, Planning Director; and Carol Hall, City Clerk. The press and public were notified of the meeting in advance as required by law.

Meeting to Order

Mayor Alexander called the meeting to order.

Ord 2020-18
Abandon
Unimproved
Right-of-Way
S Fairplay &
S Townville
Streets

Motion Mr. Durham to approve on 2nd Reading Ordinance 2020-18, an ordinance to Abandon Unimproved Right-of-Way located between South Fairplay Street and South Townville Street, exhibit A.

Seconded by Mr. Moore

The motion passed by unanimous vote (9)

Ord 2020-19
General
Obligation Bonds
\$2,500,000
Issuance & Sale

Motion by Mr. Pohl to approve on 2nd Reading Ordinance 2020-19, an ordinance to authorize the Issuance and Sale of not exceeding \$2,500,000 in one or more series, of the City of Seneca, SC; Fixing the form and details of the bonds; to authorize the Mayor or City Administrator to determine certain matters relating to the bonds; providing the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto, exhibit B.

Seconded by Mr. Honeycutt

The motion passed by unanimous vote (9)

Resolution
General
Obligation Bonds

Motion by Mr. Gaines to approve a Resolution relating to the Declaration of Intent by the City of Seneca to reimburse certain expenditures made prior to the issuance of Federal Tax-Exempt Combined Utility System Revenue Bonds, General Obligation Bonds or other Federal Tax-Exempt Obligations by the City, exhibit C.

Seconded by Mr. Durham

The motion passed by unanimous vote (9)

Resolution
RecoverSC Local
Government
Liquidity
Program

Motion by Mr. Honeycutt to approve a Resolution expressing the intent of the City of Seneca, SC, to participate in the RecoverSC Local Government Liquidity Program authorizing the City Administrator and the Finance Director to take certain actions and negotiate certain agreements; and other matters relating thereto, exhibit D.

Seconded by Mr. Moore

The motion passed by unanimous vote (9)

Adjourn

Mayor Alexander called the meeting adjourned at 6:17 pm.

Daniel W Alexander, Mayor

Carol Hall, City Clerk

**SENECA IMPROVEMENTS CORPORATION
ANNUAL MEETING**

Exhibit C

**CITY OF SENECA - CITY HALL
AUGUST 11, 2020 - 4:30 PM**

ATTENDING

Scott Moulder, City Administrator/ President
Josh Riches, Finance Director/Secretary/Treasurer
Robert Faires, Utilities Director/Vice President
Mayor Dan Alexander, Member Ex-Officio

Others:

Brandon Norris, Legal Counsel
Randall Molloseau, Director Bldg & Projects
Debbie Williams, Exec. Admin. Assist.
Norman Cannada, Seneca Journal
Dick Mangrum, WGOG News

The press and public were notified of the meeting in advance as required by law.

**CALL TO ORDER AND
WELCOME**

Mr. Moulder called the annual meeting of the Seneca Improvements Corporation to order at 4:30 pm and welcomed those in attendance.

INVOCATION

Mayor Alexander

**APPOINTMENT OF
OFFICERS**

Mr. Norris reminded the board that according to the corporation's by-laws, Seneca Improvement Corporation officers remain static. A simple motion to reappoint for another year is all that is required. Current corporate officers are: President, Scott Moulder; Vice President, Robert Faires; Secretary/Treasurer, Joshua Riches. Also, the possible deferment of secretarial duties to Ms. Williams was discussed.

MOTION

Motion by Mayor Alexander to reappoint last year's officers as provided in the corporate by-laws.
Seconded by Mr. Faires.
The motion passed unanimously.

MOTION

Motion by Mr. Riches to defer secretarial duties to Ms. Williams.
Seconded by Mr. Halbig.
The motion passed unanimously.

**PROPOSED CHANGES
EDIP AND CBIP**

Mr. Moulder said that in previous meetings recommended changes to both incentive programs had been discussed both by this board and in a work session by mayor and city council. Mr. Riches confirmed we have included additional funding for those programs in the budget.

MOTION

Motion by Mr. Riches for the SIC Board to adopt proposed changes to the Commercial Building Improvement Program
Seconded by Mr. Faires.
The motion passed unanimously.

MOTION

Motion by Mr. Faires for the SIC Board to adopt proposed changes to the Economic Development Incentive Program.
Seconded by Mr. Halbig.
The motion passed unanimously.

**PROPOSED EDIP
CONTRACT TEMPLATE**

Mr. Moulder addressed the contract template for the EDIP. A similar contract was previously approved for use with the CBIP. Mr. Moulder said this agreement lays out rules and stipulations governing the program and describes in detail how the program works. Both the recipient and a representative of SIC must sign. Mr. Halbig noted that this draft will only be applicable for those recipients approved under the first version of the program, and that a new draft will be created to reflect those changes that are currently being considered by this Board and by City Council.

MOTION

Motion by Mr. Riches to approve the proposed contract EDIP template for current grant recipients.
Second by Mr. Faires.
The motion passed unanimously.

**MAYBERRY'S CBIP FINAL
RECEIPT SUBMITTAL**

Mr. Moulder said that Mayberry's Restaurant had submitted final receipts for consideration for reimbursement as part of their approved CBIP application. Mr. Moulder said the board had previously approved on February 5th a request for reimbursement "up to \$22,000 pending submission of final receipts." Ms. Reece has submitted her final receipts; they have been reviewed by Mr. Halbig and found to all be valid and reasonable. The total amount of

receipts submitted is \$27,883.13. Mr. Moulder said this board would need to approve payment of the final amount of \$27,883.13 under the terms of the incentive program. A short discussion ensued concerning the scope of work completed at Mayberry's

MOTION

Motion by Mr. Faires for the Board to affirm and award payment of \$27,883.13 to Mayberry's Restaurant.

Second by Mr. Halbig.

The motion passed unanimously.

**DISCUSSION – SALE OF
HOMETOWN BLDG.**

Mr. Moulder told the Board we have received a verbal offer to purchase the Hometown Building, but that the purchase agreement has not been signed or approved by either party. He said he would like to withhold public disclosure of purchase agreement stipulations at this time. Mr. Moulder said we need authorization from the Board for him to negotiate the sale of the building with any terms and conditions the Board might choose to include in the agreement.

MOTION

Motion by Mr. Faires to authorize Mr. Moulder to negotiate a purchase agreement for the purchase of Hometown Building with the understanding the SIC Board would have approval of final agreement and purchase price.

Second by Mr. Riches.

The motion passed unanimously.

**DISCUSSION – POSSIBLE
NAME CHANGE FOR
SENECA IMPROVEMENT
CORPORATION**

Mr. Riches explained to the Board that there has been confusion surrounding the similar names and abbreviations of the Seneca Improvements Corporation and the Seneca Industrial Complex. It has caused multiple problems with billing and coding of payments. He suggested it might be beneficial to legally change the name of the Seneca Improvement Corporation to eliminate the two similar entities. A discussion ensued as to what legal process would need to be taken. Mr. Norris said he thinks it would require City Council approval. He said the tax identification number would remain the

same. Mr. Riches suggested that the Board members consider options and discuss this in a subsequent meeting.

PUBLIC COMMENTS

Mr. Cannada asked if there could be discussion of the potential buyer of the Hometown Building and its possible use. Mr. Moulder said there is a local business owner who is successful with long tenure in Seneca. He said the business model has changed somewhat but would represent a service-oriented type of facility that could possibly bring additional foot traffic and tourism to that area of Seneca.

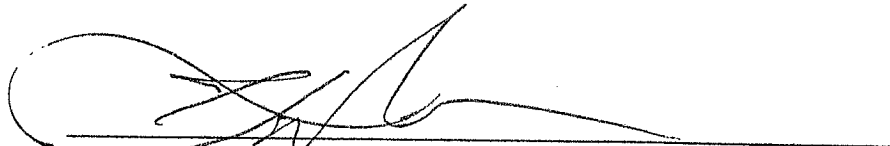
ADJOURN

Motion by Mr. Faires to adjourn the annual meeting of the Seneca Improvements Corporation at 5:05.

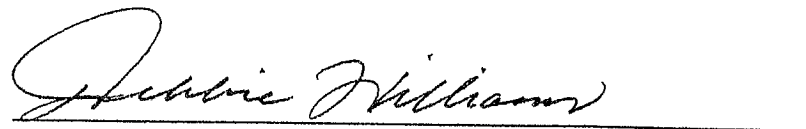
Second by Mr. Riches

The motion passed unanimously.

Respectfully submitted,



Scott Moulder, Chairman



Debbie Williams
Executive Administrative Assistant

SENECA FACILITIES CORPORATION

Exhibit D

ANNUAL MEETING

CITY OF SENECA - CITY HALL

AUGUST 11, 2020 - 4:30 PM

ATTENDING

Scott Moulder, City Administrator/ President
Josh Riches, Finance Director/Secretary/Treasurer
Robert Faires, Utilities Director/Vice President
Mayor Dan Alexander, Member Ex-Officio

Others:

Brandon Norris, Legal Counsel
Randall Molloseau, Director Bldg & Projects
Debbie Williams, Exec. Admin. Assist.
Norman Cannada, Seneca Journal

The press and public were notified of the meeting in advance as required by law.

**CALL TO ORDER AND
WELCOME**

Mr. Moulder called the annual meeting of the Seneca Facilities Corporation to order at 5:06 pm and welcomed those in attendance.

INVOCATION

Mayor Alexander

**APPOINTMENT OF
OFFICERS**

Mr. Norris reminded the board that according to the corporation's by-laws, Seneca Facilities Corporation officers remain static. A simple motion to reappoint for another year is all that is required. Current corporate officers are: President, Scott Moulder; Vice President, Robert Faires; Secretary/Treasurer, Joshua Riches. Also, the possible deferment of secretarial duties to Ms. Williams was discussed.

MOTION

Motion by Mr. Riches to reappoint last year's officers as provided in the corporate by-laws.
Seconded by Mr. Faires.
The motion passed unanimously.

MOTION

Motion by Mr. Riches to defer secretarial duties to Ms. Williams.
Seconded by Mr. Halbig.
The motion passed unanimously.

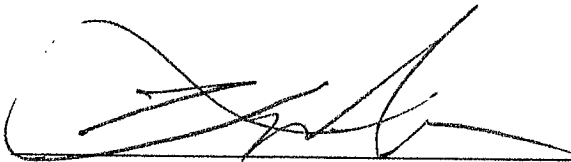
PUBLIC COMMENTS

There were no public comments.

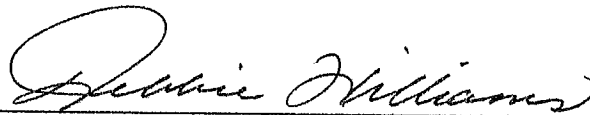
ADJOURN

Motion by Mr. Faires to adjourn the Annual Board meeting of the Seneca Facilities Corporation at 5:12 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Scott Moulder', written over a horizontal line.

Scott Moulder, Chairman

A handwritten signature in black ink, appearing to read 'Debbie Williams', written over a horizontal line.

Debbie Williams
Executive Administrative Assistant

The Construction, Maintenance, & Aesthetic Board of Adjustment met on Tuesday, August 18th, 2020 at 4:00 p.m. in the City Hall Council Chambers. Members present included Mr. Glenn English, Mr. David Gully, Mr. James Hansen, Mr. David Rozman and Mr. Brad LeCroy. Also present, Mr. Edward Halbig, Director, Mr. B J Klaren, Building Official, Ms. Tracy C. Smith, Administrative Assistant and other interested persons listed in minute book. The press and public were duly notified as required by law.

OPENING

Mr. Gully called the meeting to order.

MOTION

MOTION made by Mr. English to approve minutes as submitted.

SECOND made by Mr. Hansen

AYE Mr. English, Mr. Hansen, Mr. Gully, Mr. Rozman, and Mr. LeCroy

NAY none

Ms. Smith read application and procedures.

Mr. Halbig read staff report and discussed city code of ordinance for the appeal.

Mr. Klaren (Building Official) discussed some items of staff report.

Mr. Gully asked if property was vacant.

Mr. English asked if power, water and gas was still on.

Mr. Klaren stated yes, the property is vacant and no utilities on at this time.

Mr. Gully asked about violations.

Mr. Klaren stated he had recently completed a courtesy walk through of the property and he stated there had been no work to the home and the property was currently condemned.

Discussion followed.

Mr. Gully asked if anyone wished to speak on behalf of applicant.

Mr. Johnny DeWitt introduced himself to board as friend of applicant. He discussed the property and the applicant's intent.

Mr. Gully verified with staff all property owners and contact information.

Mr. Klaren discussed.

Mr. LeCroy asked if applicant inherited the property.

Ms. White (property owner) stated yes.

Mr. Gully asked if Mr. White will be coming home to property.

Ms. White stated that her brother thinks he will be able to live in home.

Mr. LeCroy asked if they had considered selling property.

Ms. White stated no.

Mr. Gully asked if applicant needed more time for decision of what needs to be done to property.

Mr. DeWhit stated yes.

Discussion followed.

Mr. Gully asked for clarification on what board's decision would be.

Mr. Halbig stated that the board would be deciding on the appeal by applicant on whether building official's decision to condemn property was appropriate.

Discussion followed regarding time frame for applicant to make decision.

Mr. Gully asked if there was anyone wishing to speak in opposition.

Mr. Douglas Kalmbach (508 Robinhood) introduced himself to board as neighbor and son in law. He discussed the need for the home to be torn down due to being deteriorated, high grass, varments, as well as issues with vandalism.

Ms. Leslie Kalmbach (508 Robinhood) spoke on behalf of her parents. She discussed the need for the property to be demolished. She discussed the many issues with the property as well as how long the home has set deteriorating and empty with no repair work from owners.

MOTION

MOTION by Mr. LeCroy to deny appeal CMA 2020-01 citing Sec 7-48 of the Official Code of Ordinance of the City of Seneca. "shall have the power and duty" to determine whether "the true intent of the particular code or any of the regulation thereunder has been misconstrued, or wrongly interpreted or applied or that enforcement of the literal interpretation of a particular technical code would cause undue hardship."

SECOND made by Mr. Rozman

AYE Mr. English, Mr. Hansen, Mr. Gully, Mr. Rozman, and Mr. LeCroy

NAY none

NEW BUSINESS

Mr. Gully asked if there was any new business to discuss.

Mr. Halbig discussed the need to appoint officers.

MOTION MOTION by Mr. Hansen to maintain current board officers.
 SECOND made by Mr. English
 AYE Mr. English, Mr. Hansen, Mr. Gully, Mr. Rozman, and Mr. LeCroy
 NAY none

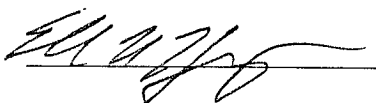
OLD BUSINESS Mr. Gully asked if there was any old business to discuss.

 There being none.

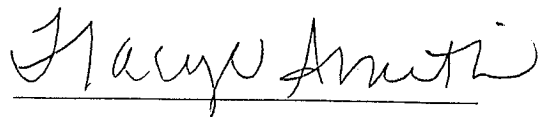
MOTION MOTION made by Mr. Hansen to adjourn.
 SECOND made by Mr. English
 AYE Mr. English, Mr. Hansen, Mr. Gully, Mr. Rozman, and Mr. LeCroy
 NAY none

ADJOURN Meeting adjourned at 5:11 p.m.

Edward Halbig, Director
Planning & Development



Tracy C. Smith, Administrative Assistant
Planning & Development



CITY OF SENECA

ORDINANCE NO. 2020-15

AN ORDINANCE TO AMEND SECTION 514.3(c) OF THE
REVISED ZONING ORDINANCE OF THE CITY OF SENECA

WHEREAS, in pursuance of authority conferred by the General Statutes of South Carolina, 1976 Code of Laws, Title VI, Chapter 29, the City of Seneca finds it desirable and appropriate to amend its Revised Zoning Ordinance to regulate short-term rentals operating within the city limits pursuant to the comprehensive plan, and

Whereas, the City of Seneca adopted Ordinance 2019-18, an amendment to the Revised Zoning Ordinance that included Section 514.3c which conditionally allowed for Short Term Rental in the Core Commercial Zoning District, and

Whereas the requirements in Section 514.3c (1) did not take into account all building forms located within the area zoned Core Commercial, and

Whereas the requirements in Section 514.3c (4) did not take into account parking requirements of the Core Commercial Zoning District, and

Whereas the Planning Commission recommends amendments to the Revised Zoning Ordinance considering the building forms and parking requirements within the City's Core Commercial Zoning District,

NOW, THEREFORE, upon motion of City Council, and BY SENECA CITY COUNCIL, in Council duly assembled, and with a quorum present and voting, BE IT ORDAINED that the Revised Zoning Ordinance of the City of Seneca is hereby amended Sections 514.3c of the Revised Zoning Ordinance as follows:

514.3 Conditional Uses:

c) Short-term rental units, provided that

1) Buildings in Core Commercial Zoning designed as residences and set back from the sidewalk may use all habitable floor(s) of the structure for short term rental use. Buildings designed as commercial with commercial storefronts that abut the sidewalk shall only use floor(s) above or below the main floor but shall maintain the main floor for permitted commercial uses (the main floor being the one directly accessible to the sidewalk by five or fewer steps);

4) required paved parking be provided onsite for one vehicle per bedroom, with additional improved parking onsite as needed; street right-of-way shall not be considered for paved or improved parking; The applicant for short term rental units in commercial buildings without onsite parking shall make arrangements with the Planning Department to determine appropriate public parking that does not interfere with city events, and shall enter into agreement with the City of Seneca for the use of that public parking.

DONE AND DULY ORDAINED BY THE municipal Council of the City of Seneca, in Council duly assembled on the date hereinafter set forth.

PROPOSED ORDINANCE APPROVED AS TO FORM this ____ day of _____ 2020.

R. Boatner Bowman, City Attorney

APPROVED AND RATIFIED on First Reading this ____ day of _____ 2020 by a vote of
____ YES _____ NO _____ ABSTAIN

APPROVED, RATIFIED and ADOPTED on Second and Final Reading this _____ day of
_____ 2020 by a vote of
____ YES _____ NO _____ ABSTAIN

_____, Clerk

Attest:

_____, Mayor

ORDINANCE 2020-16

AN ORDINANCE TO AMEND CHAPTER 15 OF THE SENECA CODE OF ORDINANCES THEREBY CONTINUING
A COMMERCIAL BUILDING IMPROVEMENT PROGRAM

WHEREAS, Seneca seeks to keep the best small-town community features while allowing for growth, and

Whereas the historic downtown of Seneca has experienced reduced traffic and visitors to the downtown, and consequently a reduction in its downtown business market, and

Whereas, the downtown has lagged behind in terms of growth and business investment because of the loss of its business market, and

Whereas the downtown has suffered from a lack of private investment and deferred maintenance, and

Whereas towns without a usable, safe and appealing built environment are subject to overall business decline as people and businesses seek to invest in economically healthy places, and

Whereas, a usable, safe and appealing built environment reduces public costs in reduced code enforcement, court costs and city liability of addressing derelict property conditions, which in turn can reduce the tax burden of the citizens of Seneca, and

Whereas the city seeks to restore the downtown as both an economic engine and a recognized destination, and

Whereas, a usable, safe and appealing built environment contributes to public health, safety, security, prosperity and general welfare for both city residents and visitors alike, and

Whereas the City of Seneca finds that it is the best interests of the City of Seneca to continue and amend its Commercial Building Improvement Program.

NOW, THEREFORE, upon motion of City Council, and BY SENECA CITY COUNCIL, in Council duly assembled, and with a quorum present and voting, BE IT ORDAINED by the Mayor and councilmembers of the City of Seneca, that Chapter 15 Licenses, permits and miscellaneous business regulations shall be hereby amended as follows:

Sec. 15-4 Commercial Building Improvement Program (CBIP)

- (a) Purpose
- (b) Findings
- (c) Definitions
- (d) Authorization
- (e) Eligibility
- (f) Approval procedure

- (g) Funding Contingency
- (h) Geographic Area
- (i) Term of Program

(a) Purpose. The purpose of this Section is to strengthen and revitalize the downtown by improvement of the building stock in the Downtown Reinvestment Area (DRA).

(b) Findings.

- 1) A healthy business community benefits from a usable, safe and appealing built environment.
- 2) The built environment embodies the history of the downtown, but suffers from deferred private investment, resulting in less attractive buildings and declining building conditions.
- 3) A CBIP can improve the appearance and function of the downtown built environment, which can in turn encourage the location and or expansion of business and industrial enterprises that bring investment and employment; and help stimulate existing business and develop new businesses.

(c) Definitions

Application: the form provided and maintained by the City Clerk's office that outlines the requirements of the Commercial Building Improvement Programs (CBIP).

Commercial Building Improvement Programs (CBIP): for the purpose of this ordinance, CBIP is a program to provide matching grant funds to assist with commercial building improvements for facades, safety and accessibility in the DRA.

Contract: the legal agreement between the Seneca Improvements Corporation (SIC) and applicant that lists the commitments and responsibilities of each party.

Downtown Reinvestment Area (DRA): for the purpose of this ordinance, the DRA is defined as a zone within the City of Seneca as designated on Map Exhibit A of this ordinance.

Seneca Improvements Corporation (SIC): The SIC is the real estate arm of the City of Seneca. The SIC is the entity authorized by Mayor and Council to administer the CBIP.

(d) Authorization. The SIC at their discretion and on a case-by-case basis, subject to the criteria listed in the application may enter into a CBIP contract with person(s) or corporation(s) in order to meet any or all of the following objectives: improving the appearance of downtown, improving the utility, safety and marketability of the built environment, and improving the tax base. For properties which meet the requirements listed below, the following grant amounts may be made available:

- 1) Up to 100% utility connection fees, and
- 2) Up to 100% of building permit fees paid, and
- 3) Up to 15% of construction costs not to exceed \$150,000 in matching funds.

(e) Eligibility. In order to be eligible for a CBIP, the applicant (either the owner(s), or a third party with all building owners' written consent) may complete a CBIP application. The application shall be used by both the SIC and the applicant to determine if a grant funding may be awarded at the completion of the project. Eligibility is determined by the following:

- 1) the building is within the DRA,
- 2) the property, including land and building, is not tax exempt,
- 3) the building is for commercial purposes; buildings that combine business and second floor residential are eligible. Buildings that are singularly residential in use are not eligible for the program,
- 4) eligible improvements are for façade, building envelope, accessibility or safety purposes – accessibility and safety improvements shall be determined as eligible by the building inspector,
- 5) building plans that can be approved by the building inspector,
- 6) a Certificate of Occupancy (CO) can be issued at the end of the project – if a CO cannot be issued, as in the case of façade improvements on incomplete buildings, the maximum grant funding that can be sought shall be limited to 15% of the total cost, up to a maximum of \$5000 in matching funds,
- 7) no pending legal action exists between applicants or the owners and the city,
- 8) no other building improvement application for this property has been applied for within the same Fiscal Year, and
- 9) in the instance of a third-party applicant, notarized affidavits of owner(s) approval(s) must be submitted with the application.
- 10) The applicant shall include information on proposed use of the building, including sale price, a tenant attraction proposal and/or rents to be sought.

(f) Approval procedure. Application must be made to the City Clerk's office. The City Clerk will forward the application to the SIC to review and act upon within 30 days of receipt of application.

Applications will be reviewed by the SIC for the following criteria:

- 1) application shall be complete,
- 2) The improvements are begun on or after July 1, 2020, and completed prior to seeking grant payment, and also prior to June 30, 2021.
- 3) SIC shall review information on proposed use of the building in (e)9) to determine soundness of sale/rental valuations, if applicable.

Once applications are reviewed and approved, applicants and SIC shall enter into a legal contract detailing the responsibilities of the owner(s) comply with proposed use of the building, and further specifying funding claw back provisions should grant recipients not fulfill their contractual obligations.

(g) Funding Contingency. The commercial building improvement program is contingent upon funding by the SIC as it deems appropriate. Funds available to the SIC for allocation through CBIP shall be identified by way of a line item in the City's budget.

(h) Geographic Area. The area designated as the DRA represents the predominant business area of the historic downtown, including both sides of North First Street down to the northern side of the Norfolk Southern railroad line. The DRA also includes portions of the entrances to downtown that are important to giving the downtown a sense of place. The DRA is not intended to restrict the existing business district; it is intended to concentrate the city's investment areas into a definable area where efforts are determined to be needed and where results can be both impactful and measureable. The DRA shall serve as the boundary for a future Tax Increment Financing District that is intended to assist in funding public improvements within the DRA.

(i) Term of Program. The program shall begin July 1, 2020 and shall end June 30, 2021.

This ordinance shall take effect upon second reading thereof.

PROPOSED ORDINANCE APPROVED AS TO FORM this ____ day of _____ 2020.

R. Boatner Bowman, City Attorney

APPROVED AND RATIFIED on first reading this ____ day of ____ 2020 by vote of

____ YES ____ NO ____ ABSTAIN

APPROVED, RATIFIED AND ADOPTED on second and final reading this ____ day of ____ 2020 by vote of

____ YES ____ NO ____ ABSTAIN

_____, Clerk

Attest

_____, Mayor

Exhibit A Seneca Downtown Reinvestment Area



The Downtown Reinvestment Area (DRA - shaded) is delineated as follows:

From the intersection of North Chestnut and West North Second Street east along the centerline of West North Second Street to a point 250 feet from the centerline of North First Street; following an arc parallel to and 250 feet to the north of the centerline of North First Street east to the centerline of Holleman Street; following the centerline of Holleman Street to a line projecting southeast to intersect the centerline of the Norfolk Southern Railroad right of Way; following the Railroad ROW centerline southwest and then south and then northwest to a line that follows the centerline of Chestnut street back to the intersection of North Chestnut and Second Street.

Buildings within the DRA that are commercial in zoning and use are eligible for the CBIP. Buildings that combine main floor business (with regard to street frontage) and residential uses on separate floors are eligible for CBIP. Buildings that are singularly residential in use are not eligible for the program.

ORDINANCE 2020-17

AN ORDINANCE TO AMEND CHAPTER 15 OF THE SENECA CODE OF ORDINANCES THEREBY CONTINUING AN ECONOMIC DEVELOPMENT INCENTIVES PROGRAM

WHEREAS, Seneca seeks to keep the best small-town community features while allowing for growth, and

Whereas the historic downtown of Seneca has experienced reduced traffic and visitors to the downtown, and consequently a reduction in its downtown business market, and

Whereas, the downtown has lagged behind in terms of growth and business investment because of the loss of its business market, and

Whereas towns without vibrant downtowns are subject to overall business decline as people and businesses seek to invest in economically healthy places, and

Whereas the city seeks to restore the downtown as both an economic engine and a recognized destination, and

Whereas attracting people to a downtown with dining, shopping, and entertainment opportunities creates both economic and social vibrancy, and

Whereas supporting businesses that provide both economic and social vibrancy to locate in the downtown of Seneca is essential to the goals of downtown revitalization and restoration of the downtown business market, and

Whereas a healthy business community generates increased taxes which in turn can reduce future tax burden of the citizens of Seneca, and

Whereas a healthy downtown business community provides the opportunity for health, safety, security, prosperity and general welfare for both city residents and visitors alike, and

Whereas the City of Seneca finds that it is the best interest of the downtown to continue and amend its Economic Development Incentives Program (EDIP).

NOW, THEREFORE, upon motion of City Council, and BY SENECA CITY COUNCIL, in Council duly assembled, and with a quorum present and voting, BE IT ORDAINED by the Mayor and councilmembers of the City of Seneca, that Chapter 15 Licenses, permits and miscellaneous business regulations shall be hereby amended as follows:

Sec. 15-3 Economic Development Incentives Program (EDIP)

- (a) Purpose
- (b) Findings
- (c) Definitions
- (d) Authorization
- (e) Eligibility
- (f) Application
- (g) Approval procedure
- (h) Funding Contingency
- (i) Geographic Area
- (j) Term of Program

(a) Purpose. The purpose of this Section is to strengthen and revitalize the downtown by encouraging the businesses to locate and grow within the Downtown Reinvestment Area (DRA).

(b) Findings.

- 1) A healthy business community is diverse, engaging, and provides business vitality to an area.
- 2) The downtown lags behind in terms of business activity due to decreased traffic and decreased private investment.
- 3) An EDIP can further efforts:
 - a. to enhance business diversity and vitality,
 - b. to encourage the location and development of new businesses that bring investment and employment,
 - c. to help stimulate existing businesses through increased business traffic downtown, and
 - d. to improve public welfare through increased tax base and greater business vitality.
- 4) Business is welcome in the downtown; the city seeks to incentivize businesses that by their nature enhance business diversity and business vitality.

(c) Definitions.

Application: the form provided and maintained by the City Clerk's office that outlines the requirements of the EDIP.

Contract: the legal agreement between the Seneca Improvements Corporation (SIC) and applicant that lists the commitments and responsibilities of each party.

Downtown Reinvestment Area (DRA): for the purpose of this ordinance, the DRA is defined as a zone within the City of Seneca as designated on Map Exhibit A of this ordinance.

Economic Development Incentive Program (EDIP): for the purpose of this ordinance, EDIP is intended to provide grant funding to specific costs associated with business development (and to provide incentives to certain businesses that help meet stated objectives) within the DRA.

Seneca Improvements Corporation (SIC): The SIC is the real estate arm of the City of Seneca. The SIC is the entity authorized by Mayor and Council to administer the EDIP.

- (d) Authorization. The SIC may enter into an EDIP contract with person(s) or corporation(s) in order to encourage and support location and or development of businesses in the DRA that meet some or all of the following objectives: contributing to the tax base; creating employment; promoting economic and business vitality in the DRA by maintaining certain business hours; being open for special events, and contributing to business variety in the DRA.

In addition, businesses that remain in operation for at least one full year and meet criteria listed in the table below (said criteria being aligned with the stated objectives) will be eligible for incentives based on the level at which they meet those criteria.

- (e) Eligibility. Businesses eligible for the EDIP award must meet the following criteria:
 - 1) The business location shall be within the DRA as defined in section (i) "Geographic Area", and
 - 2) The new business or business expansion start date is on or after July 1, 2020, and
 - 3) The business operator shall keep the business operating for a minimum of one (1) full year with regular weekly open business hours.
- (f) Application. Applications may be made at any time during the first year of operation. To receive EDIP award, application must be made to the City Administrator's office. The application shall identify the description of the business for which an incentive is sought, including information on how the business meets one or more of the criteria listed above. The City Administrator's office will forward the application to the SIC to review and act upon within 30 days of receipt of application.
- (g) Approval procedure. Application shall be reviewed and accepted at the time that it is determined to be complete. Grant funding requires application to, and approval by the SIC, and completion of contract between SIC and applicant.
- (h) Funding Contingency. The EDIP is contingent upon funding by the SIC as it deems appropriate. Funds available to the SIC for allocation through the EDIP shall be identified by way of a line item in the City's budget.
- (i) Geographic Area. The area designated as the DRA represents the predominant business area of the historic downtown, including both sides of North First Street down to the northern side of the Norfolk Southern railroad line. The DRA also includes portions of the entrances to downtown that are important to giving the downtown a sense of place. The DRA is not intended to restrict the existing business district; it is intended to concentrate the city's investment areas into a definable area where efforts are determined to be needed and where results can be both impactful and measurable.

(j) Term of Program. The program shall begin July 1, 2020 and shall end June 30, 2021.

This ordinance shall take effect upon second reading thereof.

PROPOSED ORDINANCE APPROVED AS TO FORM this ____ day of _____ 2020.

R. Boatner Bowman, City Attorney

APPROVED AND RATIFIED on first reading this ____ day of ____ 2020 by vote of

____ YES ____ NO ____ ABSTAIN

APPROVED, RATIFIED AND ADOPTED on second and final reading this ____ day of ____ 2020 by vote of

____ YES ____ NO ____ ABSTAIN

_____, Clerk

Attest

_____, Mayor

Exhibit A

Seneca Downtown Reinvestment Area



The Downtown Reinvestment Area (DRA - shaded) is delineated as follows:

From the intersection of North Chestnut and West North Second Street east along the centerline of West North Second Street to a point 250 feet from the centerline of North First Street; following an arc parallel to and 250 feet to the north of the centerline of North First Street east to the centerline of Holleman Street; following the centerline of Holleman Street to a line projecting southeast to intersect the centerline of the Norfolk Southern Railroad right of Way; following the Railroad ROW centerline southwest and then south and then northwest to a line that follows the centerline of Chestnut street back to the intersection of North Chestnut and Second Street.

EXHIBIT B**BUSINESS INCENTIVE CALCULATOR**

The Business Incentive Calculator is used to determine the total incentive for which a business may be eligible.

CRITERIA			incentive	Total
Does the Business satisfy the SIC's "Bounties", and to what extent? A list of Bounties is available at the City Administrator's office	Yes/No or # of Bounties		$\times \$ 10,000$ or $\times \$ 2,500$	
Has this Business resulted in JOB CREATION? (measured in permanent FTE positions)	Number of employees (up to 20)		$\times \$ 1,000$	
Has this Business maintained business hours above 45 hours per week?	# Hours above 45		$\times \$ 100$	
Has this business generated HOSPITALITY and/or ACCOMMODATIONS TAX?	HTAX = 1 ATAX = 2		$\times \$ 1,000$	
For how many City Special Events (including Jazz on the Alley and other city-sponsored events in the DRA) has the business been open this year?	# of City events		$\times \$ 100$	