

***AGENDA
OF THE SIMPSONVILLE CITY
BUSINESS MEETING
March 11, 2025
6:00PM
Council Chambers – City Hall***

1. **CALL TO ORDER**.....Mayor Shewmaker
2. **ROLL CALL**.....City Clerk, Ashley Clark
3. **PLEDGE OF ALLEGIANCE**
4. **APPROVAL OF MINUTES-** February 11, 2025
5. **CITIZEN COMMENTS**
6. **BUSINESS**
 - A. **Appointment of Ariel Rogers as Ministerial Recorder**.....Dianna Gracely, City Administrator
 - B. **2nd Reading of Ordinance O-2025-01, Lease agreement with Crown & Bloom for 102 Academy Street**Dianna Gracely, City Administrator
 - C. **1st Reading of Ordinance O-2025-02, Amend O-2018-07**.....Tim Pinkerton, Ward 5
 - D. **1st Reading of Ordinance O-2025-03, Sale of City Owned Property**
..... Dianna Gracely, City Administrator
 - E. **Resolution R-2025-02, GCRA Annual CDBG & Home Allocation**.....Dianna Gracely, City Administrator
7. **ADJOURN**

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

SIMPSONVILLE ORDINANCE O-2025-03

**AN ORDINANCE AUTHORIZING THE CONVEYANCE OF
ANY AND ALL INTEREST IN CERTAIN REAL PROPERTY IN THE CITY OF
SIMPSONVILLE**

WHEREAS, the City of Simpsonville is the owner of certain real property located at 118 N. Main Street, Simpsonville, South Carolina 29681 containing +/- 1.42 acres of land identified by Greenville County TMS No. 0315000200400 (hereinafter the "Property") within the city limits of Simpsonville, County of Greenville; and,

WHEREAS, Blue Ridge Land Holdings, LLC ("BRLH") intends to purchase and the City of Simpsonville desires to convey the Property pursuant to the terms of the Contract attached hereto as **Exhibit "A"**, the terms of which are incorporated herein as if set forth fully; and,

WHEREAS, the Purchaser intends to redevelop the Property into an innovative mixed used development, which would create capital investment, employment opportunities, increase the City's tax base, and potentially serve as a catalyst for further development within the City; and,

WHEREAS, pursuant to S.C. Code § 5-7-40, a municipality may convey or dispose of property it owns by Ordinance; and,

WHEREAS, the Mayor and City Council find that it is in the best interest of the City of Simpsonville to convey the Property pursuant to the terms of the Contract attached hereto as **Exhibit "A"**.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Simpsonville, that the Mayor of the City is hereby authorized, empowered, and directed to execute, acknowledge and deliver a deed and all other necessary closing documents to

convey any and all interest the City may have in the Property pursuant to the terms of the Contract attached hereto as **Exhibit "A"**.

This Ordinance shall be effective upon second reading approval thereof and no further authorization is required to execute and deliver all documents related to the conveyance contemplated by this Ordinance.

SIGNATURE OF MAYOR:

Paul Shewmaker

ATTEST:

APPROVED AS TO FORM:

Ashley Clark
City Clerk

Daniel Hughes
City Attorney

FIRST READING: March 11, 2025
SECOND READING: , 2025

SIMPSONVILLE ORDINANCE O-2025-01

**AN ORDINANCE AUTHORIZING THE LEASE OF
CERTAIN PROPERTY IN THE CITY OF SIMPSONVILLE**

WHEREAS, the City of Simpsonville is the owner of certain real property located at 102 Academy Street, Simpsonville, South Carolina 20681 identified by Greenville County TMS No. Greenville County Tax Map Nos. 0316000100401 and 0316000100500 within the city limits of Simpsonville, County of Greenville; and,

WHEREAS, the City desires to lease a portion of the Property identified as the 1,950 square foot building and the adjacent patio located on the Property (the "Premises") to Crown and Bloom Coffee Co., LLC, pursuant to the terms of a Lease Agreement attached hereto as Exhibit "1," the contents and terms of which are incorporated herein as if set forth fully; and,

WHEREAS, pursuant to S.C. Code § 5-7-40 and 5-7-260(6), a municipality may lease property it owns by Ordinance; and,

WHEREAS, the Mayor and City Council find that it is in the best interest of the City of Simpsonville to lease the Premises to Crown and Bloom Coffee Co., LLC according to the Lease Agreement attached hereto as Exhibit "1".

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Simpsonville, that the Mayor or City Administrator of the City is hereby authorized, empowered, and directed to execute, acknowledge and deliver the Lease Agreement attached hereto as Exhibit "1".

This Ordinance shall be effective upon second reading approval thereof and no further authorization is required to execute and deliver all documents related to the lease contemplated by this Ordinance.

SIGNATURE OF MAYOR:

Paul Shewmaker

ATTEST:

APPROVED AS TO FORM:

Ashley Clark
City Clerk

Daniel Hughes
City Attorney

FIRST READING: February 11, 2025
SECOND READING: March 10, 2025

ORDINANCE O-2025-02

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AN ORDINANCE TO AMEND DIVISION 2 (CITY ADMINISTRATOR) OF ARTICLE III (OFFICERS AND EMPLOYEES) OF CHAPTER 2 (ADMINISTRATION) OF THE CITY OF SIMPSONVILLE CODE OF ORDINANCES

WHEREAS, the Simpsonville City Council reviews the city ordinances at various times to make necessary improvements and/or changes; and,

WHEREAS, Ordinance 2018-07 amended Division 2 of Article III of Chapter 2 of the Simpsonville Code of Ordinances to require a positive vote of five (5) members of Council (rather than a positive vote of four (4) members of Council) to appoint a city administrator (Sect. 2-161) and suspend or remove the city administrator (Sect. 2-165). Furthermore, Ordinance 2018-07 required a positive vote of five (5) members of Council (rather than a positive vote of four (4) members of Council) to approve the City Administrator's appointment of department heads or suspension or dismissal of department heads (Sect. 2-164 (3) and (5)); and,

WHEREAS, Section 4 of Ordinance 2018-07 provided that Ordinance 2018-07 could only be amended by a positive vote of five (5) members of Council; however, Section 4 was never codified; and,

WHEREAS, regardless of the language of Section 4 above, since Council could approve Ordinance 2018-07 by a simple majority vote, it can and should be amended by a simple majority vote; and,

WHEREAS, the City has determined that Division 2 of Article III of Chapter 2 should be amended to require a positive vote of four (4) members of the Council and that such change is consistent with the Council's authority to make, amend or repeal its ordinances by a simple majority vote; and,

WHEREAS, the Council, after considering all of the facts and circumstances surrounding the proposed amendments contained herein, do hereby find that the amendments as set forth herein are in the best interests of the City of Simpsonville.

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

*NOTE: Language in section 1 of this ordinance that is ~~struck through~~ is language proposed to be deleted, underlined language is language proposed to be added, language that is not ~~struck through~~ or underlined is not to be changed, and *** represents sections of the Ordinance that have been skipped and remain unchanged.*

SECTION 1. That Division 2 of Article III of Chapter 2 of the City of Simpsonville Code of Ordinances is hereby amended as follows:

Sec. 2-161. Election.

The council, by the positive vote of ~~five~~ four(4) members of council, shall appoint a city administrator and fix his compensation. The administrator shall be appointed solely on the basis of executive and administrative qualifications.

(Code 1995, § 2-156; Ord. No. 2018-07 , § 1, 11-13-2018)

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Sec. 2-164. General duties.

The city administrator shall work in conjunction with and be responsible to the mayor and council for the proper administration of the policies and affairs of the city and, to that end, shall have the power and authority and be required to:

(3) Appoint department heads with the approval of the mayor and council. Such approval must be given by the positive vote of ~~five~~ four(4) members of council.

(5) Suspend or dismiss department heads with the approval of mayor and council. Such approval must be given by the positive vote of ~~five~~ four(4) members of council.

(Code 1995, § 2-159; Ord. No. 2018-07 , § 3, 11-13-2018)

Sec. 2-165. Suspension or removal from office.

The city administrator may only be suspended or removed from office by the positive vote of ~~five~~ four(4) members of council. Those members voting for the suspension or removal shall state their reasons for such vote. The action of the council in suspending or removing the city administrator shall be final. If the city administrator is removed from office for reasons other than criminal conduct or moral turpitude, the city administrator shall receive at least 30 days' notice of his removal, or at least 30 days' severance pay when such removal is effective immediately.

(Code 1995, § 2-160; Ord. No. 2018-07 , § 2, 11-13-2018)

Section 2: That the amendments contained herein shall be effective upon second and final reading of this Ordinance.

Section 3: Severability is intended throughout and within the provisions of this Ordinance. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.

ADOPTED this _____ day of _____, 2025.

SIGNATURE OF MAYOR:

Paul Shewmaker

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ATTEST:

APPROVED AS TO FORM:

Ashley Clark
City Clerk

Daniel Hughes
City Attorney

FIRST READING: March 11, 2025
SECOND READING: April 8, 2025

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE
CITY OF SIMPSONVILLE

RESOLUTION R-2025-02

ALLOCATION OF GREENVILLE COUNTY
CDBG AND HOME FUNDS
FOR PROGRAM YEAR 2025

WHEREAS, the City of Simpsonville participates in the Greenville County Urban County Program; and

WHEREAS, the funds received by the Greenville County available for allocation by the City of Simpsonville are as follows:

	<u>CDBG</u>	<u>HOME</u>
City Allocation	\$174,470	\$ 60,733
Program Income	\$ 32,581	\$359,078
<hr/>		
Total	\$210,051	\$419,811

WHEREAS, the HOME funds may only be used to increase the supply of decent affordable housing for modest income persons, and CDBG funds may only be used to assist low- and moderate-income persons, reduce or eliminate slum and community blight, or meet an urgent community need where no other funding is available; and

WHEREAS, the Mayor and Council of the City of Simpsonville have discussed and reviewed projects for which these funds should be allocated by the Greenville County;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the City of Simpsonville accepts the allocation of funds as set forth above and budgets use of the funds as follows:

HOME funds in the amount of \$419,811 or such other amount as may be received in HOME funds in the 2025 program year to be used for new construction or reconstruction of affordable housing and assisting low- and moderate-income households in the City of Simpsonville;

CDBG funds in the amount of \$210,051 or such other amount as may be received in CDBG funds in the 2025 program year to be used on the following activities: \$22,000 in CDBG to be allocated to Public Service programs; \$89,051 for any eligible Facility

Improvement project; \$25,000 in Owner-Occupied Rehabilitation; \$25,000 for demolition to address slum and blight; \$25,000 for Economic Development loan; \$20,000 for Façade Improvement Program and \$4,000 in disposition in the City of Simpsonville.

ANY CHANGE in CDBG and HOME funding allocations by the Greenville County Redevelopment Authority and the U.S. Department of Housing and Urban Development, increase or decrease in funding, will be distributed on a pro rata basis to all activities.

PASSED, ADOPTED AND APPROVED, by the Council of the City of Simpsonville on this the 11th day of March 2025.

Attest:

Paul Shewmaker, Mayor

Ashley Clark, City Clerk

Reviewed:

Dianna W. Gracely, City Administrator