

The Seneca City Council held a Council Meeting on Tuesday, May 11, 2021, at 6:00 pm in the Seneca City Hall Council Chambers. Members present: 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; Bo Bowman, City Attorney; Josh Riches, Finance Director; Bob Faires, Utilities Director; Ed Halbig, Planning Director; Casey Bowling, Police Chief; Richie Caudill, Fire Chief; Ernie Beck, Public Works Director; Danielle Smith, Assistant Finance Officer; 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 Mr. Durham led the pledge of allegiance.

Mayor Alexander asked if there were any questions or comments from the press or public. There were no public comments.

Approval of
Previous
Meeting
Minutes

Motion by Mr. Ward to approve the City of Seneca meeting minutes dated April 13, 2021, exhibit A.

Seconded by Mr. Honeycutt

The motion passed by unanimous vote (9)

Motion by Mr. Durham to approve the City of Seneca Special Called Council meeting minutes dated April 27, 2021, exhibit B.

Seconded by Mr. Honeycutt

The motion passed by unanimous vote (9)

Motion by Mr. Moore to approve the Seneca Facilities Corporation Board meeting minutes dated April 13, 2021, exhibit C.

Seconded by Mr. Honeycutt

The motion passed by unanimous vote (9)

Motion by Mr. Honeycutt to approve the Zoning Board of Appeals meeting minutes dated April 22, 2021.

Seconded by Mr. Moore

The motion passed by unanimous vote (9)

Motion by Mr. Honeycutt to approve the Seneca Improvements Corporation Board meeting minutes dated April 23, 2021, exhibit D.

Seconded by Mr. Durham

The motion passed by unanimous vote (8)

Motion by Mr. Honeycutt to approve the Board of Architectural Review meeting minutes dated April 26, 2021.

Seconded by Mr. Moore

The motion passed by unanimous vote (9)

Motion by Mr. Ward to approve the Seneca Planning Commission meeting minutes dated May 3, 2021.

Seconded by Mr. Honeycutt

The motion passed by unanimous vote (9)

Pay City's
Bills

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

Seconded by Mr. Durham

The motion passed by unanimous vote (9)

Ord 2021-04
Amend
Section 11-5

Motion by Mr. Honeycutt to approve on 2nd Reading Ordinance 2021-04, an ordinance to amend Section 11-5 Dealing with Discharge of Certain Fireworks, exhibit E.

Seconded by Mr. Moore

The motion passed by unanimous vote (9)

Ord 2021-05
Ord 2021-06
Annex & Zone
Property at
Fairfield Dr/
S Depot St &
Mormon
Church Rd

Motion by Mr. Ward to approve on 2nd Reading Ordinance 2021-05, an ordinance to annex property on Fairfield Dr and the corner of S Depot St and Mormon Church Road, exhibit F.

Seconded by Mr. Honeycutt

The motion passed by unanimous vote (9)

Motion by Mr. Honeycutt to approve on 2nd Reading Ordinance 2021-06, an ordinance to zone property on Fairfield Dr and the corner of S Depot St and Mormon Church Road to R10, exhibit G.

Seconded by Mr. Moore

The motion passed by unanimous vote (9)

Ord 2021-07
rezone 1000
block of
Highway 123

Motion by Mr. Honeycutt to approve on 1st Reading Ordinance 2021-07, an ordinance to rezone unnamed street at the 1000 block of Highway 123 from HC and GC to RM-8, exhibit H.

Seconded by Mr. Moore

The motion passed by unanimous vote (9)

Blue Ridge
Arts Center
Donation

Motion by Mrs. Rozman to donate \$4,000 to the Blue Ridge Arts Center. Funds to come from Seneca Light & Water Donation & Grant funds, exhibit I.

Seconded by Mr. Honeycutt

The motion passed by unanimous vote (9)

Public
Defender
Contract
7/1/21 –
6/30/22

Motion by Mr. Gaines to enter into the attached 2021/2022 contract with the Tenth Circuit Public Defender and to allow the City to pay the total of \$6,929 payable to the Tenth Circuit Public Defender for the term of July 1, 2021 to June 30, 2022, and allow the Mayor or City Administrator to sign pending the City Attorney's review, exhibit J.

Seconded by Mr. Honeycutt

Mr. Pohl asked if this was the same amount as last year? Mr. Moulder said that it was a slight increase. Last year, it was \$5338, about \$1,591 increase. Mr. Durham asked what decides the amount? Mr. Moulder explained that the Public Defender Office calculates the amount due on the population of the cities.

The motion passed by unanimous vote (9)

Grant Transit
Grant
2021/2022

Motion by Mr. Honeycutt to apply for the Fiscal year 2021/2022 SCDOT grant for transit service in the amount of \$797,790 and allow the Mayor or City Administrator to sign the application.

Seconded by Mr. Moore

The motion passed by unanimous vote (9)

Mr. Moulder updated council on the budget process. The proposed first reading is scheduled for Thursday, May 20th at 5:30pm.

Executive
Session
(6:12pm –
6:27pm)

Motion by Mr. Honeycutt to go into an executive session to discuss a legal matter concerning a contract and to include Mayor, Council, City Administrator, and City Attorney.

Seconded by Mr. Durham

The motion passed by unanimous vote (9)

Council returned from executive session. No action taken.

Adjourn

Mayor Alexander called the meeting adjourned at 6:29 pm.

Daniel W. Alexander, Mayor

Josh Riches, Interim City Clerk

The Seneca City Council held a Special Called Council Meeting on Thursday, May 20, 2021, at 6:20 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, and Scott Durham. Absent was WC Honeycutt.

Also present were: Scott Moulder, City Administrator; Bo Bowman, City Attorney; Josh Riches, Finance Director; Bob Faires, Utilities Director; Ed Halbig, Planning Director; Casey Bowling, Police Chief; Richie Caudill, Fire Chief; Ernie Beck, Public Works Director; Michelle Landry, Human Resources Director; Ammia Martin, Human Resources Generalist; Danielle Smith, Assistant Finance Officer; Debbie Williams, Executive Administrative Assistant; 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 2021-07
Rezone

Mayor Alexander asked if there were any questions or comments from the press or public. There were no public comments.

unnamed
street – 1000
block of Hwy
123

Motion by Mrs. Rozman to approve on 2nd Reading Ordinance 2021-07, an ordinance to rezone unnamed street at the 1000 block of Highway 123 from HC and GC to RM-8, exhibit A.

Seconded by Mr. Moore

The motion passed by unanimous vote (8)

Ord 2021-08
City Budget

Motion by Mr. Ward to approve on 1st Reading Ordinance 2021-08, an ordinance to adopt a budget for the City of Seneca \$13,814,623 for its fiscal year ending June 30, 2022, and to provide for the levy and collection of taxes to generate revenues required for the budget. The millage will remain the same at 62.7 mills. The Seneca Light & Water transfer will increase to \$5,000,000.

Seconded by Mr. Durham

The motion passed as followed:

YEA (7)

Dan Alexander
Al Gaines
Denise Rozman
Stuart Pohl
Joel Ward
Dana Moore
Scott Durham

NAY (1)

Ronnie O'Kelley

Ord 2021-09
SLWP Budget

Motion by Mr. Pohl to approve on 1st Reading Ordinance 2021-09, an ordinance to adopt the 2022 Light & Water budget for \$34,875,500.

Seconded by Mr. Moore

YEA (7)

Dan Alexander
Al Gaines
Denise Rozman
Stuart Pohl
Joel Ward
Dana Moore
Scott Durham

NAY (1)

Ronnie O'Kelley

Ord 2021-10
HAT Budget

Motion by Mr. Pohl to approve on 1st Reading Ordinance 2021-10, an ordinance to adopt the 2022 Hospitality & Accommodations Tax budget for \$743,500.

Seconded by Mr. Ward

The motion passed by unanimous vote (8)

Ord 2021-12
Accom-
modations Tax

Motion by Mr. Durham to approve on 1st Reading Ordinance 2021-12, an ordinance to adopt the 2022 Accommodations Tax Revenue budget for \$100,000.

Seconded by Mr. Moore

The motion passed unanimous vote (8)

Ord 2021-11
Transit Budget

Motion by Mr. Moore to approve on 1st Reading Ordinance 2021-11, an ordinance to adopt the 2022 Transit budget for \$1,451,008.

Seconded by Mr. Ward

The motion passed by unanimous vote (8)

Mr. Durham asked if the amount the city puts in changed on the Transit budget because of the CARES Act. Mr. Halbig responded that the city has received CARES Act money for the past year. We have not spent money that was approved from the budget last year. So, SCDOT is still holding their funds. We are planning as though there is no additional funding coming forward. We are doing it as if there were no funds sitting in reserve from last year or CARES Act funding. We are expecting both of those will come into play next year.

SFC Budget

Mayor Alexander apprised council of the 2022 Seneca Facilities Corporation Budget for **\$2,481,031 .**

SIC Budget

Mayor Alexander apprised council of the 2022 Seneca Improvements Corporation budget for **\$75,000.**

Mayor Alexander thanked Mr. Moulder and Finance staff for their work on the budget.

Adjourn

Mayor Alexander called the meeting adjourned at 6:26 pm.

Daniel W Alexander, Mayor

Josh Riches, Interim City Clerk

The Seneca Board of Architectural Review met on Monday October 26th at 6:00 p.m. in the Council Chambers at City Hall. Members present included Mr. Tom Jones, Vice-Chair, Mr. Glen Abbott, Mr. Dee Barnes and Mr. Terry Keene. Also present was Mr. Ed Halbig, Director, Ms. Carol Hall, City Clerk, and other interested persons (list in minute book). Mr. West was absent. The press and public were duly notified as required by law.

OPENING

Mr. Jones opened the meeting and called for the approval of the minutes. Mr. Halbig stated that the minutes had not been included with the packet and that they would have to be approved at another time.

MOTION

Mr. Jones asked for a motion to defer approval of the minutes to a future meeting. Mr. Keane made the motion and Mr. Abbott seconded it. All voted in favor.

COA
520-29-09-020

Mr. Halbig read the application:

<u>Property Owner:</u>	DKNY Enterprises
<u>Tax Map Number:</u>	520-29-09-020
<u>Property Location:</u>	106 E N 1 st Street

Mr. Jones asked if there were any in attendance who wished to speak in favor of the application.

Mr. Joe Delaney spoke on behalf of the applicants. He described the plans for 106 E N 1st Street to include constructing a second story, changing to the façade, removing parapets, and changing the colors of the building

Mr. Barnes asked about the colors, façade and structural changes, colors and materials of doors, railings and roof addition.

Mr. Keane asked about the extension of the second floor above the sidewalk. He asked how high and how far it extended. The applicant stated that the second floor would extend three feet forward of the building front and be twelve feet above the sidewalk.

Discussion continued regarding structural materials and the color palette.

Mr. Jones asked for others speaking in favor; there were none. Mr. Jones asked for anyone wishing to speak in opposition; there were none.

MOTION

Mr. Jones asked for a motion to discuss. Mr. Keane made a motion to approve the application; Mr. Abbott seconded the motion.

Mr. Barnes asked about features adjacent to the property and the access to the rear of the property. Mr. Barnes asked about the nature of the board's action on this property.

Mr. Halbig stated that it was the appearance of the property that the board would approve, and that the board's approval of the appearance does not obligate the city with regard to any projection of the second story.

Mr. Jones reiterated that the façade and other changes to the appearance were the board's purview.

Mr. Jones asked for an amendment to the original motion that the concept approval would be contingent upon colors being approved. Mr. Barnes made the motion as a friendly amendment. Mr. Keane accepted the amendment.

The applicant asked whether the application would have to come back should the SCDOT not approve the encroachment of the overhang into the First Street ROW. Mr. Halbig stated that the application was for approval of the façade changes but did not dictate that the façade needed to include the encroachment in order to be approved.

Mr. Jones asked for a vote on the motion with the friendly amendment in favor of approval of the application. Mr. Abbott, Mr. Barnes, Mr. Keane, and Mr. Jones: Aye.

Mr. Jones called for the second application.

COA
520-29-12-003

Mr. Halbig read the application:

<u>Property Owner:</u>	Alex Butterbaugh
<u>Tax Map Number:</u>	520-29-12-003
<u>Property Location:</u>	404 E N 1 st Street

Mr. Halbig stated that the majority of the property is outside of the design review district, but that the wall of the adjacent property extends on to the applicant's property. The wall was subject to the board's consideration and the application included a mural on the wall.

Mr. Joe Delaney spoke on behalf of the applicants of this application as well.

The applicant presented illustrations of the proposed plan for the property.

Mr. Halbig described the areas that were currently within the jurisdiction of the board, and those that were not.

Mr. Barnes asked about the board's purview regarding murals, stating that murals that support the local subject matter should be encouraged.

Mr. Butterbaugh expressed his desire as owner to promote local imagery as well, and that the image of the Blue Ridge Mountains was desirable.

Mr. Abbott asked about permissions due to the ownership of the building and its encroachment.

Mr. Keane expressed a concern for losing the whole of the brick wall to a mural. Discussion followed.

Mr. Jones asked for anyone else wishing to speak in favor of the application. There were none. He asked for anyone wishing to speak against the application. there were none.

Mr. Jones then asked for a motion on the application.

MOTION

Mr. Abbott moved to approve the application; Mr. Barnes seconded the motion. Mr. Jones noted that the intervening property worked to maintain the historic brick appearance.

Mr. Abbott noted that the intervening property did work to maintain a historic look, while the property across Main street was maintaining a wall with an historic mural. He stated that the additional mural would help break up the blandness of the area and improve its park-like appearance.

Mr. Keane expressed interest in maintaining the unpainted brick on the upper half of the wall. Discussion on the appearance of the mural and the brick wall continued. Mr. Butterbaugh noted that the efforts to maintain the intervening building were intentional because of its history and that the wall on his property was not of the same caliber as the other building. He further stated that since it was not his building, he would be reticent to do any restoration to it.

Mr. Barnes stated that the branding of the mural would enhance the property and the business.

Mr. Jones noted that the building had been painted previously and so the issue had nuance. He asked that the applicant come back with additional proposals.

The applicant asked whether the board could vote on painting in general and then revisiting the image. Mr. Jones stated that he would not wish to consider such a proposal.

Mr. Jones asked for a vote. Mr. Abbott and Mr. Barnes voted in favor. Mr. Keane and Mr. Jones voted against.

With a tie, Mr. Jones asked for the applicants to provide additional options from the applicants. Mr. Barnes asked when they would be asked back to present. Mr. Halbig noted that the following meeting would be on the fourth Monday of November. Mr. Barnes asked if that worked with the applicant's timeline. Mr. Halbig stated that November 9th would be an option. Mr. Jones asked that the meeting be recessed and reconvened on November 9th.

MOTION Mr. Keane so moved, and Mr. Barnes seconded. The board approved the motion.

RECESS The meeting stood in recess at 6:46 on October 26th.

RETURN FROM RECESS On November 9th, the Seneca Board of Architectural Review reconvened at 6:00 p.m. in the Council Chambers at City Hall. Members present included Mr. Tom Jones, Vice-Chair, Mr. Glen Abbott, Mr. Dee Barnes, and Mr. Terry Keene. Also present was Mr. Ed Halbig, Director, Mr. West was absent.

Mr. Delaney presented renderings of the wall with edges unpainted to allow for some of the character of the brick to show. Discussion ensued regarding the amount of brick that would show, the number of courses that would remain unpainted, and the transition of the front façade to the mural side of the wall.

Mr. Keane asked about landscaping alongside of the wall. He asked about putting the mural on a panel that stood away from the wall. Mr. Butterbaugh stated he did not want to affix anything to the building for concern over liability. Mr. Halbig stated that deterioration can occur unseen behind such panels.

Mr. Jones asked if there were any other designs or options to come before the board.

Mr. Barnes moved to approve the mural with a border of unpainted brick the width of the front façade around the front, top and rear of north edge of the wall. Mr. Abbott seconded.

Ayes Mr. Abbott, Mr. Barnes, Mr. Keane, and Mr. Jones.

ADJOURN Mr. Jones adjourned the meeting at 6:26 p.m.



Edward Halbig, Director
Planning & Development

The Seneca Planning Commission met on Monday, March 15th, 2021 at 6:00 p.m. in the Council Chambers at City of Seneca. Members present included Mr. Barry Duvall, Chair, Mr. Keith Hart, Vice Chair, Mr. Ted Durham Jr., and Mr. Matt Durham. Also present were Mr. Edward Halbig, Director, and Mrs. Tammy Winchester, Administrative Assistant and other interested persons listed in minute book. The press and public were duly notified as required by law. Mr. Matt Durham was absent.

OPENING

Mr. Duvall opened the meeting at 6:00 p.m.

**MOTION-
MINUTES**

Motion made by Mr. Durham to approve minutes as submitted.
SECOND made by Mr. Hart.
AYE Mr. Durham, Mr. Durham Jr., Mr. Hart and Mr. Duvall.
NAY none

**DOCKET #1
AN 2021-02 and
ZA 2021-01**

Mr. Halbig read the application: AN 2021-02 and ZA 2021-02

Mr. Duvall read the public hearing procedures.

Mr. Halbig read staff report regarding tax parcel 254-00-01-090, and the intent of the applicant to annex the property into the city with a zoning designation of R-10.

Mr. Duvall asked if there was anyone who would like to speak in favor of application. The representative for the applicant Bradley Reed explained that the application was to bring property into the city and develop it as a single-family residential neighborhood with twenty-three lots.

Mr. Duvall asked if there was anyone to speak in opposition of application; there were none.

Mr. Duvall called for a motion to discuss.

**MOTION: To
Discuss**

MOTION made by Mr. Hart to discuss.
SECOND made by Mr. Durham Jr.
AYE Mr. Durham, Mr. Durham Jr., Mr. Hart and Mr. Duvall.
NAY none

Mr. Hart asked about the different pieces of the application and development. Mr. Halbig stated that one lot of the proposed development was already in the city and already zoned R-10, and it was not included in the applicant's request. Mr. Halbig stated that there was another piece of the tax parcel that was not contiguous to the portion that the applicants seek to develop but is contiguous to the city and is included in the annexation, but is not included in the development proposal.

**MOTION-
AN 2021-02**

MOTION made by Mr. Hart to accept application AN 2021-02
SECOND made by Mr. Durham Jr.
AYE, Mr. Durham, Mr. Durham Jr., Mr. Hart and Mr. Duvall.
NAY none

SENECA PLANNING COMMISSION

March 15, 2021

**MOTION: To
Discuss**

MOTION made by Mr. Hart to discuss.

SECOND made by Mr. Durham.

Aye, Mr. Durham Jr., Mr. Durham, Mr. Duvall, Mr. Gillespie and Mr. Hart

Mr. Durham asked about the buffering between the proposed development and the existing multi-family land use. Mr. Halbig stated that he wanted to go on record stating that the applicants should, for the sake of their development, include a fence as a partial buffer to the existing land use, which was established before buffer requirements and was adjacent to undeveloped land at the time it was developed.

**MOTION
ZA 2021-01**

MOTION made by Mr. Durham to accept application ZA 2021-02 assigning zoning to the property as R-10.

SECOND made by Mr. Hart.

AYE, Mr. Durham, Mr. Durham Jr., Mr. Hart and Mr. Duvall.

NAY none

Old Business

Mr. Duvall asked if there was any old business to discuss.

There being none.

New Business

Mr. Duvall asked if there was any new business to discuss. He asked if there were any applications on the horizon.

There being none.

Adjourn

Meeting adjourned at 6:12 p.m.



Edward Halbig, Director
Planning & Development

The Seneca Planning Commission met on Monday, May 17th, 2021 at 6:00 p.m. in the Council Chambers at City of Seneca. Members present included Mr. Barry Duvall, Chair, Mr. Keith Hart, Vice Chair, Mr. Ted Durham Jr., Mr. Matt Durham and Mr. John Gillespie. Also present were Mr. Edward Halbig, Director, and Mrs. Tammy Winchester, Administrative Assistant and other interested persons listed in minute book. The press and public were duly notified as required by law. Mr. Matt Durham was absent.

OPENING

Mr. Duvall opened the meeting at 6:00 p.m. He asked for a motion on the previous meeting's minutes.

**MOTION-
MINUTES**

Motion made by Mr. Durham Jr. to approve minutes as submitted.

SECOND made by Mr. Gillespie.

AYE Mr. Durham, Mr. Durham Jr., Mr. Gillespie, Mr. Hart and Mr. Duvall.

NAY none

**DOCKET #1
ZA 2021-04**

Mr. Halbig read the application: ZA 2021-04

Mr. Duvall read the public hearing procedures.

Mr. Halbig read staff report regarding tax parcel 520-29-04-008, and the intent of the applicant to rezone the property from OC to RO. Mr. Halbig stated that RO allowed for residential use, which was the applicant's intent, but that staff had recommended R-6 instead, as the adjacent zoning included R-6 and the rezoning to RO would be similar to spot zoning.

Mr. Duvall asked if there was anyone who would like to speak in favor of application. The applicant Jacob Emerson explained that the application was to develop it as a single-family residential lot, and that R-6 was an acceptable zoning designation.

Mr. Duvall asked if there was anyone to speak in opposition of application; there were none.

**MOTION: To
Discuss**

Mr. Duvall called for a motion to discuss.

MOTION made by Mr. Durham to discuss.

SECOND made by Mr. Gillespie.

AYE Mr. Durham, Mr. Durham Jr., Mr. Gillespie, Mr. Hart and Mr. Duvall.

NAY none

Mr. Durham asked about the effects of spot zoning. Mr. Halbig stated that the zoning ordinance allowed for lots less than two acres to be rezoned to zones that are less intense in the same category such as commercial, and that the designation of Residence Office was less intense than Office Commercial and yet allowed for residential. He stated that since the adjoining properties were residential R-6, changing this lot to R-6 would equate to moving an existing zoning line instead of creating a single separate zone on one lot.

SENECA PLANNING COMMISSION

May 17, 2021

Mr. Duvall verified that the applicant was in agreement with R-6 designation. Mr. Emerson stated that he was amenable to the R-6 designation.

**MOTION
ZA 2021-04**

MOTION made by Mr. Durham to accept application ZA 2021-04 from OC to R-6.

SECOND made by Mr. Hart.

AYE, Mr. Durham, Mr. Durham Jr., Mr. Gillespie, Mr. Hart and Mr. Duvall.

NAY none

Old Business

Mr. Duvall asked if there was any old business to discuss.

There being none.

New Business

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

There being none.

Adjourn

Meeting adjourned at 6:12 p.m.



Edward Halbig, Director
Planning & Development

**CITY OF SENECA
ORDINANCE NO. 2021-08**

**AN ORDINANCE TO ADOPT A BUDGET FOR THE CITY OF SENECA
FOR ITS FISCAL YEAR ENDING JUNE 30, 2022, AND TO
PROVIDE FOR THE LEVY AND COLLECTION OF TAXES TO
GENERATE REVENUES REQUIRED FOR THE BUDGET.**

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:

Section 1: Recitals

The City Council of the City of Seneca, as an incorporated municipality of the State of South Carolina, is authorized to adopt a budget and to levy taxes to defray the cost of operation of the City's business, as provided by Section 5-7-260, Code of Laws of South Carolina (1976), as amended, and by Chapter 2, Article I, Section 21-46, Ordinances of the City of Seneca.

Section 2: Budget Adopted

The proposed Budget for the City of Seneca for its fiscal year ending June 30, 2022 and the estimated revenues required to effect the same, which is documented in the General Fund Budget Workshop Proposed Budget for the fiscal year 2021, filed and kept in the City of Seneca's Finance office, and incorporated herein in its entirety by reference, is hereby adopted.

Section 3: Levy of Taxes

To defray the costs of operation of the City of Seneca for its fiscal year of July 1, 2021 to June 30, 2022, according to the Budget hereby adopted, a tax to receive ad valorem tax for real property within the City of Seneca, in the amount of One Million Nine Hundred Sixty-Six Thousand Six Hundred Ninety-Eight and no/100 (\$1,966,698.00) Dollars. SIXTY-TWO POINT SEVEN (62.7) MILLS IS HEREBY LEVIED, however upon reassessment values becoming available, tax mills may be readjusted. Said tax levied is in value of all real estate and personal property of every description and kind owned and used within the corporate limits of the City of Seneca which is subject to taxation under the rules and regulations of the County of Oconee and the State of South Carolina, excluding only such property as is exempt from taxation under the Constitution and laws of the state of South Carolina. Such taxes shall be collected in the manner hereinafter provided, and be paid into the treasury of the City and used to pay current expenses as the same shall come due according to the Budget.

Section 4: Method of Levy and Collection

The taxes hereby levied, together with any penalties thereon permitted bylaw, shall be billed and collected pursuant to the provisions of the Code of Laws of South Carolina (1976) as amended, by the Treasurer of Oconee County, and remitted to the treasury of the City of Seneca for disposition pursuant to the provisions of Section 3 hereof.

Section 5: Delinquent Taxes

The Oconee County Tax Collector shall be responsible for the collection of any delinquent taxes, pursuant to contract and agreement between the City of Seneca and Oconee County.

Section 6: Budget Administration

The incumbent and duly elected Mayor of the City of Seneca shall be charged with the administration of the Budget and the revenues collected to defray the same. The City Administrator shall be charged to handle the day-to-day administration of the Budget and shall be authorized to transfer funds, as necessary, within the Budget so far as the total amount of the Budget does not differ from what was previously approved by the Mayor and City Council.

Section 7: Severability

Invalidation of any provision hereof, or any portion of any provision hereof, by judgment or Court Order, shall in no wise affect any of the other provisions hereof, which shall remain in full force and effect.

Section 8: Effective Date

This Ordinance shall become effective upon second and final reading, as indicated below.

Section 9: Budget Provisos

The budget provisos attached hereto are hereby incorporated herein, by reference, as fully as if set forth verbatim herein, and adopted as part of this Ordinance.

PROPOSED ORDINANCE APPROVED AS TO FORM this ____ day of _____, 2021.

City Attorney

APPROVED AND RATIFIED on First Reading this 20 day of May,
2021 by a vote of

7 YES

1 NO

0 ABSTAIN

_____, Clerk

APPROVED, RATIFIED AND ADOPTED on Second and Final Reading this
_____ day of _____, 2021 by a vote of:

_____ YES

_____ NO

_____ ABSTAIN

_____, Clerk

Attest:

_____, Mayor

CITY OF SENECA
BUDGET PROVISOS FOR FISCAL YEAR 2021-2022
ORDINANCE NO. 2021-08

Section 1: State and Local Grants for Specified Purposes

The City of Seneca receives federal, state and local grants for specified purposes. The City of Seneca is hereby authorized, absent any other factor, to apply for, receive, and expend all such grants for which no local match is required or for which such funds are budgeted herein, in addition to all other authority elsewhere given, and in accordance with all other policies and directives of the City of Seneca. These grants, including any local match, are deemed budgeted for the specified purposes upon acceptance of such grants. These grants are budgeted for on a project basis in accordance with the grantors' terms and conditions instead of an annual basis and, as such, unexpended appropriations for uncompleted grant projects are carried forward as a part of the budget authorized by this Ordinance.

**CITY OF SENECA
ORDINANCE NO. 2021-09**

AN ORDINANCE TO ADOPT A BUDGET FOR
THE SENECA LIGHT AND WATER DEPARTMENT
FOR ITS FISCAL YEAR ENDING JUNE 30, 2022

NOW, THEREFORE, upon motion of City Council and BY CITY COUNCIL, in Council duly assembled, and with a quorum present and voting, BE IT ORDAINED:

The proposed budget for the Seneca Light and Water Department for its fiscal year ending June 30, 2022, and the estimated revenue required to effect the same, which is documented in the Light & Water Budget Workshop Proposed Budget for the fiscal year 2022, filed and kept in the City of Seneca's Finance office, and incorporated herein in its entirety by reference, is hereby adopted.

This Ordinance shall become effective upon second and final reading, as indicated below.

PROPOSED ORDINANCE APPROVED AS TO FORM this ____ day of _____, 2021.

City Attorney

APPROVED AND RATIFIED on First Reading this 20 day of May, 2021 by a vote of

7 YES

1 NO

0 ABSTAIN

_____, Clerk

APPROVED, RATIFIED AND ADOPTED on Second and Final Reading this ____ day of _____, 2021 by a vote of:

____ YES

____ NO

____ ABSTAIN

_____, Clerk

Attest:

_____, Mayor

City of Seneca, South Carolina
Resolution Establishing a Policy Guideline for
the justification of the transfer from the Light and Water Fund to
the General Fund

WHEREAS, the City of Seneca, South Carolina has traditionally made operating transfers from the Light & Water Fund to the General Fund, and

WHEREAS, the City Council desires to continue the competitiveness of the utility system and to justify the General Fund's need for Light and Water Fund transfers to a level supportable by current utility business practices, and

WHEREAS, if utility services had been provided by a privately-owned utility instead of the City's publicly owned utility, such utility would have paid municipal ad valorem taxes and a franchise fee to the General Fund of the City and the utility's investors would have been entitled to a return on their investment,

THEREFORE, BE IT RESOLVED by the City of Seneca, South Carolina, that the following policy guideline regarding franchise fees, payments in lieu of taxes, rates of return and operating transfers from the Light and Water Fund is hereby adopted:

Section 1. Gross Receipts Business Tax. The City shall budget annually a gross receipts business tax from the Light and Water Fund that equals the franchise fee that would have been paid had electric, water and sewer services been provided by an investor-owned utility. The gross receipts business tax shall be calculated by multiplying all budgeted gross revenue of the Light and Water Fund by the current franchise fee of 5%. The gross receipts business tax shall be reported as an expense of the electric, water and sewer system and as a revenue of the General Fund. ($\$34,875,500 \times 0.05 = \$1,743,775$)

Section 2. Payment in Lieu of Taxes. The City shall budget annually a payment in lieu of taxes from the Light and Water Fund to the General Fund that approximates the amount of ad valorem taxes that would have been paid had utility services been provided by an investor-owned utility. The payment in lieu of taxes shall be calculated by multiplying the gross fixed assets of the system reported in the City's most recent audited financial statements by the appropriate assessment ratio and then by the City and County-wide tax rate. The payment in lieu of taxes amount calculated under this section shall be reported as an expense of the Light and Water Fund and as a revenue of the General Fund.
($\$107,246,687 \times 0.105 = \$11,260,902 \times 0.2876 = \$3,238,635$)

Section 3. Operating Grant. The City may budget an annual operating grant on the gross operational revenues of the Light and Water Fund. This operating grant will be based on 0.55 % of gross utility revenues and may be adjusted by City Council. The operating grant amount calculated under this section shall be reported as an expense of the Light and Water fund and as a revenue of the General Fund. ($\$34,875,500 \times 0.0005044 = \$17,590$)

Section 4. Transfers from the Light and Water Fund for the purchase of capital equipment will be considered a capital grant. This amount shall be reported as an expense of the Light and Water Fund and as a revenue of the General Fund.

Section 5. Exceptions. The amount to be paid from the Light and Water Fund under this resolution may be increased or reduced upon approval of the City Council.

Gross Receipts Business Tax	$(\$34,875,500 \times 0.05 = \$1,743,775)$
Payment in Lieu of Taxes	$(\$107,246,687, \times 0.105 = \$11,260,902 \times 0.2876 = \$3,238,635)$
Operating Grant	$(\$34,875,500 \times 0.0005044 = \$17,590)$
TOTAL	\$5,000,000

DONE AND DULY ORDAINED by the Municipal Council of the City of Seneca, in Council duly assembled on June 8, 2021.

Daniel W. Alexander, Mayor

Attest:

Joshua J. Riches
Finance Officer

**CITY OF SENECA
ORDINANCE NO. 2021-10**

AN ORDINANCE TO ADOPT A BUDGET FOR
THE HOSPITALITY AND ACCOMMODATIONS TAX ACCOUNT
FOR ITS FISCAL YEAR ENDING JUNE 30, 2022

NOW, THEREFORE, upon motion of City Council and BY CITY COUNCIL, in Council duly assembled, and with a quorum present and voting, BE IT ORDAINED:

The proposed budget for the Hospitality and Accommodations Tax Account for its fiscal year ending June 30, 2022, and the estimated revenue required to effect the same, which is documented in the Hospitality and Accommodations Tax Budget Workshop Proposed Budget for the fiscal year 2022, filed and kept in the City of Seneca's Finance office, and incorporated herein in its entirety by reference, is hereby adopted.

This Ordinance shall become effective upon second and final reading, as indicated below.

PROPOSED ORDINANCE APPROVED AS TO FORM this ____ day of _____, 2021.

City Attorney

APPROVED AND RATIFIED on First Reading this 20 day of May, 2021 by a vote of

8 YES

0 NO

0 ABSTAIN

_____, Clerk

APPROVED, RATIFIED AND ADOPTED on Second and Final Reading this ____ day of _____, 2021 by a vote of:

____ YES

____ NO

____ ABSTAIN

_____, Clerk

Attest:

_____, Mayor

**CITY OF SENECA
ORDINANCE NO. 2021-11**

AN ORDINANCE TO ADOPT A BUDGET
FOR THE CITY CAT/TRANSIT FOR ITS
FISCAL YEAR ENDING JUNE 30, 2022

NOW, THEREFORE, upon motion of City Council and BY CITY COUNCIL, in Council duly assembled, and with a quorum present and voting, BE IT ORDAINED:

The proposed budget for the City CAT/Transit for its fiscal year ending June 30, 2022, and the estimated revenue required to effect the same, which is documented in the CAT/Transit Fund Budget Workshop Proposed Budget for the fiscal year 2022, filed and kept in the City of Seneca's Finance office, and incorporated herein in its entirety by reference, is hereby adopted.

This Ordinance shall become effective upon second and final reading, as indicated below.

PROPOSED ORDINANCE APPROVED AS TO FORM this ____ day of _____, 2021.

City Attorney

APPROVED AND RATIFIED on First Reading this 20 day of May, 2021 by a vote of

8 YES

0 NO

0 ABSTAIN

_____, Clerk

APPROVED, RATIFIED AND ADOPTED on Second and Final Reading this ____ day of _____, 2021 by a vote of:

____ YES

____ NO

____ ABSTAIN

_____, Clerk

Attest:

_____, Mayor

CITY OF SENECAORDINANCE NO. 2021-13AN ORDINANCE TO AMMEND THE OFFICIAL ZONING ORDINANCE
OF THE CITY OF SENECA

WHEREAS, that certain properties located at North Walnut Street, and denoted by Tax Map number 520-29-04-008, as shown on a plat of survey attached herein as Exhibit "A", and:

WHEREAS, pursuant to application, said property is requested to be zoned R-6.

BE IT ENACTED BY THE governing Body of the City Of Seneca and Council duly assembled, and by the authority of same that the Official Zoning Ordinance of the City Of Seneca is herein amended to zone property located at North Walnut Street, and denoted by Tax Map number 520-29-04-008, as shown on a plat of survey attached herein as Exhibit "A" to R-6.

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 8th day of June 2021.

R. Boatner Bowman, City Attorney

APPROVED AND RATIFIED on First Reading this 8th day of June 2021 by a vote of

_____ YES _____ NO _____ ABSTAIN

APPROVED, RATIFIED and ADOPTED on Second and Final Reading this _____ day of
_____ 2021 by a vote of

_____ YES _____ NO _____ ABSTAIN

_____, Clerk

Attest:

_____, Mayor

Exhibit A



**CONTRACT FOR TRANSIT SERVICES
BETWEEN CITY OF SENECA AND
AND CITY OF CLEMSON/CLEMSON AREA TRANSIT**

This Contract is made and entered into between the City of Clemson / Clemson Area Transit with offices located at 200 West Lane, Clemson, SC (hereinafter referred to as "City of Clemson" or "Contractor") and the City of Seneca, 221 E North First Street, PO Box 4773, Seneca, SC 29679 (hereinafter referred to as "City of Seneca").

1. Contract Term

This Contract shall commence on the date that this Contract is fully executed under authorization granted by the City of Seneca at its City Council meeting and will remain in effect July 1, 2021 until June 30, 2022 (the "Contract Term"), with the option of an annual renewal each of the two years following for a possible term of five years, unless earlier terminated, as provided herein. This will be the second renewal and year three of the five year term allowed.

2. Termination

Contractor (City of Clemson) may terminate this contract by written notice of termination in the event the City of Seneca fails to perform any obligation of the City of Seneca under this contract. Contractor will continue to provide transportation services no more than ninety (90) days from the date of the written notice of termination to the City of Seneca. The City of Seneca agrees to pay Contractor for transportation services under the payment schedule of this contract through the last day transportation services are provided by Contractor.

The City of Seneca may terminate this contract with ninety (90) days written notice of termination if any issue is brought to the Contractor and resolution of that issue cannot be agreed upon between the City of Seneca and Contractor within ten days, or such longer period as the City of Seneca may authorize. Additionally, if funding from federal, state, or other sources is not sufficient, as determined by the City of Seneca, to allow for the continuation of services during the indicated term, the City of Seneca shall give six (6) months' notice to the City of Clemson.

3. Insurance

The City of Clemson will purchase adequate vehicle insurance for all vehicles and will provide the City of Seneca with proof of the insurance coverages provided under the applicable policy. A certificate of insurance will be provided to the City of Seneca prior to the commencement of the operation of a transit vehicle pursuant to this agreement. The

premium for this insurance will be paid out of the transit account maintained by the City of Clemson.

4. Assignability

Contractor shall not assign or transfer all or any part of its interest in this contract without the prior written approval of the City of Seneca.

5. Force Majeure

Neither the City of Seneca nor the City of Clemson shall be liable in damages or have a right to terminate this contract for any delay or default in performance hereunder if such delay or default is caused by conditions beyond its control including, but not limited to, Acts of God, government restrictions or limitations, wars, insurrections and/or any other cause beyond the reasonable control of the party whose performance is affected.

6. General Management

The Contractor shall provide for all driver(s), as well as the maintenance and management of the same, to operate buses for the City of Seneca. The City of Clemson's designated supervisor shall be readily available for contact by the City of Seneca representatives to address issues or concerns.

Rider discipline exercised by the Contractor will be guided by the City of Clemson and City of Seneca policies.

7. Use of City of Seneca Bus Maintenance Facility:

The City of Seneca will grant the use of its Bus Maintenance Facility to the City of Clemson free of charge. The utility cost (excluding electrical costs assigned to the bus chargers) and all related maintenance of these facilities will be paid for by City of Seneca. The City of Seneca buses will also be housed at said facility, with the exception of the Express Route bus, which will be housed overnight at the City of Clemson CATbus Facility.

The City of Clemson shall maintain at its own expense insurance coverages, including, but not limited to, Worker's Compensation, General Liability, and Property insurance, related to the operations conducted by the City of Clemson personnel and for City of Clemson personal property on the premises.

The City of Seneca shall maintain at its own expense insurance coverages, including, but not limited to, Worker's Compensation, General Liability, and Property insurance, related to the operations conducted by the City of Seneca personnel, the structure, improvements, and any City of Seneca personal property on the premises.

8. Routes

The Contractor, working in cooperation with City of Seneca representative(s), shall establish routes and schedules. Time schedules and routes will be arranged and adjusted as necessary by the Contractor after discussion with the designated representative(s) of the City of Seneca. Reasonable and infrequent late arrivals or departures resulting from unexpected delays and mechanical failure will not be considered a breach of contract.

Contractor will maintain contact with the drivers with a two-way radio system or another form of communication.

Contractor will maintain an accurate record of miles per bus per route, per day. The Contractor will attempt to maintain accurate record of passengers per route, per day.

9. Vehicle and Maintenance Requirements

Contractor will maintain at Contractor's expense maintenance services on the City of Seneca buses to be used by Contractor to perform this contract. Notwithstanding this provision, in the event of Seneca overhead chargers requiring replacement parts with an individual part cost exceeding \$3,000, or in the event of Seneca buses requiring battery pack replacements, the City of Seneca will be responsible for the cost of such parts or battery replacement(s). Contractor will provide an experienced Electric Bus Maintenance Technician (mechanic) to work at the City of Seneca Bus Maintenance Facility who shall work exclusively on the City of Seneca buses and chargers. Contractor will maintain accurate records of all maintenance services according to the requirements of SC DOT and FTA standards. Contractor will maintain the insurances on City of Seneca buses pursuant to Section 3, above.

The City of Seneca will provide Contractor with all buses to be used by Contractor to perform this contract. Contractor will maintain insurance on City of Seneca buses pursuant to Section 3, above. In the event a Contractor owned bus is used to perform under this contract, Contractor will maintain insurance on any such Contractor owned bus pursuant to Section 3, above.

The electrical costs (fuel) for the City of Seneca buses used to perform this contract will be paid for by the City of Clemson.

10. Driver Requirements Qualifications:

Only drivers of the highest quality from the standpoint of safe operation and relationship with passengers shall be hired as bus drivers. All drivers will hold the appropriate license and endorsements. All drivers must be qualified and meet any and all other federal and state statutory and regulatory requirements.

Training: Contractor shall be responsible for training of drivers. Training includes, but is not limited to: laws, rules and regulations of public transit bus driving, pre-trip inspection procedures, regulatory requirements, bus driving techniques, and accident procedures.

Drivers will also be responsible for a working knowledge of the procedures for handling passenger situations that might arise (disruptive, intoxicated/under the influence, medical, etc.).

11. Fees And Expenses Invoice And Payment Terms:

Contractor will invoice the City of Seneca on a monthly basis for services provided under this Contract. Invoice will identify type and amount of service hours (Normal Route Service, Special Event, Paratransit, etc.). Payment from the City of Seneca is due and payable within fifteen (15) days of receipt of invoice.

Fees: The fees for Contractor's services under this Contract (the "Fees") will be \$75.00 per service hour of normal bus operation. Fees for Contractor's services under this Contract for Special Event services will be \$75.00 per service hour. Fees for Paratransit services by the Contractor provided to the City of Seneca will be \$75.00 per service hour.

12. Option to Renew

The City of Seneca and the City of Clemson agree to meet by April 30 of each year the contract is in force to negotiate an extension of one year and any rate changes to the Contract. This Contract may be renewed for an additional term of one year, annually, up to two additional times. This will be the second renewal of the contract and year three of the five-year term allowed. Per SC DOT regulations, the City of Seneca must then bid out the services anew upon the expiration of the allowed five-year term.

13. Indemnification

To the fullest extent allowed by law, the City of Clemson will and does hereby agree to protect, indemnify, and defend the City of Seneca and its respective affiliated enterprises, officers, employees, Trustees, representative, agents, and assigns from and against all damages, losses, liens, causes of action, suits, judgements, expenses, and other claims of any nature, kind, or description by any entity or person resulting from the operation of Clemson Area Transit under the performance of this agreement through the procurement of and coverages offered by general liability insurance, public official liability, automobile and bus, worker's compensation, excess liability insurance coverage, and any other insurance endorsements that serve to protect the City of Clemson and its CATbus partners.

14. Governing Law and Jurisdiction

This Contract shall be governed and construed in accordance with the laws in the State of South Carolina, without regard to its principles of conflict of laws. The Parties consent

to exclusive jurisdiction of the federal and state courts of the State of South Carolina for all disputes arising out of this Contract.

Contractor shall comply with the requirements of SC Department of Transportation and FTA regarding public transit and transit vehicles.

15. Modification

No waiver, alteration, or modification of any of the provisions of this contract shall be binding upon any party unless in writing and signed by the authorized representative of the party against whom such waiver, alteration, or modification is sought to be enforced. Each such amendment, waiver or discharge will be effective only in the specific instance and for the specific purpose for which given.

16. Entire Contract

This Contract shall constitute the entire contract between the Parties and supersede any prior understandings between the Parties with respect to the subject matter hereof.

APPROVED AND ACCEPTED BY:

CITY OF SENECA

CITY OF CLEMSON

PLANNING DIRECTOR DATE

TRANSIT ADMINISTRATOR DATE

CITY ADMINISTRATOR DATE

CITY ADMINISTRATOR DATE

MAYOR DATE

MAYOR DATE