ORDINANCE NUMBER 26-2013

AN ORDINANCE AUTHORIZING THE CITY OF GREER, SOUTH CAROLINA TO ESTABLISH A FUND FOR THE OPERATION, MAINTENANCE AND IMPROVEMENT OF THE HWY 29 CORRIDOR LOCATED IN THE CITY; AND OTHER MATTERS RELATED THERETO.

WHEREAS, one of the gateways into the City of Greer, South Carolina (the “City”) consisting of the roadway between the intersection of Hwy 29 and Gap Creek Road and the intersection of Hwy 29 and Fairview Road (the “Hwy 29 Corridor”) is in need of improvements, maintenance and repair to the medians, rights-of-way, streetscapes, and street lighting; and

WHEREAS, the City desires to establish a fund (the “Hwy 29 Corridor Improvement Fund”) to be held, used and maintained by the City in order to make the necessary improvements as well as maintain the publicly-owned areas encompassing the Hwy 29 Corridor; and

WHEREAS, the City has undertaken discussions with Greer Commission of Public Works and desires to establish a standard and uniform street lighting plan in order to enhance the appearance and safety of the Hwy 29 Corridor; and

WHEREAS, the Hwy 29 Corridor Improvement Fund will be initially funded from monies in the City’s Hampton Road TIF Debt Service Fund, Chick Springs Road TIF Debt Service Fund, and the GOB Series 2005 Fund as well as additional monies as determined by the City Council;

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

Section 1. Creation of the Hwy 29 Corridor Improvement Fund. The City hereby creates the Hwy 29 Corridor Improvement Fund to be controlled, maintained, and used by the City. The Hwy 29 Corridor Improvement Fund will be a separate fund from all other funds of the City and will be used by the City to make improvements to the Hwy 29 Corridor as well as to operate and maintain the improvements.

Section 2. Funding of the Hwy 29 Corridor Improvement Fund. The City hereby directs that $131,197.35 plus any additional accrued interest be transferred from the City’s Hampton Road TIF Debt Service Fund to the Hwy 29 Corridor Improvement Fund; $403,219.71 plus any additional accrued interest be transferred from the City’s Chick Springs Road TIF Debt Service Fund to the Hwy 29 Corridor Improvement Fund; and $416,373.55 plus any additional accrued
interest be transferred from the City’s GOB Series 2005 Fund for the projects contemplated for the Hwy 29 Corridor.

Section 3. Authorization. The Mayor, the City Administrator, the Director of Finance and Information Technology and the City Clerk, for and on behalf of the City, acting jointly or individually, are fully empowered and authorized to take such further action as may be reasonably necessary to effect the acts authorized by this Ordinance in accordance with the conditions herein set forth.

Section 4. Severability. The provisions of this Ordinance are hereby declared to be severable and if any section, phrase or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereunder.

Section 5. Repeal of Conflicting Ordinance. All ordinances, orders, resolutions and parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed and this Ordinance shall take effect and be in full force from and after its passage and approval.

DONE in meeting duly assembled this 23rd day of July, 2013.

CITY OF GREER, SOUTH CAROLINA

Richard W. Danner, Mayor

ATTEST:

Tammela Duncan, Municipal Clerk

Introduced by: Councilman Jay Arrowood
First reading: July 9, 2013
Second Reading and Final Approval: July 23, 2013

Approved as to Form:

John B. Duggan, City Attorney
STATE OF SOUTH CAROLINA  )  CERTIFIED COPY OF ORDINANCE
COUNTY OF GREENVILLE   )

I, the undersigned, City Clerk of the City of Greer, South Carolina, DO HEREBY CERTIFY:

That the foregoing constitutes a true, correct and verbatim copy of an Ordinance which was given two readings on two separate days, with an interval of at least six days between the readings. The original of this Ordinance is duly entered in the permanent records of minutes of meetings of the City Council in my custody as such City Clerk.

That each of said meetings was duly called and all members of the City Council were notified of the same; that a quorum of the membership remained throughout the proceedings incident to the enactment of this Ordinance.

IN WITNESS WHEREOF, I have hereunto set my Hand this 23rd day of July 2013.

\[Signature\]
Tammela Duncan, Municipal Clerk
City of Greer, South Carolina

First reading: July 9, 2013
Second reading: July 23, 2013