CITY OF WALHALLA

Main Street to the Mountains

AGENDA
WALHALLA CITY COUNCIL MEETING
January 21, 2025
5:30 PM
City Hall | 206 N Church St, Walhalla, SC

Tim Hall
Mayor

Keith Pace
Mayor Pro-Tem

Grant Keehn
Councilman

Sarai Melendez
Councilwoman

Josh Thomas
Councilman

Josh Holliday
Councilman

Kenny Johns
Councilman

Michael Kozlarek
City Attorney

Celia Boyd Myers
City Administrator

I. **Call to Order and Welcome** — Mayor Hall

II. **Moment of Silence**

III. **Pledge of Allegiance**

IV. **Approval of Agenda**

V. **Approval of Minutes**
   A. Regular Council Meeting, December 17, 2024

VI. **Public Comment** (*Public Comment is limited to 5 minutes and must be directed to Council, per City Ordinance 2022-8*)

VII. **Mayoral Proclamations**
   A. Proclamation 2025-01: A Proclamation to recognize February as Black History Month
   B. Proclamation 2025-02: A Proclamation to recognize February as American Heart Month

VIII. **First and Final Reading of Resolutions**

IX. **Administrator's Report**
   A. Monthly Reports

X. **Second, Final Reading and Public Review of Ordinances**
   A. Ordinance 2024-16: An Ordinance to Amend Ordinance 2022-08 Regarding Public Comments; and other matters related thereto.

XI. **First Reading of Ordinances**

A. Ordinance 2025-01: An Ordinance to amend Ordinance #2024-11, the City of Walhalla FY24-25 Budget Ordinance, as adopted June 18, 2024 to appropriate the funding for a new police station and HTAX transfer to the General Fund; and other matters related thereto.

B. Ordinance 2025-02: An Ordinance authorizing the City of Walhalla, South Carolina to finance and acquire a certain trackhoe and related equipment in an amount not exceeding $200,000; to execute and deliver all documents necessary to carry out the financing and acquisition; and other related matters.

XII. **Discussion and/or Action Items** (*to include Vote and/or Action on matters brought up for discussion, if required*)

A. Election for Mayor Pro Tempore

B. 2025 Committee Appointments

XIII. **Executive Session** (*to include Vote and/or Action on matters discussed, if required*)

A. Contractual Matter: West Union Contract

B. Contractual Matter: City Property

C. Personnel Matter

XIV. **Mayor Comments** Mayor Hall

XV. **Adjournment**

Tim Hall
Mayor

Keith Pace
Mayor Pro-Tem

Grant Keehn
Councilman

Sarai Melendez
Councilwoman

Josh Thomas
Councilman

Josh Holliday
Councilman

Kenny Johns
Councilman

Michael Kozlarek
City Attorney

Celia Boyd Myers
City Administrator

A PROCLAMATION
TO RECOGNIZE BLACK HISTORY MONTH AND CONTRIBUTIONS OF BLACK CITIZENS TO WALHALLA

WHEREAS, a week was chosen in February of 1926 to celebrate Black History as it acknowledged the birthdays of Abraham Lincoln on Feb. 12 and of Frederick Douglass on Feb. 20, both of whom were recognized as champions of freedom and equality for all men; and

WHEREAS, in 1976 Black History Month was formally adopted to honor and affirm the importance of Black History throughout our American experience, which goes back thousands of years; and

WHEREAS, African Americans have been pivotal in the creation of a massive number of inventions and are recognized for achievements in agriculture, education, social services, public safety, health, business, fine arts, entertainment, science, politics, law, engineering, and technology; and

WHEREAS, Black history is not only a part of American history but also has an important place in Walhalla's history;

WHEREAS, Black Walhallans have owned and operated businesses that have contributed to the economic success of our city and served as leaders in our community, including on Walhalla City Council; and

WHEREAS, during Black History Month all Walhallans are encouraged to reflect on past successes and challenged of African Americans and look to the future to continue to improve society so that we live up to the ideals of freedom, equality and justice

NOW, THEREFORE, I, Mayor Tim Hall, proclaim February 2025 as Black History Month and encourage all citizens to learn about, support, and appreciate the successes and accomplishments made by Black Americans in Walhalla and abroad.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Walhalla, South Carolina to be affixed this Twenty-first Day of January, in the year of our Lord Two Thousand Twenty-Five.

_____

Mayor Tim Hall

A PROCLAMATION
TO RECOGNIZE FEBRUARY AS AMERICAN HEART MONTH

WHEREAS, each year, heart disease takes the lives of nearly 700,000 Americans and is the leading cause of death in our country; and

WHEREAS, too many of us are familiar with the pain of losing a loved one to a heart attack, stroke, or coronary heart disease; and

WHEREAS, with the adoption of a healthy lifestyle and access to good health care, these conditions can often be prevented and lives can be saved; and

WHEREAS, it is also important for every American to be aware of individuals actions we can take to keep our hearts healthy, including exercising regularly, eating well, managing weight, and avoiding smoking or vaping are proven to reduce the risk of cardiovascular disease; and

WHEREAS, during American Heart Month, may we remember the lives of all those who have been lost to heart conditions and all the people who live with these conditions each day;

NOW, THEREFORE, I, Mayor Tim Hall, proclaim February 2025 as American Heart Month and encourage all citizens to learn about heart health and take actions to keep our hearts healthy.
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IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the City of Walhalla, South Carolina to be affixed this Twenty-first Day of January, in the year of our Lord Two Thousand Twenty-Five.

_____

Mayor Tim Hall

CITY OF WALHALLA

Main Street to the Mountains

TO: Mayor Hall and City Council

RE: December Monthly Report

DATE: January 15, 2024

Tim Hall
Mayor

Keith Pace
Mayor Pro Tem

Josh Holliday
Councilman

Kenny Johns
Councilman

Grant Keehn
Councilman

Sarai Melendez
Councilwoman

Josh Thomas
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Michael Kozlarek
City Attorney

Celia Boyd Myers
City Administrator

Please find enclosed an update on the City's recent activities for the month December 2024, along with departmental monthly reports.

Administration

HR/Personnel

Two full-time firefighters were hired.

Economic Development

Met with two prospective/existing businesses.
Mountain Mocha, Alexander's and Burger King have reopened after moving/renovations.
Lupita, Honduran restaurant, is expected open soon.

Infrastructure Projects

SCIIP funded Sewer Rehab Project for the Cane Creek Line has begun and is expected to be complete by August 2025.
SCIIP funded Rocky Knoll Project bid documents are available and will close on January 21st (extended 1 week).
SCIIP funded West Main Water Line Project bid documents are available and will close February 6th.
Prep work ongoing for the new guard shack at Stumphouse Mountain Park.
Prep work ongoing for the new combo concession stand and restroom at Sertoma Fields.
Due diligence period on land purchase for the new Police Station.
Meeting with Hogan Design-Build Team will be January 23rd.
Sidewalk repairs (C-Fund appropriation) continuing.

Meetings

OJRSA Feasibility Committee met January 2nd.
OJRSA Board met on January 6th.
Oconee Economic Alliance (OEA) – December 13th.
Tree and Beautification Committee
Planning Commission met January 13th.
Various other meetings with Chamber of Commerce, FEMA, consultants, civic organizations, residents, business owners, staff, etc.

Community Engagement/Events

Oconee Chamber of Commerce events.
Christmas Tree Lighting December 6th
Christmas Parade December 7th
Ribbon Cutting for Alexander's January 4th

Miscellaneous Highlights

A video highlighting sanitation services and recycling is near completion and will be distributed soon.
New signs have been installed at the Sertoma disc golf course.
Capital Improvement and Maintenance (CIP/CMP) requests were distributed at the Committee meeting. Budget forms will be distributed to departments in January.
Appointed to the Ten at the Top Board of Directors.
Email migration to a new provider in progress.
Conversion to new financial software to be phased beginning 1st quarter of 2025.
New internal reporting system implemented for water/sewer work orders.

City of Walhalla Sanitation Department

Public Works Division

Sanitation Department Monthly Report

December 2024

Collection Data (November 1 – 30, 2024)

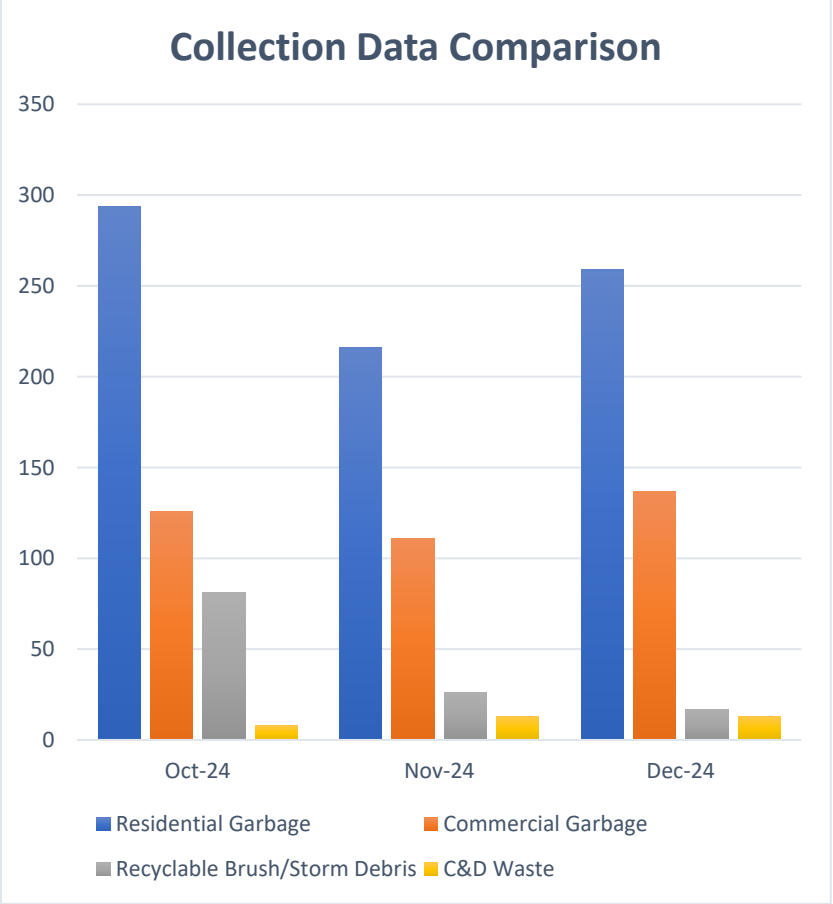
Residential Garbage – 216 Tons
Commercial Garbage – 111 Tons
Recyclable Brush/Storm Debris – 26 Loads
C&D Waste – 13 Tons
Mattresses – 1 Ton

Collection Data (December 1 – 31, 2024)

Residential Garbage – 259 Tons
Commercial Garbage – 137 Tons
Recyclable Brush/Storm Debris – 17 Loads
C&D Waste – 13 Tons
Mattresses – 2 Ton

Collection Data (July 1, 2023 – June 30, 2024)

Residential Garbage – 2,909 Tons
Commercial Garbage – 1,401 Tons
Recyclable Brush/Storm Debris – 945 Tons
C&D Waste – 179 Tons
Mattresses – 18 Tons
Tires – 2 Tons
Yard Waste – 186 Tons



Activities

Delivered 26 roll carts; picked up 9 and repaired/replaced eight.

During the month of December our department continued picking up brush, leaves, trash, C&D waste, tires, and mattresses. Continued working on waste oil and recycling grants. The enclosing of the end of shop building is complete. Participated in the Walhalla Christmas Parade.

395 S Cedar Street, Walhalla SC 29691
Phone: 864-638-4351

Streets and Facilities

Replace high bay lights at city hall.




Setup for Christmas parade.



Replaced starter contacts at water plant.





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Replaced remote control on salt truck



Cleaned drains




Cleaning leaves on Main Street




Replaced heater at pump station hwy. 11





City of Walhalla Fire Department

Home of the Mountaineer Engine Co. Est. 1871

Fire Department Monthly Report

December 2024

FIRE-EMS Response

During the month of December, the Fire Department responded to a total of 110 calls in the fire district. In the City Fire District, there were 49 calls. The County Fire District, there were 61 calls.

Walhalla City:

- EMS/Medical Calls- 36
- MVA Calls- 1
- Alarm Activation - 4
- Brush Fire - 2
- Landing Zone - 1
- Electrical - 2
- Gas Leak- 2
- Public Service- 1

Total: 49 Calls

County, Mutual Aid Calls (West Union, Mountain Rest, Westminster, Salem, & Pickett Post)

- EMS/Medical Calls- 34
- MVA Calls - 7
- False Alarm/Cancelled Enroute - 8
- Control Burn - 1
- Alarm Activation - 1
- Vehicle Fire - 3
- Hazardous Condition - 2
- Power Line Down - 1

Total: 61 Calls

Total Call Volume December 2024: 110

Total Call Volume 2024: 1,631. Total training hours for personnel: 3,988 hours.

207 E North Broad Street, Walhalla SC 29691
864-638-4345 Phone
864-638-2444 Fax

PRT Monthly Report
December 2024

Highlights

RecDesk- Olivia is moving forward with more extensive training in order to better track participation, funding and facilitate survey mechanisms. Staff has been asked to continue training and has the means to complete training with our consultant. This software will also allow for more efficient facilities rental and payment. RecDesk will also be a tremendous asset as we eventually transition into the new community center.

Walhalla PRT Foundation- The foundation board will hold its second meeting on January 14, 2025. Funding initiatives will be on the agenda.

Walhalla/ West Union Merchant Team- The Merchant Association is continuing to organize. The City will move forward with some social media plan with hopes to partner with them once they are ready.

Parks

*Through 12/30/24

Upcoming Sports and Related Facility Condition:

The ramp at the City Gym seems to be holding up well even without a finish or staining, but pressure treated wood typically can withstand a few months unprotected. Painting of the ramp is still on the project list and awaiting better weather to complete.

Current and Concluding Sports:

Basketball will host games beginning in January.

Equipment Status:

Trucks: Both trucks are in working order. An oil change will be scheduled for early January.

Trailer: Broken light removed and two rear tires on the trailer keep going low and almost flat. There are no visible signs of damage, bent rims, or punctures. Tire Slime will be used in an effort to stop whatever small leak is occurring.

Gators: All Gators are currently fine in their current state, and are not on any project lists. A long-term plan will eventually be set in place regarding how to better fix the oldest Gator.

Bobcat: The Bobcat is still in fine working order. The rear driver side tire that currently goes low will be addressed when the tires on the trailer are addressed.

Mowers: All mowers are still in working order and will be in full use when the weather gets better. We are in the process of replacing blades on all mowers as part of our quarterly upkeep.

Routine Maintenance Update:

City Gym/Old Middle School Gym: Both gyms are still receiving basic sweeping and mopping, occasional vacuuming of the entryway and cleaning of latrines. Overwatch of the Middle School Gym floor is still in effect to watch for film forming. As on now, this has not happened.

City Park: Weekly trash pickup is still occurring, and now that the leaves have fallen, the courts will need to be blown off less often.

Memorial Field: As the sports that take place at Memorial Field have ended, much of the attention has been taken off this location for the meantime. There are still a few times that pick-up games by locals are taking place on this field, and trash pickup still continues. Preparation for the Flag Football season will begin in late February.

Sertoma Field: The rain has held this location from being properly mowed as of the last two weeks, and we are awaiting drier conditions to be able to safely put equipment on the grass to maintain it. As of now, the conditions are very muddy and we run the risk of equipment getting stuck, creating tire ruts, and even killing the grass in its current state. This has made it difficult to maintain the winter rye grass that was spread in early December.

Disc Golf: The Disc Golf Course has been maintained alongside Sertoma Field as the weather has been keeping things hard to keep up with. Thankfully the course does not require a whole lot of maintenance and is easier to leave unattended for a few weeks at a time during the winter months. New tee-pad signage has since been installed on the course, and has had a very warm welcome by local players. New posts for these signs would be highly recommended as many are 8-10 years old and are starting to deteriorate pretty heavily. The Chilly Chili Bang Bang Tournament will be held February 8th, a PDGA sanctioned C-tier tournament.

Tourism, Events and Facility Rentals

January through March is a tough quarter for tourism and local businesses. However, plans to use our social media to pique interest in Main Street businesses for January and February include

New Year, New You.... Social Media

Motivational quotes on Mondays and New Hobby or New Interests ideas from local merchants with photo of related merchandise

It's a Love Story... Social Media

Monday and Friday post quick stories about why merchants love Walhalla and a photo

Current Facility Rentals:
January 4 Depot
January 25 Depot
February 1 Depot
February 7 Depot

Upcoming events:

February 8: 8am Sertoma Field PDGA Sanctioned Disc Golf Tournament

January
Recreation activities: Basketball
Walhalla Performing Arts Center event nights: Friday 17, Saturday 18, Friday 24, Saturday 25, Friday 31… all at 7:30pm
Holidays: New Year's Day (1), MLK Jr. Day (20), Inauguration Day (20)
School holidays: 6, 20

February
Recreation activities: Basketball, Baseball, softball and flag football registration
Walhalla Performing Arts Center event nights: Saturday 1, Saturday 8, Friday 21, Friday 28… all at 7:30pm
Holidays: Valentines Day (14), Presidents' Day (17)
School holidays: 17

STATE OF SOUTH CAROLINA)

COUNTY OF OCONEE) ORDINANCE 2024-16

CITY OF WALHALLA)

AN ORDINANCE TO AMEND ORDINANCE #2022-08, THE CITY OF WALHALLA MEETINGS ORDINANCE, AS ADOPTED NOVEMBER 15, 2022 BY AMENDING ARTICLE I, SECTION 2 (E). ADDRESSING THE CITY COUNCIL, TO LIMIT PUBLIC COMMENTS TO THREE MINUTES FROM FIVE MINUTES WITH A MAXIMUM PUBLIC COMMENT SECTION OF THIRTY MINUTES.

WHEREAS, the City of Walhalla, a body politic and corporate and a political subdivision of the State of South Carolina (the "City"), acting by and through its City Council (the "City Council") has previously adopted City of Walhalla Ordinance # 2022-08, the City of Walhalla Meetings Ordinance (the "Ordinance"), which Ordinance contains the City of Walhalla Rules of Decorum (the "Rules"); and,

WHEREAS, Municipal councils are directed to determine their own rules and order of business, establishing the procedures for conducting public meetings;

WHEREAS, the Ordinance contains provisions providing for public comment during Council meetings; and,

WHEREAS, City Council desires to amend the Rules to limit public comments to three minutes from five minutes with a maximum thirty minutes allowed for the public comment section;

NOW, THEREFORE, be it ordained by the City of Walhalla Council, in meeting duly assembled, that:

1. The City of Walhalla Council hereby finds that this proposed amendment is in accord with requirements of the South Carolina Code of Laws Title 5, Chapter 7, Article 250.

2. The City of Walhalla Council hereby amends the City of Walhalla Meeting Rules as previously adopted November 15, 2022, by City of Walhalla Ordinance #2022-08 to state:

   Each person shall limit that person's remarks to three minutes, unless further time is granted by the presiding officer. described above. The public comment section shall be limited to a maximum of thirty minutes, unless further time is granted by the presiding officer or majority vote of the Council.

3. Should any portion of this Ordinance be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such determination shall not affect the remaining terms and provisions of this ordinance, all of which are hereby deemed separable.

4. All orders, resolutions, and enactments of City of Walhalla Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.

5. This ordinance shall take effect and be in full force and effect from and after second reading and enactment by City of Walhalla Council.

AND IS DONE AND RATIFIED in Council Duly assembled this ____Day of _____ 2024.

_____
Tim Hall, Mayor

ATTEST:

_____
Celia Boyd Myers, City Administrator

Introduced By: Mr. Josh Thomas
First Reading: December 17, 2024

Public Hearing,
Second Reading
And Adoption:

STATE OF SOUTH CAROLINA)

COUNTY OF OCONEE) ORDINANCE 2025-01

CITY OF WALHALLA)

AN ORDINANCE TO ISSUE AMENDMENT NO. 1 TO AMEND ORDINANCE #2024-11, THE CITY OF WALHALLA BUDGET FOR FISCAL YEAR 2024-2025, AS ADOPTED JUNE 18, 2024 AND OTHER MATTERS RELATED THERETO

WHEREAS, the City of Walhalla, a body politic and corporate and a political subdivision of the State of South Carolina (the "City"), acting by and through its City Council (the "City Council") has previously adopted City of Walhalla Ordinance # 2024-11, the City of Walhalla FY24-25 Budget Ordinance (the "Ordinance"), to raise revenue and adopt a budget for general, water, sewer and hospitality funds; and,

WHEREAS, the Walhalla City Council is authorized to approve funding and to amend budgeted expenditures as required to meet and maintain the fiscal obligations of the City of Walhalla;

WHEREAS, the Walhalla City Council has reviewed the projected expenditures for Fiscal Year 2025 and has identified a need to adjust appropriations between departments and provide supplemental appropriations,

WHEREAS, the Walhalla City Council wishes to amend the FY 2025 Budget Document;

NOW, THEREFORE, be it ordained by the City of Walhalla Council, in meeting duly assembled, that the following budget adjustments shall be as follows:

1. Special Revenue: Police Station through a SC Department of Public Safety appropriation of $4,250,000.

2. Hospitality Tax (HTAX): Amend revenues $60,000 to $370,000.

3. Hospitality Tax (HTAX): Amend expenses $60,000 to $370,000.

4. Should any portion of this Ordinance be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such determination shall not affect the remaining terms and provisions of this ordinance, all of which are hereby deemed separable.

5. All orders, resolutions, and enactments of City of Walhalla Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.

6. This ordinance shall take effect and be in full force and effect from and after second reading and enactment by City of Walhalla Council.

AND IS DONE AND RATIFIED in Council Duly assembled this ____Day of _____ 2025.

_____
Tim Hall, Mayor

ATTEST:

_____
Celia Boyd Myers, City Administrator

Introduced By:
First Reading:

Public Hearing,
Second Reading
And Adoption:

STATE OF SOUTH CAROLINA
CITY OF WALHALLA

ORDINANCE 2025-02

AN ORDINANCE AUTHORIZING THE CITY OF WALHALLA, SOUTH CAROLINA TO FINANCE AND ACQUIRE A CERTAIN TRACKHOE AND RELATED EQUIPMENT IN AN AMOUNT NOT EXCEEDING $200,000; TO EXECUTE AND DELIVER ALL DOCUMENTS NECESSARY TO CARRY OUT THE FINANCING AND ACQUISITION; AND OTHER RELATED MATTERS.

Pursuant to the authority of the Constitution of the State of South Carolina ("State") and the general laws of the State, **BE IT ENACTED BY THE WALHALLA CITY COUNCIL:**

Section 1. Findings and Determinations.

(a) The City of Walhalla, South Carolina ("City") is a municipal corporation and political organization created according to the Constitution and the laws of the State of South Carolina and has the power to enter into agreements to finance and acquire equipment.

(b) The City desires to acquire and finance a certain Linkbelt 170X4S (trackhoe) and related equipment in an amount not exceeding $200,000 (collectively, "Equipment"), through means of borrowing money from a bank or other financial institution selected by the City Administrator ("Financing").

(c) It is in the best interest of the City to acquire the Equipment by entering into the Financing, and the Financing will enable the City to acquire the Equipment, which is necessary for the City's proper operation.

Section 2. Approval of Acquisition and Financing; Delegation of Authority. The City shall acquire and finance the Equipment in accordance with a lease-purchase financing arrangement, or other similar means of financing, which is repayable by annual appropriations from operational millage, or other sources, or from general obligation indebtedness, as the City Administrator may determine.

If the Financing is accomplished through a traditional lease-purchase arrangement, the Financing will not constitute a "financing agreement," and the Equipment will not constitute an "asset" as these terms are defined in South Carolina Code Annotated section 11-27-110. Thus, the amount of the Financing will not be includable when calculating the City's constitutional debt limit, and the Financing will be subject to annual appropriation by the City. Should the Financing be accomplished through any alternative means, the City Administrator shall likewise endeavor to ensure the Financing does not count against the City's constitutional debt limit.

At the City Administrator's direction, in consultation with the City Attorney and the City's Special Counsel, the City may not distribute a request for offers or provide for a similar notice to banks and/or other financial institutions or may elect to proceed with a private arrangement for the Financing. Without further authorization, the City Council delegates to the City Administrator the authority to (a) determine

the payment schedule under the Financing; (b) determine the date and time for receipt of offer(s), if any; (c) award the Financing using a number of factors, including applicable interest rate, provided the net interest cost does not exceed 6.0% per annum; and (d) make reasonable changes to the quantity, cost, or description of the Equipment, a substantially final list of which is attached as Schedule I.

Section 3. Approval of Agreements. Without further authorization, the City Administrator is authorized to approve the form, terms, and provisions of the Financing. The City Administrator is authorized, empowered, and directed to execute, acknowledge, and deliver the various documents necessary to carry out the Equipment acquisition and Financing ("Transaction Documents") in the name and on behalf of the City. The Transaction Documents are to be in the form as shall be approved by the City Administrator in consultation with the City Attorney and Special Counsel, the execution thereof to constitute conclusive evidence of that approval.

Section 4. Execution of Documents. The Mayor, the City Administrator, the City Attorney, and the City Clerk are fully empowered and authorized to take further action and to execute and deliver all documents as may be reasonably necessary to effect the Financing and the delivery of the Transaction Documents and any related documents in accordance with their terms, and the contemplated transactions, and the action of these officers in executing and delivering any of these documents, in the form as the City Administrator shall approve, in consultation with the City Attorney and the City's Special Counsel, is fully authorized.

Section 5. Federal Tax Covenant. The City covenants that it will not take, or fail to take, any action which will cause interest components of the payments to be made under the Transaction Documents to become includable in the gross income of the successful Bidder or its successors or assignees for federal income tax purposes pursuant to the provisions of the Internal Revenue Code of 1986, as amended ("IRC"), and regulations promulgated thereunder in effect on the date of original issuance of the Transaction Documents, and that the City will comply with all applicable provisions of Section 103 and Sections 141 through 150 of the IRC, and any regulations promulgated thereunder, to maintain the exclusion from gross income for federal income tax purposes of the interest portion of the payments to be made under the Transaction Documents; and to that end the City shall:

(a) comply with the applicable provisions of Section 103 and 141 through 150 of the IRC and any regulations promulgated thereunder so long as the Financing is outstanding;

(b) establish funds, make calculations, and pay amounts in the manner and at the times required to comply with the requirements of the IRC relating to required rebates of certain amounts to the United States; and

(c) make reports of information at the times and places required by the IRC.

If at the time the Financing is closed, the City does not reasonably anticipate issuing more than $10,000,000 in tax-exempt obligations which are not "private activity bonds" during calendar year 2024, all within the meaning of Section 265(b) of the IRC, then the City intends to designate the Financing as a "qualified tax-exempt obligation" in accordance with Section 265(b)(3) of the IRC.

The City will timely file Form 8038-G in accordance with the applicable regulations of the Internal Revenue Service.

Section 6. Special Counsel. The City selects King Kozlarek Root Law LLC to serve as its Special Counsel related to this Financing and understands that role will be limited to those matters necessary to effect the

Financing and issue a customary opinion (including related to any tax consequences). Further, the City understands Special Counsel does not provide financial advisory or municipal advisory services but offers legal advice and services of a traditional legal nature.

Section 7. Financial Advisor. The City serves as its own financial/municipal advisor related to the Financing.

Section 8. Severability. All orders, resolutions, and ordinances, including any parts thereof, in conflict with this Ordinance are, to the extent of any such conflict, repealed.

Section 9. Effective Date. This Ordinance takes and remains in effect only after the City Council has approved it following two readings.

[ONE SIGNATURE PAGE AND ONE SCHEDULE FOLLOW]
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CITY OF WALHALLA, SOUTH CAROLINA

_____

Mayor, City of Walhalla

(SEAL)
ATTEST:

_____

Municipal Clerk

READINGS:
First reading: January 21, 2025
Second reading:

SCHEDULE I
DESCRIPTION OF EQUIPMENT

One Linkbelk 170X4S with hydraulic quick coupler, hydraulic thumb, 24″ bucket with pins, 36″ bucket with pins, 60″ ditching bucket and wide tracks – 27 ½″