



SPECIAL CALLED CITY COUNCIL MEETING

THURSDAY, JUNE 18, 2020 | 6:00 PM

City Council will meet at 6:00 p.m. in Mauldin City Hall Council Chambers, 5 East Butler Road, Mauldin

Please note that members of the public may attend this meeting in-person but are encouraged to participate remotely through Webex. Please visit the City's website at <https://cityofmauldin.org/your-government/meeting-minutes-agendas/> to access the meeting via audio and videoconferencing.

AGENDA

1. Call to order

Mayor Terry Merritt

- a. Invocation
- b. Pledge of Allegiance
- c. Welcome

2. Unfinished Business

Ordinances - Second Reading

- a. Consideration and action on an Ordinance to Provide Appropriations for the Fiscal Year Beginning July 1, 2020 and Ending June 30, 2021 for Ordinary and Other City Purposes; to Provide for a Levy of Taxes on all Taxable Property in the City of Mauldin for all City Purposes, Including Sufficient Tax for any Principal and Interest on Outstanding Indebtedness Maturing in the Fiscal Year; to Provide for the Expenditure of Said Taxes And Other Revenues Coming to the City During the Fiscal Year. (Pages 3-5)

Michael Reynolds, Chair of the Finance Committee

Standing Committee Items

- b. Consideration and action on a Resolution for the Purpose of Establishing the Mauldin Public Facilities Corporation, Stating its Purposes and Appointing the Members to the Board of Directors of the Corporation (Pages 6-9)

Michael Reynolds, Chair of the Finance Committee

3. Public Comment

4. Council Requests

5. Adjournment

Ordinance # _____

An Ordinance To Provide Appropriations For The Fiscal Year Beginning July 1, 2020 And Ending June 30, 2021 For Ordinary And Other City Purposes; To Provide For A Levy Of Taxes On All Taxable Property In The City Of Mauldin For All City Purposes, Including Sufficient Tax For Any Principal And Interest On Outstanding Indebtedness Maturing In The Fiscal Year; To Provide For The Expenditure Of Said Taxes And Other Revenues Coming To The City During The Fiscal Year.

WHEREAS, the South Carolina Code of Laws requires that a municipal council shall act by ordinance to adopt a budget and levy taxes pursuant to public notice;

NOW THEREFORE BE IT ORDAINED by the Mayor and City Council of the City of Mauldin, South Carolina, in council assembled and by the authority thereof:

Section 1. That the prepared budget, the estimated revenues for payment, and the attached disbursement schedules attached hereto, the terms of which are hereby incorporated herein as if set forth fully, are hereby adopted in the following amounts:

	Revenues	Expenditures
General Fund	16,593,217	16,593,217
Capital Projects Fund	7,641,556	7,641,556
Capital Projects Transportation Fund	2,700,000	2,700,000
Sewer Fund	977,000	977,000
Hospitality & Accommodations Fund	1,328,000	1,328,000
Victim Advocate Fund	83,880	83,880
Grants Fund	100,000	100,000
Fire Fund	4,194,492	4,194,492
Sports Center Fund	687,072	687,072
Debt Service Fund	910,322	910,322
Property Management Fund	98,865	98,865
TOTAL	35,314,403	35,314,403

Section 2. That for the purpose of defraying all expenses, including the payment of debt service from July 1, 2020 through June 30, 2021, and for other corporate purposes, a tax of sufficient millage to pay for the appropriations, after crediting against said appropriations other revenues anticipated to accrue to the City during the fiscal period not earmarked for specific purposes, are hereby levied and the same shall hereafter be collected as follows:

For each one hundred dollars (\$100.00) of assessed value of all real estate and personal property on which this municipal corporation is authorized and empowered by law to impose a tax in the City of Mauldin, and in proportion of all real estate and personal property of less than one hundred dollars in value, the total millage on each One dollar (\$1.00) shall not exceed 0.0563 or \$5.63 on each \$100.00 assessed value for General Fund and debt service requirements.

Should the amount levied exceed the amount required for General Fund and debt service requirements, such excess shall remain in the General Fund to be used as City Council may direct.

Section 3. That the FY 2021 budget includes \$910,322 in debt service for the purpose of bond retirement and lease purchases and other long term obligations, as well

as debt service in the amount of \$234,956 for retirement of the revenue bond in the Sewer Fund.

Section 4. That for the purpose of defraying all expenses including the payment of debt service from July 1, 2020 through June 30, 2021 and for other corporate purposes, franchise fees for Duke Power, Laurens Electric Cooperative, and Piedmont Natural Gas will be set at a rate of 5%.

Section 5. That the sewer pump station fee previously established for FY 2017-2018 in the amount of \$410 per affected parcel is hereby readopted and approved.

Section 6. That City taxes are collected by Greenville County in a Cooperative Consolidation Joint collection Agreement dated May 1, 1990, and shall be due and payable between October 1, 2018 and January 15, 2019. After January 15th 3% shall be added to the base tax amount. After February 1st, 10% shall be added to the base tax amount. After March 16th, 15% shall be added to the base tax amount.

Section 7. That funds sufficient to cover all fiscal year 2019-2020 budget items encumbered but unpaid at the close of the fiscal year shall be carried forward from the fiscal year 2019-2020 budget to the succeeding 2020-2021 budget to meet such lawful obligations of the City of Mauldin.

Section 8. That this budget may be amended by ordinance of the City Council as may be required from time to time.

Section 9. That it is the intention of the City Council that the sections, subsections, paragraphs, sentences, clauses, and phrases of this ordinance are severable. If any phrase, clause, sentence, paragraph, subsection, or section of this ordinance be declared invalid or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining portions of this ordinance.

Section 10. That this ordinance supersedes all previous or inconsistent legislation. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

Section 11. That this ordinance shall take effect immediately upon its passage.

Passed on first reading on,
Passed on second reading on

Mayor Terry Merritt

Attest:

Municipal Clerk

Approved as to form:

City Attorney

Reviewed:

City Administrator

A RESOLUTION

FOR THE PURPOSE OF ESTABLISHING THE MAULDIN PUBLIC FACILITIES CORPORATION, STATING ITS PURPOSES AND APPOINTING THE MEMBERS TO THE BOARD OF DIRECTORS OF THE CORPORATION.

WHEREAS, the Mauldin Public Facilities Corporation (the “*Corporation*”) will be duly created and organized under the laws of the State of South Carolina as a nonprofit corporation, to operate exclusively for the benefit of, to perform the functions of, and to carry out the purposes of owning, leasing, financing, constructing, acquiring, developing and operating land, buildings and equipment, and facilities functionally related thereto and to perform any other lawful purpose related to the furtherance of the governmental powers of the City of Mauldin, South Carolina (the “*City*”); and

WHEREAS, the Corporation will be governed by a Board of Directors (the “*Board*”) who will consist of three (3) members appointed by the City Council of the City (the “*City Council*”); and

WHEREAS, the City Council desires to appoint the members of the Board and to authorize the creation of the Corporation;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL:

1. Purposes of Corporation. The purposes for which the Corporation will be established and shall operate are as follows:

(a) The Corporation shall be organized and shall be operated exclusively for the benefit of, to perform the functions of, and to carry out the purposes of (i) holding title, owning, leasing, financing, constructing, acquiring, developing and operating land, buildings and equipment, and facilities functionally related thereto and (ii) performing any other lawful purpose related to the furtherance of the governmental powers of the City that is not inconsistent with the Corporation’s nonprofit status; provided that all property owned or leased by the Corporation shall be used for a valid public purpose.

(b) The Corporation shall be organized and shall operate exclusively for the aforesaid purposes, and in connection therewith its scope of activities shall include the following:

(i) To accept, buy, sell, own, hold, lease, develop, operate, mortgage, insure, pledge, assign, transfer or otherwise receive or dispose of real and personal property.

(ii) To engage in any and all lawful activities necessary or incident to the foregoing purposes, except as limited herein.

(iii) To do any other act or thing incidental to or connected with the foregoing purposes or in advancement thereof, but not for the pecuniary profit or financial gain of its directors or officers. In furtherance of its corporate purposes, the Corporation shall have all general powers enumerated in Section 33-31-302 of the Code of Laws of South Carolina 1976, as amended, (or the corresponding provision of any subsequent law).

Notwithstanding the foregoing, the funds or assets of the Corporation shall not be distributed or otherwise made available to any organization or entity other than the City unless such funds or assets are transferred or exchanged in return for goods or services acceptable to the Corporation.

(c) In the event of dissolution of the Corporation, all of the remaining assets and property of the Corporation shall, after necessary expenses thereof, be distributed to the City.

2. Appointment of Board Members. The following are hereby appointed as members of the Board of the Corporation each for a three-year term commencing on the date of incorporation of the Corporation:

3. Designation of Corporation. The City Council hereby designates the Corporation a governmental organization pursuant to Section 115 of the Internal Revenue Code of 1986, as amended (the “*Code*”). Rental income to the Corporation is excludable under Section 115 of the Code because the Corporation exercises an essential governmental function, and the Corporation will not be required to file an annual federal information return (Form 990) under current federal law.

4. Establishment of Corporation. The City Council hereby directs the City Administrator or his designee to have Article of Incorporation and any other necessary documents filed with the South Carolina Secretary of State’s Office in order to cause the incorporation of the Corporation.

5. Conflicting Provisions. All resolutions or parts thereof in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

6. Effective Date. This Resolution shall be in full force and effect from and upon its date of adoption.

ADOPTED AND APPROVED this 18th day of June, 2020.

CITY OF MAULDIN, SOUTH CAROLINA

Mayor

ATTEST:

City Clerk

