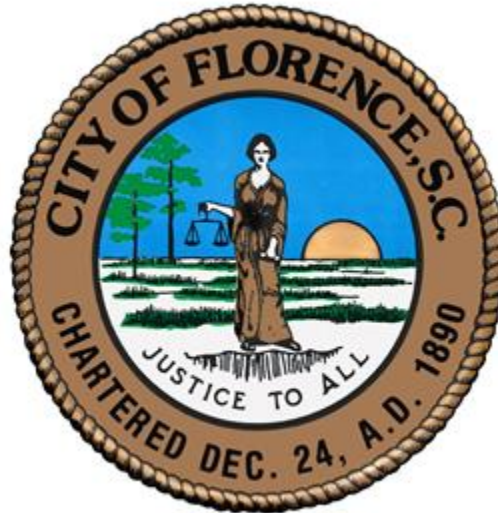


**REGULAR MEETING
OF
FLORENCE CITY COUNCIL**



**COUNCIL CHAMBERS
324 W. EVANS STREET
FLORENCE, SOUTH CAROLINA**

**MONDAY
June 14, 2021
1:00 P.M.**



**REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, JUNE 14, 2021 – 1:00PM
CITY CENTER – COUNCIL CHAMBERS
324 WEST EVANS STREET
FLORENCE, SOUTH CAROLINA**

I. CALL TO ORDER

II. INVOCATION

Pledge of Allegiance to the American Flag

III. APPROVAL OF MINUTES

April 23, 2021 – Planning Retreat

May 10, 2021 – Regular Meeting

May 13, 2021 – Special Meeting

May 18, 2021 – Work Session

IV. PUBLIC HEARING

- a. **A public hearing will be held to receive input on the City of Florence Fiscal Year Budget 2021-2022.**
- b. **A public hearing will be held to receive input on adoption of an ordinance titled “a second supplemental ordinance providing for the issuance and sale of City of Florence, South Carolina, stormwater system revenue bonds, Series 2021, in the principal amount of not exceeding \$7,000,000; and other matters relating thereto.”**

V. APPEARANCE BEFORE COUNCIL

a. Reverend Leo Woodberry

To share with Council information regarding potential funding opportunities with the Federal Government, as well as information regarding pending legislation the city may benefit from.

VI. ORDINANCES IN POSITION

a. Bill No. 2021-11 – Second Reading

An Ordinance to annex and zone the parcel located at 2499 Rainford Road, identified as Florence County Tax Map Parcel 01221-01-158.

b. Bill No. 2021-13 – Second Reading

An Ordinance to amend the Planned Development District for The Grove at Ebenezer.

VII. INTRODUCTION OF ORDINANCES

a. Bill No. 2021-12 – First Reading

An Ordinance to annex and zone a portion of Lake Oakdale and the Lake Oakdale dam, identified as a portion of Florence County Tax Map Parcel 00751-01-049.

(Note: The applicant has requested that this item be deferred.)

b. Bill No. 2021-14 – First Reading

An Ordinance to annex and zone the parcel located at 2495 Hoffmeyer Road, identified as Florence County Tax Map Parcel 01221-01-109.

c. Bill No. 2021-15 – First Reading

An Ordinance to annex and zone 2504 Abbey Way, 2513 Abbey Way, 2485 Parsons Gate, and 2502 Parsons Gate, identified as Florence County Tax Map Parcels 01221-01-254, 01221-01-261, 01221-01-305, and 01221-01-283.

d. Bill No. 2021-16 – First Reading

An Ordinance to annex and zone the parcel located at 3136 Pisgah Road, identified as Florence County Tax Map Parcel 00097-01-029.

e. Bill No. 2021-17 – First Reading

An Ordinance to rezone from NC-6.2 to CBD the lots at 113 and 115 East Pine Street and 319 and 321 Railroad Avenue, identified as Florence County Tax Map Parcels 90087-06-001, 90087-06-002, 90087-06-005, and 90087-06-006.

f. Bill No. 2021-18 – First Reading

An Ordinance to declare Florence County Tax Map Parcels 90060-05-014 and 90060-06-008 as surplus and authorize the transfer of land to the Desolate Development Group.

g. Bill No. 2021-19 – First Reading

An Ordinance to raise revenue and adopt a budget for the City of Florence, South Carolina, for the Fiscal Year beginning July 1, 2021, and ending June 30, 2022.

h. Bill No. 2021-20 – First Reading

A second supplemental Ordinance providing for the issuance and sale of City of Florence, South Carolina, stormwater system revenue bonds, Series 2021, in the principal amount of not exceeding \$7,000,000; and other matters relating thereto.

i. Bill No. 2021-21 – First Reading

An Ordinance to amend Chapter 2 of the City of Florence Code of Ordinances by adding additional sections to Article III to establish the Aesthetics Advisory Committee.

j. Bill No. 2021-22 – First Reading

An Ordinance to amend Chapter 2 of the City of Florence Code of Ordinances by adding additional sections to Article III to establish the Resilience and Sustainability Advisory Committee.

k. Bill No. 2021-23 – First Reading

An Ordinance to amend Chapter 2 of the City of Florence Code of Ordinances by adding additional sections to Article III to establish the Public Safety Citizen's Review Board.

VIII. INTRODUCTION OF RESOLUTIONS

a. Resolution No. 2021-16

A Resolution authorizing the Mayor and City Council to execute a Community Development Block Grant-Mitigation (CDBG-MIT) subrecipient agreement between the City of Florence and the South Carolina Disaster Recovery Office to fund an infrastructure improvement project that will mitigate the impact of future disasters.

b. Resolution No. 2021-17

A Resolution to proclaim the month of June as Homeownership Month in the City of Florence.

c. Resolution No. 2021-18

A Resolution to amend a Conditional Grant Agreement dated November 22, 2013 between the City of Florence and New Florence Investment, LLC.

d. Resolution No. 2021-19

A Resolution and Conditional Grant and Development Agreement to provide an incentive for the development of a project located within an Overlay District.
(Note: Staff has requested that this item be deferred.)

e. Resolution No. 2021-20

A Resolution to designate ten (10) on-street parking spaces located on the north side of the 400 block of West Evans Street along the frontage of the McMillan Federal Building as “U.S. Marshals Parking Only”.

f. Resolution No. 2021-21

A Resolution to honor basketball legend Pearl Moore on her induction into the Naismith Memorial Basketball Hall of Fame.

IX. REPORTS TO COUNCIL

a. Jerry Dudley, Planning Director

To give an update on an amendment to the Unified Development Ordinance regarding the Commercial Reuse District.

b. Appointments to Boards and Commissions

- Judicial Review Ad Hoc Committee
- Community Redevelopment Committee, Chaired by Councilwoman Barnes
- Marketing and Public Relations Committee, Chaired by Councilman McCall
- Business Development Committee, Chaired by Pro tem Jebaily

X. ADJOURN



**FLORENCE CITY COUNCIL PLANNING RETREAT
FRIDAY, APRIL 23, 2021 – 9:30 A.M.
THE COTTAGE AT FRANCIS MARION UNIVERSITY
215 THE COTTAGE ROAD
FLORENCE, SOUTH CAROLINA**

MEMBERS PRESENT

Mayor Teresa Myers Ervin, Mayor Pro Tempore George Jebaily (arrived at 1:22 p.m.), Councilwoman Pat Gibson-Hye Moore, Councilwoman Lethonia Barnes, Councilman Chaquez T. McCall (arrived at 9:50 a.m.), Councilman Bryan A. Braddock and Councilman C. William Schofield.

ALSO PRESENT

Mr. Randall S. Osterman, City Manager; Mr. James W. Peterson, Jr., City Attorney; Mrs. Amanda P. Pope, Municipal Clerk; Mrs. Casey Moore, Assistant City Clerk; Mr. Scotty Davis, Deputy City Manager; Mr. Clint Moore, Assistant City Manager of Development; Mr. Kevin Yokim, Assistant City Manager of Administration/Finance; Chief Allen Heidler, Florence Police Department; Chief Shannon Tanner, Florence Fire Department; Mr. Michael Hemingway, Director of Utilities; Mr. Chuck Pope, Director of Public Works; Mr. Jerry Dudley, Director of Planning; Mrs. Jennifer Krawiec, Human Resources Manager; John Gregory Vincent, Meeting Facilitator and Principal Advisor of the Submarine Way; and Deke Copenhaver, Alliance Partner of the Submarine Way and former Mayor of Augusta

MEDIA PRESENT

Notices of this regular meeting of City Council were provided to the media and individuals requesting a copy of the agenda informing them of the date, location and time of the meeting.

CALL TO ORDER

Mayor Ervin called the April 23, 2021 Planning Retreat Session of Florence City Council to order at 9:35 a.m. and gave an invocation for the meeting.

Mr. Randy Osterman, City Manager, welcomed everyone to the Council work session and introduced Mr. John Gregory Vincent, the facilitator of the meeting. Following the session with Mr. Vincent will be a short overview of the budget.

DISCUSSION OF GOALS AND OBJECTIVES

Mr. Vincent said today's session is about determining some key priorities and objectives for Council to focus and agree on. The session will consist of small break-out groups and collaboration between Council and members of staff. At the end of the session, Council will have determined key areas of focus they have all agreed on.

Mr. Vincent introduced Deke Copenhaver, an Alliance Partner of the Submarine Way and former Mayor of Augusta. Mr. Copenhaver spoke briefly on leadership in local government and teambuilding within the governing body. He said Florence is in a great position from an economic development standpoint,



FLORENCE CITY COUNCIL
PLANNING RETREAT – APRIL 23, 2021

but it is important to present a unified front publicly because businesses pay attention to what's going on in local government.

(Councilman McCall arrived at 9:50 a.m.)

Mr. Vincent said he is a co-founder of the Submarine Way, a training program that highlights the importance of equity and inclusion. The value statement of the company is “all of us are better than one of us” and the expertise and knowledge of staff and the expertise and passion from Council will create an effective team. To build an effective team, mindset comes first; once mindset is changed, behavioral change will follow.

Mr. Vincent went over the Retreat agenda and summarized each item:

- **Helping and Hindering Framework**
 - Council will be utilizing the helping and hindering framework behavior list when engaging in the small group conversations: Rapport building (attending; listening to feelings, concerns, and problems; accepting), exploring (investigating; identifying the problem and diagnosing; due diligence), and action planning (searching; decision making; and supporting).
- **Survey says...**
 - Prior to the Retreat, Council received a 20-question survey to complete. The purpose of the survey is to gain some insight on each Council member's priorities and to gauge their perceptions.
- **Exploring the top priorities we can agree on**
 - Council will be exploring the top priorities they can all agree on in small group discussions and will continue to collect and refine these priorities throughout the day.
- **Learn about all the expertise in the room**
 - Staff will be introducing themselves and explaining their capabilities to Council so there is an overall understanding of what they do, which will in effect create a better team.
- **Effectively working through change**
 - This will be a review session.

Mr. Vincent referenced the City of Florence Mission Statement and Core Values:

We will utilize proactive means to provide timely, effective and fiscally responsible municipal services to elevate the quality of life in our city and region. We will accomplish this endeavor by adhering to the core values:

Collaboration – Pursuing the best solution or outcome – thinking “we, not me.”

Professionalism – Demonstrating competence, proficiency, and skill, as well as honesty, integrity, and respect.

Ownership – Taking personal responsibility to be engaged, innovated, accountable and receptive in the completion of tasks and assignments.

Mr. Vincent said the mission and values of the city are a great tool and will be helpful in molding the top priorities for the city.



HELPING AND HINDERING FRAMEWORK

- Rapport building:
 - Attending
 - Listening to feelings, concerns, and problems
 - Accepting
- Exploring:
 - Investigating
 - Identifying the problem and diagnosing
 - Due diligence
- Action Planning:
 - Searching
 - Decision making
 - Supporting

Mr. Vincent said rapport building should never end, it is important to build strong relationships and consider differing opinions. Take time to explore - the better you explore, the more effective you will be at action planning. Mr. Vincent spoke of Council being a team and directed Council to stop calling themselves “new”. He said they each have views, opinions, and passions and each have varying levels of talent to bring to the table, but together they are a powerful and diverse group.

Mr. Vincent opened a group discussion and asked what the supporting category under Action Planning means. Mr. Kevin Yokim, Assistant City Manager of Finance/Administration answered it means to buy-in to the commitment; even if the decision didn’t go as you wanted it to, since you’re part of the team you’re willing to commit to the decision. Other answers included commitment, collaboration and interdependency, and acceptance. Mr. Dudley said action, by definition, takes effort: effort and implementation must take place after a decision has been made. Mr. Vincent said ownership (a core value) could be interjected, because to buy-in means you are heard, you are valued, your opinion matters and a collective decision can then be made.

SURVEY SAYS...

Mr. Vincent went over some of Council’s responses from the survey:

What are the long-term priorities of your community?

<u>Answer Choices</u>	<u>Responses</u>
Better roads	0
Refresh downtown area	0
Economic Development	0
Housing	0
All of the Above	100%

Are there budget dollars allocated to your priorities?

<u>Answer Choices</u>	<u>Responses</u>
Yes	25%
No	25%
Not Sure	50%



FLORENCE CITY COUNCIL
PLANNING RETREAT – APRIL 23, 2021

Water and sewer are prepared for rapid growth.

<u>Answer Choices</u>	<u>Responses</u>
Yes	50%
No	50%
<u>Not sure</u>	<u>0</u>

Our law enforcement is fully and professionally developed and operating at a high-level.

<u>Answer Choices</u>	<u>Responses</u>
Strongly Agree	0
Agree	100%
Neither Agree nor disagree	0
Disagree	0
Strongly disagree	0

Law enforcement needs modernizing, from equipment to community relationships.

<u>Answer Choices</u>	<u>Responses</u>
Yes	100%
<u>No</u>	<u>0</u>

My community and city leadership communicate well and establish the right priorities.

<u>Answer Choices</u>	<u>Responses</u>
Yes	0
<u>No</u>	<u>100%</u>

Our city has areas of blight.

<u>Answer Choices</u>	<u>Responses</u>
Yes	100%
<u>No</u>	<u>0</u>

Crime is a growing concern in our community.

<u>Answer Choices</u>	<u>Responses</u>
Yes	100%
<u>No</u>	<u>0</u>

The tax base is stable in my community.

<u>Answer Choices</u>	<u>Responses</u>
Yes	50%
No	25%
<u>Not sure</u>	<u>25%</u>



**FLORENCE CITY COUNCIL
PLANNING RETREAT – APRIL 23, 2021**

There are plenty of good-paying jobs in my community.

<u>Answer Choices</u>	<u>Responses</u>
Yes	0
No	<u>100%</u>

Our City Government has the following relationship with small businesses.

<u>Answer Choices</u>	<u>Responses</u>
Great	0
Good	0
Average	75%
Could be better	0
<u>Poor</u>	<u>25%</u>

Rank the following areas from 1 being the most important to 7 being least important:

1. Economic Development
2. Housing
3. Roads and other infrastructure
4. Leadership and development
5. Law enforcement/Community Relations
6. & 7. (tie) Equity, Inclusion and Diversity Initiatives and Workforce Development

EXPLORING THE TOP PRIORITIES WE CAN AGREE ON

Council and staff broke-out into a small groups to discuss priorities, why they are priorities, and what the obstacles to achieving these things might be.

[Break: 11:00 a.m. – 11:15 a.m.]

Following the break, Council and staff reported on their top priorities:

- **Communications**
- **Safety**
- **Economic Development**
- **Annexation**
- **Community Development**
- **Infrastructure**
- **Finances**
- **Staff Development**

Mr. Vincent asked staff and Council to further develop each of the top priorities. They will come up with ideas under each category and some ideas may fall under more than one top priority category. After this exercise, Council will be able to refine their priorities into something they can actually accomplish.

Below is the result of the exercise.



**FLORENCE CITY COUNCIL
PLANNING RETREAT – APRIL 23, 2021**

Communications:

- Mindset change/investment
- Customer service
- Marketing
- Appearance

Safety:

- Lighting
- Customer Service
- Marketing
- Appearance

Economic Development:

- Business Investment
- Minority business investment and growth
- Lighting
- Customer Service
- Marketing
- Aesthetics

Annexation:

- Business Development
- Communication
- Customer Service
- Marketing
- Appearance

Community Development:

- How it looks
- Community Revitalization
- Housing
- Development/stabilization
- Lighting
- Communication
- Customer Service
- Marketing

Infrastructure:

- Lighting
- Communication
- Marketing
- Aesthetics

Finances:

- Lighting
- Communication
- Customer Service



FLORENCE CITY COUNCIL
PLANNING RETREAT – APRIL 23, 2021

- Marketing
- Transparency

Staff Development:

- Communication
- Training/Cross-training
- Customer Service
- Hiring/Development
- Marketing
- Aesthetics

Mr. Vincent said step one is to determine what is in your control and can easily be implemented utilizing existing resources. The lists that have just been developed will be the focal point moving forward.

LEARN ABOUT ALL THE EXPERTISE IN THE ROOM

Mr. Vincent asked that staff take a couple minutes to introduce themselves and speak on their background, scope of responsibilities and expertise. The following staff members were present:

- **Randy Osterman, City Manager** – Mr. Osterman has a background in Emergency Services (Fire, Police, EMS). He said he has an expertise in coordinating, facilitating, and conducting so staff can effectively and efficiently run their departments.
- **Chuck Pope, Director of Public Works** – Mr. Pope was hired with the city as Recreation Manager. Public Works includes: Beautification and Facilities (including the Jayne Boswell animal shelter), Athletics and Sports Tourism, Sanitation (garbage, yard waste, and recycling collection), and Equipment Maintenance (city shop).
- **Scotty Davis, Deputy City Manager** – Mr. Davis was hired with the city as Infrastructure Department Manager and has worked under several departments. His current role includes assisting the City Manager, working with the community, and informing and advising Council.
- **Jennifer Krawiec, Human Resources Manager** – Mrs. Krawiec was hired with the city in Human Resources. She said working in Human Resources and serving employees is the most rewarding job with the city. Human Resources staff assists employees the entire life span of their employment, from recruitment to retirement.
- **Shannon Tanner, Fire Chief** – Chief Tanner began his employment with the city as a Firefighter. The Fire Department is responsible responding to various emergency calls (fire, medical, rescue, etc.), conducting inspections for businesses, risk management (employee accidents and citizen claims), and emergency management (plans, processes, and procedures for emergency situations). The Fire Department is also over the Building Department (permitting, plans review and inspections for commercial and residential).
- **Allen Heidler, Police Chief** – Chief Heidler was hired with the city as a Police Officer. Police officers work to build relationships and trust with the community in a collaborative effort.
- **Jerry Dudley, Planning Director** – Mr. Dudley was hired with the city as Compliance Superintendent. His scope of responsibilities include the Planning Department (administers the zoning code; oversees Planning Commission, Design Review Board, and the Board of Zoning Appeals; and handles annexations), Community Services (includes Neighborhood Revitalization Program), and Recreation (includes programming in Community Centers).
- **Kevin Yokim, Assistant City Manager of Finance/Administration** – Mr. Yokim has served local government in Florence for 25 years (Florence County prior to the city). Housed within the



FLORENCE CITY COUNCIL PLANNING RETREAT – APRIL 23, 2021

Finance Department is Utility Finance, IT, Business license and permitting, procurement and city court.

- **Clint Moore, Assistant City Manager of Development** – Mr. Moore was hired with the city as a Project Manager. His role is over Downtown Development, Engineering (review plans), GIS and the Local Foods Initiative (including the Farmers Market).
- **Amanda Pope, Municipal Clerk** – Mrs. Pope was hired with the city in Public Works and is now part of the City Manager's Office. The City Manager's office provides support to Council and the City Manager (building agendas, completing minutes, record maintenance, etc.); Communications (website, social media, newsletter, and the public access channel); and Special Projects (Flo-town 5K, etc.).
- **Michael Hemingway, Utilities Director** – Mr. Hemingway was hired with the City as Wastewater Manager within the Utilities Department. The Utilities Department is over Wastewater Operations (the city operates 2 wastewater management facilities), Water Production (1 surface water facility, 31 groundwater plants, and 14 elevated water tanks), Stormwater Collection, Sanitary Sewer Collection, Distribution, Compliance, and Maintenance.
- **Jim Peterson, City Attorney** – Mr. Peterson has been the City Attorney since 1994. His role is to assist the City of Florence and Council in drafting ordinances and various documents and keeping the city lawful. He works with staff on a regular basis to answer questions and work through issues.

[Break: 12:32 p.m. – 1:10 p.m.]

EFFECTIVELY WORKING THROUGH CHANGE

Following the break, Mr. Vincent discussed the change cycle and going through change under stress. Collectively, you want everyone to, at least, get to the acceptance stage when forming decisions.

Four stages of going through change:

1. Denial
2. Resistance
3. Acceptance
4. Embrace

Mr. Vincent briefly spoke on marketing, he said you cannot over-market or over-communicate. The more you market and communicate why and how you will accomplish something, the more it allows people to move out of the resistance stage into acceptance.

Mr. Vincent said Council and staff will be breaking out into a small group discussion again, this time to focus on 2 or 3 priorities from the ones already identified, within their control, that the city can focus on first. Group discussion commenced.

(Mayor Pro Tempore George Jebaily arrived at 1:22 p.m.)

Following the group session, Mr. Vincent spoke of Paired Comparisons. Paired Comparisons are good for decision making and can be used as a tool to help work out the importance of a number of options. He said Council and staff will be going through a couple rounds of Paired Comparisons to narrow down their top priority lists. Group discussion commenced.

Mr. Vincent asked each break-out group to discuss their top priorities from the session:



FLORENCE CITY COUNCIL
PLANNING RETREAT – APRIL 23, 2021

- Group 1: Lighting and Marketing by humanizing city staff.
Group 2: Lighting, Economic Development with business investment, and Marketing with a social media presence.
Group 3: Communication by mindset change, Marketing to the people/Customer Service, and Community Development.
Group 4: Business Development and Annexation, Economic Development with internal and external Marketing/Minority business and investment/growth, Community Revitalization.

The following priorities were captured from the previous list:

- Community Revitalization
- Communication
- Business Development
- Business Investment
- Customer Service
- Minority Business Investment/Growth
- Lighting
- Mindset Change
- Marketing (including all four subtleties from above)

Mr. Vincent said Council and staff will break-out into groups again and will be completing Round 2 of Paired Comparisons from the list immediately above. Group discussion commenced.

Mr. Vincent asked each break-out group to discuss their top priorities from Round 2:

- Group 1: Lighting, Business Development, Marketing (Have a plan).
Group 2: Mindset and Community Revitalization (if citizens see things happen, their mindset will change; clean-up, board-up, and maintain properties).
Group 3: Lighting, Business Development, Marketing.
Group 4: Marketing (city staff and their roles, highlighting diversity), Lighting (to benefit Business Development and Community Revitalization).

Results from Round 2:

- Lighting
- Business Development
- Marketing
- Mindset
- Community Revitalization

Mr. Vincent said Council needs to get their top priority list to no more than 3. After a short discussion, Council agreed that Lighting would benefit both Business Development and Community Revitalization and could be a subsection to both of those, and Mindset could be a subsection of Marketing.

The top 3 priorities Council agreed on are:

- Business Development (lighting) - inclusive to small and minority businesses
- Community Revitalization (lighting)
- Marketing (mindset)



FLORENCE CITY COUNCIL PLANNING RETREAT – APRIL 23, 2021

Mr. Vincent elaborated on mindset and said mindset comes before everything, even the plan. You have to have a mindset in order to build rapport, explore and execute a plan. Mr. Vincent said Council needs to take these 3 broad areas of agreement and turn them into solid action items, they can even be a press release. A press release will allow Council to get in front of the narrative, control the narrative, and hold them accountable.

Mr. Vincent asked if there were any questions for him or Mr. Copenhaver.

Councilwoman Barnes asked what the next step is. Mr. Vincent said they have to plan and focus on some of the subsections and nuisances within their priority list.

Councilman Braddock asked Mr. Copenhaver what his first win was as Mayor of Augusta. Mr. Copenhaver said he became actively involved in economic development once elected. His first year in office they were able to recruit ADP, creating 1,000 jobs initially which has grown to approximately 1,700. When he first met with ADP, he was told of the company's commitment to diversity and Augusta having a diverse labor force helped in recruiting the company.

Mr. Davis asked Mr. Copenhaver to elaborate on the "win over Florence." Mr. Copenhaver said he was Mayor when Augusta recruited Starbucks. Florence was a finalist for a Starbucks development, but the strength of Augusta's Arts and Cultural District at the time caused Starbucks to choose Augusta. Mr. Copenhaver said Florence learned a lesson from that and has developed an Arts and Cultural District that may have won over Starbucks today. People usually don't associate Diversity and Arts and Culture as part of economic development, but it is important to companies when they are looking for locations.

Mr. Vincent thanked everyone for their participation and he and Mr. Copenhaver left the meeting.

[Break: 2:30 p.m. – 2:45 p.m.]

BUDGET INTRODUCTION

Mr. Osterman said Council typically receives a copy of the proposed budget at their first work session meeting, but they will be receiving a copy of the proposed budget today.

Mr. Yokim provided a brief overview of the city's major revenue sources and how the funds may be used.

The following funds are the four main funds for the city: General Fund, Water and Sewer Fund, Stormwater Utility Fund, and Hospitality Fund.

The General Fund is the most important fund for local government, the line items listed below comprise 86% of the total General Fund budget. The Water and Sewer Fund is the second largest fund and is a restricted fund. The Stormwater Utility Fund is the third largest fund and is also a restricted fund. The Hospitality Fund is the 2% tax on all prepared food and beverages sold in the city.



**FLORENCE CITY COUNCIL
PLANNING RETREAT – APRIL 23, 2021**

**FY 2021/22 Budget
Major Revenue Sources**

General Fund:

		% of budget
Property Taxes	\$ 5,592,000	13.61
Business License	5,515,000	13.42
*Local Option Sales Tax – Property Tax Credit Fund	4,700,000	11.44
*Local Option Sales Tax – Revenue Fund	3,619,000	8.81
Insurance License	4,300,000	10.46
Franchise Fees	4,230,000	10.29
Transfer from Water and Sewer Fund	4,080,000	9.93
Landfill Fees	1,850,000	4.50
Transfer from Hospitality Tax Fund	1,521,7000	3.70
Total General Fund Budget	\$ 41,091,000	

* In accordance with state law, the property credit fund must be used as a credit against property taxes. The revenue fund can be used as General Fund revenue.

Water and Sewer Fund:

In accordance with City ordinances and various bond ordinances, water and sewer revenue must be used for the operation of the water and sewer system and for debt service on the various bonds issued for the water and sewer system.

		% of budget
Outside Water Charges	\$ 11,482,000	30.57
Inside Sewer Charges	10,600,000	28.22
Outside Sewer Charges	9,200,000	24.49
Inside Water Charges	6,820,000	18.16
Total Water and Sewer Fund Budget	\$ 37,561,000	

Stormwater Utility Fund:

In accordance with City ordinances and the stormwater bond ordinance, stormwater revenue must be used for maintenance of the stormwater system and for debt service on the bond issued for the stormwater system.

		% of budget
Stormwater Service Fees	\$ <u>1,377,000</u>	94.28
Total Stormwater Utility Fund Budget	\$ 1,460,500	

Hospitality Fund:

In accordance with state law, hospitality taxes must be used for tourism related purposes.

Hospitality Fund	\$ <u>1,377,000</u>
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**FLORENCE CITY COUNCIL
PLANNING RETREAT – APRIL 23, 2021**

Pro tem Jebaily asked Mr. Yokim to explain the property tax credit fund with the local options sales tax line item in the general fund. Pro tem Jebaily further inquired on annexations: the property tax credit fund is a credit against property taxes for city residents and does not apply to those properties outside the city. Pro tem Jebaily requested that staff prepare a document that shows the financial benefit for annexing into the city. Mr. Yokim said it makes sense for an owner-occupied residence to annex into the city and further explained that the current general fund millage rate is 59.1, but the credit offsets the millage to a net of 20-25 mils. Also, water and sewer rates are lower for city residents and the ISO ratings with the Fire Department keep fire insurance premiums down.

Councilman Braddock asked if the city's millage rate is 20 mils lower than the county's before or after the credit. Mr. Yokim replied before the credit. Councilman Braddock further asked if that means a business in the county pays more taxes than they would in the city. Mr. Yokim replied everyone pays county taxes, if you annex in the city you still pay the 79 mils for the county in addition to the 59 mils for the city for a residential homeowner; however with a commercial property paying the 6% tax, the local options sales tax is calculated on the appraised value, not the assessed value. As more properties are annexed in, the local option sales tax becomes more diluted as it is divided among the residences. At one point, 100% of the proceeds from the local option sales tax went towards property tax relief to city citizens; however, City Council passed an ordinance to adjust the portion in order to fund various projects, including neighborhood redevelopment and development for Francis Marion University.

Mr. Yokim introduced the budget book to Council and briefly described its contents and layout.

Pro tem Jebaily asked what the total budget is, and Mr. Yokim said it is approximately \$80-90 million.

Mayor Ervin thanked everyone for their participation.

ADJOURN

Without objection, the April 23, 2021 Planning Retreat of City Council was adjourned at 3:08 p.m.

Dated this 14th day of June 2021.

Casey C. Moore, Municipal Clerk

Teresa Myers Ervin, Mayor



**REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, MAY 10, 2021 – 1:00 P.M.
CITY CENTER – COUNCIL CHAMBERS
324 WEST EVANS STREET
FLORENCE, SOUTH CAROLINA
MEETING CONDUCTED THROUGH ZOOM VIDEO CONFERENCING**

MEMBERS PRESENT

Mayor Teresa Myers Ervin, Mayor Pro Tempore George Jebaily, Councilwoman Pat Gibson-Hye Moore, Councilwoman Lethonia Barnes, Councilman Chaquez T. McCall, Councilman Bryan A. Braddock and Councilman C. William Schofield.

ALSO PRESENT

Mr. Randall S. Osterman, City Manager; Mr. James W. Peterson, Jr., City Attorney; Mrs. Casey Moore, Municipal Clerk; Mr. Scotty Davis, Deputy City Manager; Mr. Clint Moore, Assistant City Manager of Development; Mr. Kevin Yokim, Assistant City Manager of Administration/Finance; Chief Allen Heidler, Florence Police Department; Chief Shannon Tanner, Florence Fire Department; Mr. Jerry Dudley, Director of Planning; Mr. Michael Hemingway, Director of Utilities; Mrs. Jennifer Krawiec, Director of Human Resources; Mrs. Amanda P. Pope, Director of Marketing/Communications and Municipal Services; and Mr. Chuck Pope, Director of Public Works.

MEDIA PRESENT

Notices of this regular meeting of City Council were provided to the media and individuals requesting a copy of the agenda informing them of the date, location and time of the meeting.

CALL TO ORDER

Mayor Ervin called the May 10, 2021 regular meeting of Florence City Council to order at 1:03 p.m.

INVOCATION

Mayor Ervin gave the invocation for the meeting. The pledge of allegiance to the American Flag followed the invocation.

APPROVAL OF MINUTES

Pro tem Jebaily made a motion to adopt the minutes of the April 8, 2021 Swearing In Ceremony and the April 12, 2021 Regular City Council meeting and Pro tem Jebaily seconded the motion. The minutes were unanimously adopted.

APPEARANCE BEFORE COUNCIL



**FLORENCE CITY COUNCIL
REGULAR MEETING – MAY 10, 2021**

Ms. Andrea Jackson and Ms. Janice Albert, My Brother's Keeper Shelter

Ms. Jackson and Ms. Albert, volunteers, began their presentation by explaining to Council the services provided by My Brother's Keeper Shelter (MBK Shelter):

Hot Meals – Approximately 220 delivered daily to needy adults and children in the city.

Grocery Care Packages – Approximately 90 delivered bi-weekly to seniors and shut-ins.

Weekend Care Packages – 100 delivered to children weekly thanks to Help for Kids organization.

Clean Clothing and Hygiene Products – Provided as requested.

MBK Shelter prepares meals at Trinity Baptist Church in their new commercial kitchen. Food is delivered to satellite locations of Levy Park, Iola Jones Park, Northwest Park, and Timrod Park. They also have a dedicated delivery route to provide food for homes of sick, shut-in and disabled persons. MBK Shelter is the only agency in Florence that serves well-balanced, hot meals seven days per week. In 2020, MBK Shelter served 75,000 meals. From January through April 2021, they have already served 24,518 meals.

MBK Shelter desires to be the premiere feeding organization for the City of Florence, expand their scope to provide the healthiest meals possible, and install a commercial hood and upgrade the kitchen to add generators and solar panels to allow continued operation during power outages. MBK Shelter also desires to secure financial support from the City of Florence and is hereby requesting \$30,000 in funding.

Councilwoman Moore expressed her support for MBK Shelter and thanked them for what they do for the community.

Pro Tem Jebaily asked what interaction they have with other entities in the area, i.e.: Meals on Wheels and the Senior Leatherman Center. Ms. Jackson said they currently do not coordinate with the other entities and they mainly operate independently; however, they are not opposed to the idea. Ms. Albert further elaborated that COVID caused Meals on Wheels to shut down and MBK Shelter stepped in to deliver meals to their seniors.

Pro tem Jebaily asked Councilman Braddock of his opinion on how all the different agencies could work together, being that Councilman Braddock works with House of Hope. Councilman Braddock said House of Hope has worked with MBK Shelter for several years as well as with the No One Unsheltered Program. Councilman Braddock said MBK Shelter bridged the gap when the other entities shut down during COVID. He said a tractor trailer load of food is donated weekly from Performance Food Group and is dispersed among approximately 12 organizations, to include House of Hope and MBK Shelter.

Councilwoman Moore said when all the other organizations shut down due to COVID, MBK Shelter stepped in to make sure the community was fed. She said this is a program unlike any other.

Councilman McCall also said he appreciates all the work they do with the community.

Mr. Joey McMillian, Mr. Gary Finklea, and Mr. Barnett Greenberg

Mayor Ervin said these three individuals have requested to speak on the Rental Registry Ordinance and the Business License Fee.

Mr. Joey McMillian spoke first. He said Act 176 was exciting to those that own small businesses and for those that do business in multiple municipalities. To his surprise, after the city took action in regard to



**FLORENCE CITY COUNCIL
REGULAR MEETING – MAY 10, 2021**

Act 176, he has ended up with more taxes and more paperwork to fill out, which has been burdensome. Mr. McMillian acknowledged that some businesses received a tax cut (65%), but all his businesses received a rate increase. He said there is now a business license fee on commercial properties, something that has never been done in Florence before. He said he met with city staff and was told the business license fee was for two reasons: 1) because everybody else is doing it; and 2) the city will be sued if they do not impose the tax. Commercial properties already pay high property taxes and Mr. McMillian asked that the business license fee for commercial properties be revisited. Mr. McMillian then spoke on the Rental Registry Ordinance. He said his business does 500 residential transactions a year and 95% of those homes would not meet the standards required by the ordinance. It will be burdensome for property owners to abide by the standards. He acknowledged that something does need to be done in the city, but this registry is overkill.

Councilman Braddock asked Mr. McMillian if there is something specific he would like revisited in regard to the business license fee on commercial properties. Mr. McMillian noted again that 65% of businesses saw a tax cut while 35% saw an increase and asked for this to be addressed, he does not think it is fair for the 35% to pay more in taxes. He said growth will be hindered in Florence because of the increase in taxes on commercial properties and will cause businesses to locate outside the city. Councilman Braddock asked Mr. McMillian his opinion on the “unforeseen consequences” with the passing of the rental ordinance and asked if he noticed any of these being realized. Mr. McMillian said there are good landlords and property owners that want out of the business because of the burden being placed on them and it is uncertain who will replace them. He said there are not a lot of properties that will meet the standards required and it is going to cause a problem in Florence.

Pro tem Jebaily asked for clarity on the number of those that received a rate increase versus a rate decrease with the reclassifications. He said he understands that the goal was for the city to remain revenue neutral with the passing of the ordinance, meaning the city would receive neither a gain nor a loss in revenue due to the reclassification. He said he further understands that 65% of those realized a reduction in their rates while 35% realized an increase. Mr. Kevin Yokim, Assistant City Manager of Administration/Finance, said that is correct.

Mr. Gary Finklea spoke next. He said he would like Council to entertain either repealing the Rental Registry Ordinance or delaying implementation of the Ordinance 1-2 years. The rental registry serves the purpose for providing a procedure to the International Property Maintenance Code the city has adopted. He further said this International Property Maintenance Code is 95% efficient for the purpose of bringing nonconforming properties into conformance. The ordinance the city passed to add a procedure to the code is not necessary, the International Property Code already has a procedure in place. Mr. Finklea said he does not fault Council for not realizing this, but he does fault city staff. He said the city needs an ordinance with additional procedures with a notice of violation and to encourage property owners and property managers to do the right thing, not penalize them. The current ordinance does not accomplish this. When the Rental Registry Ordinance was passed on first reading, it was completely replaced with a more appropriate document for second reading. Mr. Finklea said he, the city manager and the city attorney already performed two edits to the document that passed, so even staff recognizes the current ordinance can be improved on. He again requested to delay implementation of the ordinance to allow time to find out what portion of the ordinance is necessary and what is not. The reason he was told the city needed to adopt a rental registry ordinance was to be able to provide notice to the offending landlord; however, the International Property Maintenance Code already includes a section that pertains to notices and orders, as well as method of service. He said the allegations made to use the rental registry ordinance as a way to notify property owners is a farse. All that is necessary is a complaint driven procedure to bring homes up to the International Property Code standards. He also mentioned the unintended costs to tenants and said this ordinance punishes good tenants. Unforeseen taxes will fall on the tenant, which can



**FLORENCE CITY COUNCIL
REGULAR MEETING – MAY 10, 2021**

lead to homelessness. Mr. Finklea reiterated what Mr. McMillian already said, there are very few older homes that can abide by the standards and currently, due to COVID, the cost of materials and building supplies makes it difficult to comply.

Mr. Finklea also spoke on the business license fee, saying property owners already pay a tax based on the rental income they receive. For tax purposes, residential rental properties are considered commercial properties and are taxed at 6%. Also, most properties take 3 months of rent to pay for property taxes. There should be an exception for business license taxes being assessed against property owners because business owners already pay a tax on their rent through the property tax. He recognized that Council is concerned with housing problems throughout the city; however, the business license tax and the rental registry are sending a strong message to those individuals that have the choice to not annex and do business with the city. He reiterated that both the business license and the rental registry ordinance will not burden the property owner because they will just pass the cost along to the tenant. Also, people are still recovering from unemployment income loss due to the pandemic and this will just place a greater burden on them.

Mayor Ervin asked Mr. Osterman to clarify that the rental registry requires a business license and a registration fee, not an increase in taxes. Mr. Osterman replied the ordinance requires a business license for those who own 5 or more rental units as well as a \$25 rental permit application fee initially. The rental permit application will be waived after the initial year for those owning more than 5 rental units. If the individual owns 1-4 rental units, they are required to pay the \$25 rental permit fee annually. The \$25 fee is per application, not per unit.

Councilman Braddock said cost of materials and availability is an issue and it may not be viable for property owners to make the required repairs and said they need to look at ways to mitigate this unforeseen situation. Mayor Ervin replied that implementation of the rental registry is imperative to begin the registration process and to allow property owners time to make repairs to those units they know are not compliant. There will be lee-way after implementation to allow for these repairs and if there is a complaint against a property, the property owner or manager will be given a warning initially and allowed proper time to complete necessary repairs.

Councilwoman Moore acknowledged Councilman Braddock's concern regarding cost and availability of supplies for property owners to make repairs; however, most of these property owners knew their properties were not up to code prior to the pandemic.

Councilman Schofield said as a business owner in retail and the building supply industry he can attest to the shortage of supplies. Also, being a commercial property owner, it takes him four months of rental income to pay for the property taxes. He said Council must find a way for these ordinances to benefit everyone.

Mr. Barnett Greenburg spoke last, saying he is a realtor and broker in charge of a brokerage firm. He also requested the ordinances be revisited to make it fairer and more reasonable for everyone involved. He said many people are saying the rental registry ordinance is flawed and it has already gone through several revisions. This ordinance is a drastic change from a decades long policy and the public needs to know what they are dealing with. This ordinance hurts everybody, and the cost will be passed to the tenant, whether it is a residential or commercial property. It sends a bad message to those that invest in real estate or have businesses in the city. He requested this to be publicly revisited so the community can have a say. The previous meetings were held via Zoom in which several people either did not know about the meetings or were not able to be involved. The rental ordinance should be transparent in regard to the law, and there are several things in the ordinance that are extreme overkill. He said he has already seen



**FLORENCE CITY COUNCIL
REGULAR MEETING – MAY 10, 2021**

some unforeseen consequences from these ordinances and there should be a way to address those bad property owners instead of penalizing all. As did Mr. Finklea and Mr. McMillian, he asked that Council revisit the rental registry ordinance as well as the commercial business license fee.

Councilman McCall asked Mr. Yokim for clarity on the standardization bill that was passed by state legislature. Mr. Yokim said last fall, the state legislature passed a business license standardization bill. Based on the provisions in state law, the Municipal Association crafted a model business license ordinance in which they encouraged all municipalities to adopt instead of each municipality having to modify their existing business license ordinance. Councilman McCall asked if the city modified the existing business license ordinance in accordance with state law, would it have created either a windfall or a shortfall. Mr. Yokim replied the city would have resulted in approximately a \$500,000 shortfall in result of the reclassification. Mr. Yokim further explained the reclassification, which is now state law passed by the legislature. One of the provisions in the bill required that all businesses be classified the same throughout the state. With assistance from the Municipal Association, the city moved forward with the reclassification. As a result, if the city kept their current fees, a \$500,000 loss in revenues would have occurred. Therefore, the law allowed for a one-time rebalancing so that municipalities would not realize a windfall nor a loss in revenue. The city also utilized the Municipal Association for assistance in the rebalancing calculations. Councilman McCall asked if the city was required to adopt the business license ordinance. Mr. Yokim replied that state law required the reclassification, which in turn requires an ordinance.

Councilman Braddock asked on the timeline for implementation. Mr. Yokim replied another provision of the bill was a uniform payment date of April 3, 2022. All municipalities will either have to adopt the model ordinance drafted by the Municipal Association or modify their existing ordinance to comply with state law.

Councilman Schofield asked Mr. Yokim if it was necessary for the city to pass the ordinance as soon as they did. Mr. Yokim, said it was not necessary but it was desired for two reasons: 1) there was a concern that if the city waited, staff would have had to do a lot of the reclassification and rebalancing work themselves instead of having assistance from the Municipal Association since there are approximately 200 municipalities in the state and; 2) the rental registry ordinance contains a business license component to it on residential rental property, to be effective in 2021. Councilman Schofield referenced a portion of Act 176 regarding the reclassification and Mr. Yokim confirmed that, per state legislature, City Council could pass an ordinance to reclassify certain businesses to different rate classes if they desire.

Pro tem Jebaily referenced the portal offered by the Municipal Association that businesses may use to obtain their business license. Mr. Yokim replied the portal allows those who conduct business in multiple locations to enter their information and the South Carolina Department of Revenue will then disperse the information along with payment to the impacted municipalities. Pro tem Jebaily said a concern has been raised by those that own commercial property. The business license ordinance that was passed in 1987 exempted those who owned commercial properties from paying a business license fee; however, every other municipality in South Carolina requires a business license for commercial property. The current ordinance has brought the city into conformity with the rest of the municipalities throughout the state. Pro tem Jebaily used Magnolia Mall as an example and said up until the passing of the ordinance, Magnolia Mall was not required to obtain a business license while all the individual stores/tenants operating within the mall were. This ordinance will require Magnolia Mall to also obtain a business license. This change was not required by state legislature but was done so to bring the city to conformity with the rest of the state. Mr. Yokim said that is correct.



**FLORENCE CITY COUNCIL
REGULAR MEETING – MAY 10, 2021**

Mayor Ervin asked Scotty Davis, Deputy City Manager, to clarify if a representative of the State Chamber of Commerce came to Florence some years back to speak to business owners and realtors in reference to the bill. Mr. Davis said that is correct, a Chamber representative was working with Representative Jordan to pass the bill and it involved discussion with the Board of Realtors. Mayor Ervin said, for the record, this did not happen overnight, this has been a concern for several years for leaders throughout the state and the Municipal Association. Throughout the whole process, city staff has been available to any business that had any questions and city staff will continue to be available.

ORDINANCES IN POSITION

Bill No. 2021-10 – Second Reading

An Ordinance to amend the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2020 and ending June 30, 2021.

Councilwoman Moore made a motion to adopt Bill No. 2021-10 on second reading and Councilwoman Barnes seconded the motion.

Council voted unanimously (7-0) to adopt Bill No. 2021-10.

INTRODUCTION OF ORDINANCES

Bill No. 2021-11 – First Reading

An Ordinance to annex and zone the parcel located at 2499 Rainford Road, identified as Florence County Tax Map Parcel 01221-01-158.

Councilman Schofield made a motion to pass Bill No. 2021-11 on first reading and Councilwoman Barnes seconded the motion.

Mr. Jerry Dudley, Planning Director, said this is a single lot annexation and the proposed zoning is Neighborhood Conservation-15 (NC-15). City water and sewer services are currently available.

Planning Commission voted unanimously to recommend the zoning request of NC-15 and city staff concurs with planning commission's recommendation.

Council voted unanimously (7-0) to pass Bill No. 2021-11.

Bill No. 2021-12 – First Reading

An Ordinance to annex and zone a portion of Lake Oakdale and the Lake Oakdale dam, identified as a portion of Florence County Tax Map Parcel 00751-01-049.

Mr. Dudley said the applicants have requested that this item be deferred. Without objection, this item was deferred.

Bill No. 2021-13 – First Reading

An Ordinance to amend the Planned Development District for The Grove at Ebenezer.

Councilman McCall made a motion to pass Bill No. 2021-13 on first reading and Councilwoman Moore seconded the motion.



**FLORENCE CITY COUNCIL
REGULAR MEETING – MAY 10, 2021**

The Planned Development District (PDD) was created in 2016 by ordinance. The developer is requesting an amendment to The Grove PDD to permit 15-foot front setbacks for Phase III and future single-family detached residential development. This request is based on space constraints due to stormwater infrastructure, utility rights-of-way, and a future addition to the city’s Rail Trail.

Planning Commission unanimously recommended the request for the front setback requirement and staff concurs with planning commission’s recommendation.

Council voted unanimously (7-0) to pass Bill No. 2021-13.

INTRODUCTION OF RESOLUTIONS

Resolution No. 2021-11

A Resolution to approve the City of Florence Community Block Grant Budget for fiscal year 2021-2022.

Councilwoman Moore made a motion to adopt Resolution No. 2021-11 and Councilwoman Barnes seconded the motion.

Mr. Dudley gave an overview of the proposed CDBG budget for fiscal year 2021-2022.

The proposed CDBG Budget for FY 2021-22 is as follows:

Planning and Administration	\$ 55,300
Emergency Rehabilitation	\$ 100,000
Section 108 Loan Repayment	\$ 69,000
Down Payment Assistance	\$ 40,000
Demolition	<u>\$ 26,900</u>
Total	\$ 291,200

Council voted unanimously (7-0) to adopt Resolution No. 2021-11.

Resolution No. 2021-12

A Resolution to designate Juneteenth, June 19 as an official holiday for the City of Florence.

Mayor Ervin made a motion to adopt Resolution No. 2021-12 and Councilwoman Moore seconded the motion.

Mr. Davis reported President Abraham Lincoln decreed the Emancipation Proclamation on January 1, 1863; however, news of the signing of the proclamation was withheld in parts of the United States until June 19, 1865 – marking the symbolic date representing African American freedom. In 2018, South Carolina designated June 19 as the “Juneteenth Celebration of Freedom Day” but the legislature did not make Juneteenth an official legal holiday.

Mayor Ervin said this resolution will recognize the holiday for city staff and be a paid holiday. She said the city is moving forward and becoming more inclusive.



**FLORENCE CITY COUNCIL
REGULAR MEETING – MAY 10, 2021**

Councilwoman Barnes said she is very proud to be part of this Council. She said July 4th is celebrated throughout the nation; however, that date does not signify freedom for all those that reside in the United States.

Councilman Braddock agreed with Councilwoman Barnes, this is a great move for the city.

Mayor Ervin also concurred with Councilwoman Barnes. Although July 4th celebrates the freedom of the United States from another country, it does not signify freedom for all citizens. It was not until Juneteenth that all citizens gained freedom.

Resolution No. 2021-13

A Resolution by the City of Florence formally designating the City of Florence Municipal Courtroom at 324 West Evans Street as “The Honorable William Howard ‘Taft’ Guile, Jr. Courtroom” for Judge Guile’s instrumental role as a municipal court judge and for his many years of service to the Florence community.

Mayor Ervin made a motion to adopt Resolution No. 2021-13 and Councilwoman Moore seconded the motion.

Mr. Dudley reported the request to name the courtroom was received from the family of Judge Guile. Judge Guile gave over 40 years of service to the Florence community, serving as a City Police Officer, Florence County Sheriff’s Department, Florence County Magistrate and as a Municipal Court Judge, where he served until his death. Procedurally, this matter went to Planning Commission in which they unanimously recommended the naming of the Courtroom.

Council voted unanimously (7-0) to adopt Resolution No. 2021-13.

Resolution No. 2021-14

A Resolution of City Council approving Downtown Redevelopment Grants for Fourth Quarter, FY21.

This item will be discussed in Executive Session.

REPORTS TO COUNCIL

Mayor Pro Tem Jebaily

Pro tem Jebaily gave a report to Council on the Mayor Pro Tempore position. He said following the previous meeting in April and at the request of the Mayor, he consulted with fellow Councilmembers on their opinion of the Mayor Pro tem position. He announced that he will be fulfilling his two-year term as the Pro tem and thanked Council for their support.

Councilwoman Lethonia Barnes

Councilwoman Barnes began by thanking staff for the two-day Council Retreat team building session. She said Council was able to come up with several goals and objectives they could tangibly start working on. She expressed her eagerness to begin work as a Councilmember for the community. Based on the consensus of discussions that were had at the Retreat, Councilwoman Barnes made a motion to establish three ad hoc advisory committees, consisting of three members of Council each: Community Redevelopment Committee, Business Development Committee, and the Marketing and Public Relations



**FLORENCE CITY COUNCIL
REGULAR MEETING – MAY 10, 2021**

Committee. She suggested that she be the chair of the Community Redevelopment Committee, with Pro tem Jebaily being the chair for the Business Development Committee and Councilman McCall being the chair for the Marketing and Public Relations Committee. She further explained that if the motion to establish the committees is approved, members will be selected at the next Regular Meeting of City Council.

Mayor Ervin said there is already a Community Redevelopment Committee (Neighborhood Revitalization Committee) that she chairs and Pro tem Jebaily is a member of and it has been in place since 2014. Pro tem Jebaily said it is his understanding that when there is a changeover in Councilmembers after an election, ad hoc committees that were previously in place with the prior Council are no longer, and there should be a council vote on a new committee. He said the three suggested committees all arose from discussions at the retreat in which they all worked together to come up with these ideas. Pro tem Jebaily seconded the motion to establish the three committees.

Mayor Ervin said the purpose of the retreat was to bring Council together to establish communication among members. There should have been communication and discussion among Council before any motion or action is taken on this Report to Council. She said not discussing this with all members prior does not reflect well with what was learned at the retreat session. While this appears to be well thought out and planned, action items on the agenda should be communicated with the full Council. Mayor Ervin asked Councilwoman Barnes if she communicated with every member of Council her intentions to establish the proposed committees. Councilwoman Barnes said she spoke with most members, but not everyone, and asked if it is a requirement that she does. Mayor Ervin answered it is not required by law, but the purpose of the retreat was for better communication among Council. Councilwoman Barnes said forming committees was discussed at the retreat.

Mayor Ervin explained that, at the retreat, a group activity took place with City Council and staff in which they agreeably identified three areas of focus. Also, the purpose of the retreat was for Council to communicate and work together. Councilwoman Barnes said the committees were discussed in group discussion at the retreat, and she is simply carrying out what was discussed. She said she did not realize further communication was necessary since all of Council was present when the discussion of forming committees arose at the meeting. Mayor Ervin said the three initiatives were discussed at the retreat, but how or who was not. She further said it was not a requirement to discuss anything with her, but it is common courtesy. Mayor Ervin said she called Councilwoman Barnes the Friday before the meeting and left a voicemail, but never received a return call. Mayor Ervin said the question is not about the committees, it is about communication. In the past, when an item is placed on the agenda, information was provided to all members on the item.

Councilwoman Barnes acknowledged receiving a phone call from the Mayor, but said it was regarding a separate matter. She said she was working on forming a committee and shared the paperwork with staff for review and then Mayor Ervin took the initiative as her own and appointed her to chair the committee. Mayor Ervin asked Councilwoman Barnes not to throw accusations. Mayor Ervin said she was working on a similar initiative prior to becoming Mayor. After meeting with staff, she thought to combine the two initiatives together as one committee. Mayor Ervin explained that the referenced committee is the Community Aesthetics Committee. Mayor Ervin again requested better communication and Councilwoman Barnes said she would like the same from Mayor Ervin.

Pro tem Jebaily spoke, referring to the next item on the agenda: Appointments to the City/County Conference Committee, and asked Mayor Ervin if that was an item she planned on bringing before Council, to which she replied it is. He stated he never received a phone call or any communication



FLORENCE CITY COUNCIL REGULAR MEETING – MAY 10, 2021

regarding this committee or any action she had planned and if she planned on bringing that item to the table it should have been communicated.

Councilwoman Moore asked if community revitalization would be included in the Community Redevelopment Committee or if they are different. Councilwoman Barnes said a lot would fall under the Community Redevelopment umbrella, but it mostly deals with neighborhoods. She said she is already working on what could potentially fall under the umbrella, but it could all be discussed once the committees are formed. Pro tem Jebaily said at the retreat Community Redevelopment, Business Development and Marketing were the three “umbrellas” that Council identified as areas to focus on. After discussion, many items were placed under each of these umbrellas and neighborhood revitalization was one of those items that ended up under the Community Redevelopment umbrella. His understanding from the process at the retreat is that committees would be formed from these umbrellas, the committees would then meet with staff and define the parameters of each umbrella, and staff would then determine a course of action. Councilwoman Moore said she feels very strongly about neighborhood revitalization. Mayor Ervin said community revitalization began in 2014 and has been implemented through the city’s consultants through the Community Revitalization Plan. She acknowledged that staff has been working diligently for years to make community revitalization a reality.

Mayor Ervin said when there are items on the agenda that require a vote, it should be clarified in advance along with an explanation. Councilwoman Barnes expressed confusion, and said she thought establishing these committees would be a good thing since they all agreed at the retreat they would work on these initiatives. She said she did not think she needed to talk to everyone about these committees because it was something they had already agreed on. Mayor Ervin said Council did decide those were the three initiatives they would focus on at the retreat, but beyond that there was no discussion.

Mayor Ervin said there is a motion and a second and called for a vote. Council voted unanimously (7-0) to establish three ad hoc advisory committees: the Community Redevelopment Committee chaired by Councilwoman Barnes, the Business Development Committee chaired by Pro tem Jebaily and the Marketing and Public Relations Committee chaired by Councilman McCall.

Appointments to Boards and Commissions

City/County Conference Committee

Mayor Ervin said appointments to the City/County Conference Committee are by the Mayor. This is a joint committee with the County and has been in operation for several years. With no objection, Mayor Ervin appointed herself, Councilwoman Moore and Councilman Schofield as members of the committee.

Councilwoman Barnes asked for the record to show that she is the only Councilperson that asked to be on this committee. She said this is a long-standing committee and was created by her brother (County Councilman Al Bradley) and former City Councilman Powers. The committee ceased meeting due to poor communications between the City and the County. In re-establishing the committee, the County has appointed her brother, Councilman Bradley, to be the county chair. She said her brother then notified the city with a request that she also be on the committee in order to show good faith that they are trying to work together. She expressed agreeance in the appointment of Councilman Schofield because of the role his father served on County Council. Councilwoman Barnes said the Mayor has historically never served on every committee and asked Mayor Ervin why she has taken the position to elect herself to all the committees. Mayor Ervin asked Councilwoman Barnes how many times she has called her about the City/County Conference Committee and Councilwoman Barnes responded she called the week before last. Mayor Ervin said Councilwoman Barnes only asked when appointments would be done, there was



**FLORENCE CITY COUNCIL
REGULAR MEETING – MAY 10, 2021**

no question on who would be appointed, nor did Councilwoman Barnes express her desire to serve. Mayor Ervin reiterated poor communication. There was further discussion on various phone calls between the two. Councilwoman Barnes said as a newly elected Councilmember she wants work and be placed on committees. She further elaborated, saying citizens continue to ask why the Mayor has to do all the work herself, to include the invocation for Council meetings, insinuating Councilmembers are not willing to work with the Mayor. Mayor Ervin said she discussed the invocation for the meetings with Councilwoman Barnes. In this discussion, she said Councilwoman Barnes expressed nervousness towards the idea. Councilwoman Barnes interjected, saying that conversation never took place and she never said she was nervous to give prayer.

There was further discussion between Councilwoman Barnes and Mayor Ervin on conversations they had in relation to the City/County Conference Committee. Mayor Ervin said both Councilwoman Moore and Councilman Schofield communicated with her that they would like to serve on the Committee and reiterated that Council needs to communicate with each other. Councilwoman Barnes asked the Mayor to do the same, saying she is the leader and should give Council direction.

Pro tem Jebaily said he wanted to bring up a point of concern with the Mayor. He said she is speaking on communication among Council, but they are currently discussing an agenda item that was not communicated with everyone prior to the meeting. He said, until this moment, he had no idea who Mayor Ervin planned on appointing to the committee or that it was even something she planned on moving forward with. He said it is disingenuous to ask another member of Council to call her when she is not calling anyone herself. Pro tem Jebaily asked the Mayor if she called him to discuss the appointments, and the Mayor responded that previous Mayoral appointments to standing committees have never been discussed with all of Council. Pro tem Jebaily argued that the City/County Conference Committee is not a standing committee because there are no standing committees after a new election. While there is a history of a prior City/County Conference Committee, these appointments are for a new committee. He further asked for the same respect in regard to communication that Mayor Ervin has requested. Mayor Ervin said the City/County Conference Committee is an established committee in which the Mayor makes the appointments. The other three committees in the previous agenda item are new committees with no guidelines and no basis until they have been established by the committees.

Without further discussion, Mayor Ervin again announced the appointments to the City/County Conference Committee: Mayor Teresa Myers Ervin, Councilman William Schofield and Councilwoman Pat Gibson-Hye Moore.

[Break: 3:26 p.m.]

EXECUTIVE SESSION

Councilman McCall made a motion to enter into Executive Session and Councilwoman Moore seconded the motion. Without objection, Council entered into Executive Session at 3:40 p.m. for a discussion of matters relating to a proposed economic development project; to receive legal advice relating to City Council protocols for conducting meetings during the course of the COVID-19 pandemic; and for a discussion relating to a personnel matter and the receipt of legal advice relating to a personnel matter.

Council reconvened Open Session at 4:44 p.m. and took action on the following items:

Resolution No. 2021-14

A Resolution of City Council approving Downtown Redevelopment Grants for Fourth Quarter, FY21.



**FLORENCE CITY COUNCIL
REGULAR MEETING – MAY 10, 2021**

Pro tem Jebaily made a motion to adopt Resolution No. 2021-14 and Councilwoman Moore seconded the motion. Council voted unanimously (7-0) to adopt Resolution No. 2021-14.

Mayor Ervin said they also received legal advice relating to City Council protocols for conducting meetings during the course of the COVID-19 pandemic. Councilman Braddock made a motion that anyone who wishes to appear before City Council contact the City Manager and the City Manager will then make arrangements for them to safely appear on a case-by-case basis and Councilman Schofield seconded the motion. The motion carried unanimously (7-0).

Mayor Ervin said they also had discussion and received legal advice on a personnel matter in Executive Session. Pro tem Jebaily made a motion to adopt an amendment to the City Manager's contract, referred to as the two-and-two option, to extend the contract for two more years with the ability to extend it for two additional years beyond that.

ADJOURN

Without objection, the May 10, 2021 Regular meeting of City Council was adjourned at 4:46 p.m.

Dated this 14th day of June 2021.

Casey C. Moore, Municipal Clerk

Teresa Myers Ervin, Mayor



**SPECIAL MEETING OF FLORENCE CITY COUNCIL
THURSDAY, MAY 13, 2021 – 4:00 P.M.
CITY CENTER – COUNCIL CHAMBERS
324 WEST EVANS STREET
FLORENCE, SOUTH CAROLINA
MEETING CONDUCTED THROUGH ZOOM VIDEO CONFERENCING**

MEMBERS PRESENT

Mayor Teresa Myers Ervin, Mayor Pro Tempore George Jebaily, Councilwoman Pat Gibson-Hye Moore, Councilwoman Lethonia Barnes, Councilman Chaquez T. McCall, Councilman Bryan A. Braddock and Councilman C. William Schofield.

ALSO PRESENT

Mr. Randall S. Osterman, City Manager; Mr. James W. Peterson, Jr., City Attorney; Mrs. Casey Moore, Municipal Clerk; Mr. Scotty Davis, Deputy City Manager; Mr. Clint Moore, Assistant City Manager of Development; Chief Allen Heidler, Florence Police Department; Chief Shannon Tanner, Florence Fire Department; Mr. Jerry Dudley, Director of Planning; Mr. Michael Hemingway, Director of Utilities; Mrs. Jennifer Krawiec, Director of Human Resources; Mrs. Amanda P. Pope, Director of Marketing/Communications and Municipal Services; and Mr. Chuck Pope, Director of Public Works.

MEDIA PRESENT

Notices of this special meeting of City Council were provided to the media and individuals requesting a copy of the agenda informing them of the date, location and time of the meeting.

CALL TO ORDER

Mayor Ervin called the May 13, 2021 special meeting of Florence City Council to order at 4:12 p.m.

INVOCATION

Mayor Ervin gave the invocation for the meeting. The pledge of allegiance to the American Flag followed the invocation.

Following the invocation Mayor Ervin said Council will be entering into Executive Session.

EXECUTIVE SESSION

Councilwoman Moore made a motion to enter into Executive Session and Councilwoman Barnes seconded the motion. Without objection, Council entered into Executive Session at 4:14 p.m. for the receipt of legal advice.

Council reconvened Open Session at 5:02 p.m. and took action on the following item:

INTRODUCTION OF RESOLUTIONS



Resolution No. 2021-15

A Resolution to address the provisions of Ordinance No. 2021-08 regarding the use of Face Coverings in response to Executive Order 2021-23 issued by the Governor on May 11, 2021.

Councilman McCall made a motion to adopt “Option A” of the Resolution and Councilwoman Moore seconded the motion.

Councilman McCall said option “A” of the Resolution encourages the continued use of face coverings throughout the city and mandates the use of face coverings in public buildings operated by the City of Florence. He said he wished there were a better option to choose from, but he does not wish to utilize city resources in litigation with the state. The city should show leadership in moving the city forward by following science. He said the city, as well as the other municipalities in the state, have had their home rule power taken away with the executive order issued by the Governor, leaving them with very few options. He said he understands that option “A” may cause confusion; however, this option shows leadership and that the city is following science by mandating masks in city buildings and strongly encouraging them throughout the city.

Pro tem Jebaily explained the situation at hand. He said the two Resolution options that were presented to Council are in response to the Governor’s Executive Order. He said for over a year, the city has had the mask mandate in place and over that time Florence has seen huge spikes in the number of cases. In January, Florence County had over 200 cases per day with multiple deaths per day. He said this is a deadly disease and was a scary time for those impacted by the virus. The face mask ordinance and social distancing has helped save many lives; however, people becoming vaccinated has resulted in a significant decrease in numbers. This week, nationwide, there was over a 20% reduction in new COVID cases simply because 100 million people have been vaccinated. Pro tem Jebaily addressed the Florence community, saying 43% of the people in the state have received their first vaccine shot and 35% have had both shots but 70-80% is the goal. The CDC released today that people fully vaccinated are now able to go without facemasks both indoors and outdoors. Both option “A” and option “B” remove the face covering mandate throughout the city; however, option “B” has no face covering mandate while option “A” mandates the wearing of face coverings in city operated buildings. Pro tem Jebaily said option “A” could cause confusion because the CDC says a mask is no longer necessary if they are vaccinated and the city ordinance says it is not required in other businesses throughout the city; therefore, there is less risk for confusion with option “B”. He said the city will continue to encourage businesses and their employees to wear face masks and the city would be better served by being consistent with the other businesses in the city. For those reasons, Pro tem Jebaily said he prefers option “B”.

Councilwoman Barnes said her first option would be for the current face covering ordinance to remain in effect, but this option is not on the table. She said the general public is being told they do not have to wear a mask throughout the city, but it is sending a double, confusing message by requiring a mask to enter city buildings. She said we either need to mandate mask wearing for all or lift the requirement for all. She said she prefers option “B” and ended her discussion by encouraging citizens to get vaccinated.

Councilman Braddock said Councilman McCall mentioned following the science. He said the city has asked people to do that for the past year – to wear a mask and socially distance. Today, the CDC released a statement saying it is no longer necessary for vaccinated individuals to wear a mask indoors or outdoors. He said option “A” is going against the science by continuing to require individuals to wear masks and Council should not pass an ordinance that exempts the very science that Council has been following to put them in place. He also estimated 4-6 cases within the city and 12 in the County and said that is .00012% of the population in Florence County with COVID. At this point, Council should be celebrating



**FLORENCE CITY COUNCIL
SPECIAL MEETING – MAY 13, 2021**

the citizens of Florence for following the ordinance. City operated buildings are the public's buildings and option "B" will be telling the public they cannot enter without a mask, even though they have done everything that has been asked of them to protect themselves and others from COVID. He said this is sending a mixed signal and asked at what point does Council say it is okay to not wear a mask.

Councilwoman Moore said her main concern is safety. She stated the federal building is more public than the City Center building and they are requiring masks for entry. She said many people do enter the city's building and it is a matter of making it safe for the employees. There is no way to know who is vaccinated and it is keeping the employees safe by requiring people to wear masks inside the building. Councilwoman Moore said she seconded the motion for option "A", and she stands behind option "A".

Councilman McCall said he would like to hear the Mayor's opinion, since she has a medical degree and has seen the effects of COVID firsthand as a nurse. Mayor Ervin said she wants the public to be clearly informed. She stated that COVID-19 has not been conquered yet and it continues to mutate. She encouraged citizens to get vaccinated. A vaccine decreases an individual's chance of getting COVID and they will not get as sick if they do contract it. She said the numbers are saying that 40% of the population has been vaccinated, but the numbers must reach 75% or more and it is too soon to relax efforts. She said she supports option "A" in order to protect city employees and she feels other businesses will be doing the same.

Councilwoman Barnes said she wishes the city could continue with the city-wide mask mandate; however, option "A" is going to cause confusion and it's sending a mixed message.

Pro tem Jebaily said wearing masks has been extremely effective at preventing COVID-19 and Council is only in this position because of the Governor's Executive Order. He asked Mr. Jim Peterson, City Attorney, if Council adopts option "A" and the downward trend continues, would Council be able to consider option "B" at the next Council meeting in June, to which Mr. Peterson replied yes. Mr. Peterson said the original face covering ordinance, along with each amendment/extension, has always recognized that the COVID-19 situation is ever evolving. Pro tem Jebaily said he is changing his position and requested that if option "A" is adopted, to keep option "B" at the forefront and revisit it at June's Council meeting.

Councilman McCall said he wished the face covering mandate city-wide could continue; however, the Executive Order issued by the Governor does not make that possible. Option "A" allows employee protection and Council does have the authority to mandate face coverings in city buildings.

Councilman Braddock said the issue of potential confusion keeps arising. With option "A", there are 8 different exceptions to the ordinance: religious beliefs, medical conditions, and some that could be subjective. He said revisiting the ordinance at the June meeting in just a few weeks is going to cause further confusion. He asked for clarity on what Council will use as their basis moving forward that allows for the change from option "A" to option "B". Councilwoman Moore said Council would be monitoring trends, if the numbers started to trend upward again then a City-wide mandate may be back on the table or they may consider option "B" if the numbers trend down, but right now it is still uncertain.

Councilman McCall acknowledged that the few weeks to the June meeting is not enough time and said the consideration of option "B" should be pushed back to the July meeting. He then made a motion to amend the original motion to adopt option "A" and consider option "B" at the July meeting after they have more information and Pro tem Jebaily seconded the motion to amend.



**FLORENCE CITY COUNCIL
SPECIAL MEETING – MAY 13, 2021**

Councilwoman Moore said she agrees with the amendment, saying it will allow enough time to monitor the trends.

Council voted 6-1 to approve the amendment to the motion, with Councilman Braddock voting nay.

Councilman McCall made a motion to adopt Resolution No. 2021-15 – option “A”, as amended to revisit option “B” at the July meeting, and Councilwoman Moore seconded the motion. Council voted 4-3 in favor of the motion, with Mayor Ervin, Pro tem Jebaily, Councilwoman Moore and Councilman McCall voting yay and Councilman Braddock, Councilman Schofield and Councilwoman Barnes voting nay.

ADJOURN

Without objection, the May 13, 2021 Special meeting of City Council was adjourned at 5:44 p.m.

Dated this 14th day of June 2021.

Casey C. Moore, Municipal Clerk

Teresa Myers Ervin, Mayor



**SPECIAL MEETING OF FLORENCE CITY COUNCIL
TUESDAY, MAY 18, 2021 – 3:00 P.M.
SURFACE WATER TREATMENT PLANT
2598 FLORENCE HARLLEE BOULEVARD
FLORENCE, SOUTH CAROLINA**

MEMBERS PRESENT

Mayor Teresa Myers Ervin, Mayor Pro Tempore George Jebaily, Councilwoman Pat Gibson-Hye Moore, Councilwoman Lethonia Barnes, Councilman Chaquez T. McCall, Councilman Bryan A. Braddock and Councilman C. William Schofield.

ALSO PRESENT

Mr. Randall S. Osterman, City Manager; Mr. James W. Peterson, Jr., City Attorney; Mrs. Casey Moore, Municipal Clerk; Mr. Scotty Davis, Deputy City Manager; Mr. Clint Moore, Assistant City Manager of Development; Mr. Kevin Yokim, Assistant City Manager of Finance/Administration; Chief Allen Heidler, Florence Police Department; Chief Shannon Tanner, Florence Fire Department; Mr. Jerry Dudley, Director of Planning; Mr. Michael Hemingway, Director of Utilities; Mrs. Jennifer Krawiec, Director of Human Resources; Mrs. Amanda P. Pope, Director of Marketing/Communications and Municipal Services; and Mr. Chuck Pope, Director of Public Works.

MEDIA PRESENT:

Matthew Christian of the Morning News was present for the meeting.

A notice of the meeting was sent to the media and individuals requesting a copy of the agenda, informing them of the date, time and location of this special city council meeting.

CALL TO ORDER

Mayor Ervin called the May 18, 2021 special meeting of Florence City Council to order at 3:08 p.m.

INVOCATION

Mayor Ervin provided the invocation for the meeting. The Pledge of Allegiance to the American Flag followed the invocation.

BUDGET WORKSESSION

The following agenda items will be discussed:

- **Budget Totals by Fund**
- **Compensation/Benefits Changes**
- **General Fund Budget Highlights**
- **General Fund**



- Community Programs Funding
- Hospitality Special Revenue Fund
- Water & Sewer Enterprise Fund
- Stormwater Utility Enterprise Fund
- Water/Sewer & Stormwater Utility Construction Fund
- Utilities Equipment Replacement Funds

OVERVIEW OF FY 2021-22 BUDGET

Mr. Randy Osterman, City Manager gave an overview of the budgets by fund.

Budget Totals by Fund:

Total for all funds is \$94,974,500. The following chart illustrates the proposed FY 2021-22 budgets listed by fund:

<u>Proposed FY 2021-22 Budgets by Fund</u>	
General Fund	\$ 41,091,000
General Fund Debt Service Fund	694,000
Hospitality Fund	4,647,500
W/S Utilities Enterprise Fund	37,561,000
Stormwater Utility Enterprise Fund	1,460,500
W/S Utilities Construction Fund	8,005,000
Stormwater Utility Construction Fund	296,000
W/S Utilities Equipment Replacement Fund	1,084,500
Stormwater Equipment Replacement Fund	<u>135,000</u>
ALL FUNDS	\$94,974,500

Compensation/Benefits Highlights:

The following is a summary of FY 2021-22 compensation and benefits.

- ▶ Cost of Living and Merit pay increase eligibility effective January 1, 2022 included in the budget (approximately 2-3%).
- ▶ Annual Longevity Recognition Pay.
- ▶ Effective January 1, 2022, the City’s Health Insurance premium is projected to increase between 1% and 2.6% for the city with no increase for employees. The city maintained an experience rating of zero.
- ▶ Retirement System contribution increases for the City effective July 1, 2021:
 - ▶ SCRS: City contribution increases 1.00% (from 15.56% to 16.56%)
 - ▶ PORS: City contribution increases 1.00% (from 18.24% to 19.24%)

Note: The 1% increase above assumes that the 1 percent pension employer contribution credit in the FY 2021 State budget is funded at the same level in the FY 2022 State budget. If this credit is not included in the state budget, both the SCRS and the PORS contribution will increase by 2% instead of 1%.

General Fund Budget Highlights:

The following is a list of highlights from the FY 2021-22 General Fund Budget.



FLORENCE CITY COUNCIL
SPECIAL MEETING – MAY 18, 2021

Initial budget requests were \$3,386,000 greater than revenue estimates. This shortfall was resolved through adjustments to capital requests, department operational requests, as well as adjustments based on attrition trend savings and delayed hiring. Job related vacancies and controlling expenditures have resulted in savings which will be used for a one-time purchase of auto and maintenance equipment.

FY 2021-22
General Fund Budget Highlights

- ▶ Initial budget requests were \$3,386,000 greater than revenue estimates
 - ▶ Shortfall resolved through:
 - ▶ Adjustments to capital requests
 - ▶ Adjustments based on attrition trend savings and delayed hiring
 - ▶ Adjustments to department operational requests
- ▶ FY 2021 job related vacancies and controlling expenditures have resulted in savings.
- ▶ FY 2021 anticipated savings will be used for:
 - ▶ One-time purchase of capital items
 - ▶ Auto Equipment
 - ▶ Maintenance Equipment

General Fund:

Mr. Kevin Yokim, Assistant City Manager of Finance/Administration began a presentation with the General Fund, the largest fund for the city. For the FY 2021-22 General Fund Budget, original expenditure requests were \$3,386,000 higher than the original revenue projections.

Balancing the FY 2021-22
General Fund Budget

Original Revenue		Original Expenditure
Projections:		Requests:
\$40,901,000		\$44,287,000
	Difference:	
	\$3,386,000	
	Final FY 2021-22 Balanced Budget	
	\$41,091,000	

The proposed budget assumes every position is funded every day of the year. Compensation and benefits cost reductions are projected at \$1,428,720. A deferred hiring schedule of 16 weeks and other compensation savings save the city \$600,000. Further projected savings are through health insurance savings (\$200,000), from 6 positions funded beginning January 1, 2022 (\$128,720), and from positions proposed but not funded for 2021-22 (\$500,000).

General Fund
Compensation and Benefits
Cost Reductions Made in Balancing
Proposed FY 2021-2022 Budget



**FLORENCE CITY COUNCIL
SPECIAL MEETING – MAY 18, 2021**

Extended hiring timeline	\$	600,000
& other compensation savings		
Health insurance savings		200,000
Positions funded beginning January 1, 2022		128,720
Positions proposed but not funded For 2021-22		500,000
Total		\$ 1,428,720

The following chart illustrates Operational and Capital Funding reductions in balancing the proposed FY 2021-22 budget:

General Fund
Operational & Capital Funding Reductions
Made in Balancing Proposed FY 2021-22 Budget

Department	Operations	Capital
City Council	\$ 6,000	\$ 0
City Court	24,500	0
City Manager	1,000	0
Finance & Accounting	3,000	0
Human Resources	5,000	14,260
Community Services	800	0
Police	30,000	190,900
Fire	10,000	267,000
Beautification & Facilities	12,500	118,000
Sanitation	2,000	624,000
Equipment Maintenance	2,000	36,500
Recreation	20,000	5,000
Athletics	76,000	91,000
Building Permits & Inspections	1,500	3,500
Non-Departmental		
General Insurance/Claims	100,000	0
Community Programs	23,000	0
Non-Departmental	99,820	0
OPERATIONS AND CAPITAL TOTAL	=	\$1,767,280

These are purchases that were in the original budget and are being bought early or are being added back into the department's budgets.

General Fund
End of Current Year Capital Purchases
Proposed in Balancing FY 2021-22 Budget

Department	Amount
Human Resources	\$ 14,260
Police	172,900
Fire	65,000
Beautification & Facilities	118,000
Sanitation	119,000
Equipment Maintenance	36,500



**FLORENCE CITY COUNCIL
SPECIAL MEETING – MAY 18, 2021**

Athletics (includes \$50,000 oper.)	96,000
Building Inspections	3,500
Total	\$ 625,160

This chart outlines the reductions that were necessary to balance the budget. The reductions totaled \$3,196,000 and are detailed below.

**Summary of Expenditure Adjustments
To Balance General Fund Budget**

Expenditure Reductions	Amount
Compensation and Benefits Cost Reductions	\$ 1,428,720
Operational Funding Reductions	417,120
Eliminated Capital Cost Reductions	725,000
End of Year Capital Purchases Reductions	<u>625,160</u>
Reductions to Balance Budget	3,196,000

This a recap of how the FY 2021-22 General Fund Budget was balanced.

GF REVENUES

Original Revenue Projections	\$40,901,000	
Revenue Adjustments	<u>+ 190,000</u>	
FY 2021-22 Adjusted Revenues		\$41,091,000

GF EXPENDITURES

Original Expenditure Projections	\$44,287,000	
Expenditure Reductions	<u>-3,196,000</u>	
FY 2021-22 Adjusted Expenditures		\$41,091,000

The following chart illustrates the General Fund Revenue Budget by Source and the percentage of budget for each category. Property taxes and Licenses and Fees are the largest contributors to the General Fund revenues.

**FY 2021-22 General Fund
Revenue Budget by Source**

Category	FY 2022	% of Total
Property Taxes*	\$ 11,330,600	27.57%
Licenses & Fees	14,380,000	35.00%
Governmental Reimbursements	5,506,200	13.40%
Permits and Fees	2,758,000	6.71%
Fines & Forfeitures	329,000	0.80%
Miscellaneous & Other Revenues	807,800	1.97%
Interfund Transfers	<u>5,979,400</u>	<u>14.55%</u>
TOTAL	\$ 41,091,000	100.00%

*Local Option Sales Property Tax Credit accounts for 41.48% of the total Property Taxes category.

This is a comparison between this year's budget and last year's budget. The reductions in business licenses, permits and fees, and fines are primarily due to the pandemic.



**FLORENCE CITY COUNCIL
SPECIAL MEETING – MAY 18, 2021**

**General Fund
FY 2021 & 2022 Revenue
Budget Comparison**

	Original FY 2021	Budget for FY 2022	Change from Original FY 21	% Change From FY 21
Property Taxes	\$ 10,854,400	\$ 11,330,600	\$ 476,200	4.39%
Business Licenses	10,350,000	10,150,000	-200,000	-1.93%
Franchise Fees	4,300,000	4,230,000	-70,000	-1.63%
Govt Reimbursements	5,157,000	5,506,200	349,200	6.77%
Permits and Fees	2,920,000	2,758,000	-162,000	-5.55%
Fines & Forfeitures	380,000	329,000	-51,000	-13.42%
Other Revenues	888,600	807,800	-80,800	-9.09%
Interfund Transfers	<u>5,835,000</u>	<u>5,979,400</u>	<u>144,400</u>	<u>2.47%</u>
TOTAL	\$40,685,000	\$41,091,000	\$406,000	1.00%

Community Programs Funding

The following chart shows the community programs that are included in the FY 2021-22 budget. There is one program that is not funded in the 2021-22 budget, totaling \$50,000.

**Appropriation Requests by
Agency/Event
FY 2021-22**

<u>Included in the FY 2021-22 Budget</u>		<u>Not Included in the FY 2021-22 Budget</u>	
Agency/Project/Event	Amount	Agency/Project/Event	Amount
Boys & Girls Club	\$ 20,000		
Stadium Commission	8,100	Pee Dee CAP Emergency Shelter	\$ 50,000
PDRTA	218,000		
Red Cross	10,000	Total	\$ 50,000
Keep Florence Beautiful	5,000		
No One Unsheltered Programs	75,000		
Florence Family Support Ct.	11,000		
My Brother's Keeper	20,000		
Foster Care Clothing Closet	7,000		
Pee Dee Coalition	5,000		
TOTAL	\$ 379,100		

Note: Reference budget request documents provided by requesting agencies in budget notebook.

* In addition, PAL Programming is funded at \$2,500 and utilities for the Boys & Girls Club is funded at \$21,000 in other departments' budgets.

Councilman Braddock inquired on the budget for the Stadium Commission since the High Schools no longer utilize Memorial Stadium. Mr. Yokim said the budget is also for Legion Stadium in addition to Memorial Stadium and a large portion of the budgeted amount is for insurance. Councilman Braddock asked if the city or the county owned it and Mr. Yokim replied there is joint ownership between the city and the county.



Hospitality Fund

This is the 2% tax paid on prepared food and beverage purchases in the city. The Hospitality Fund is one of the city’s growth funds but it is also a restricted fund. South Carolina Code requires any revenue generated by the hospitality fee must be used exclusively for the following purposes:

- Tourism-related buildings including, but not limited to, civic centers, coliseums, and aquariums.
- Tourism-related cultural, recreational, or historic facilities.
- Beach access and re-nourishment.
- Highways, roads, streets, and bridges providing access to tourist destinations.
- Advertisements and promotions related to tourism development.
- Water and sewer infrastructure to serve tourism-related demand.

However, because at least \$900,000 in accommodations taxes are collected annually in Florence County, State law permits hospitality funds to be spent for operations related to the above stated purposes.

Below is the hospitality fees comparison from FY 2017 to FY 2022. Due to the COVID-19 pandemic, we will be seeing a negative percent change and then a recovery and leveling out to pre-pandemic percentages.

<u>FY 2017-2022</u>		
<u>Hospitality Fees Comparison</u>		
Fiscal Year	Collections	% Change
2017	4,036,958	4.49%
2018	4,101,928	1.61%
2019	4,342,184	5.86%
2020	4,205,349	-3.15%
2021*	4,605,000	9.50%
2022*	4,647,500	0.92%
*2021 Estimated		
*2022 Budgeted		

The amount projected for FY 2021-22 is \$4,647,500.

Hospitality Fees	\$ 4,647,000
Interest Earnings	500
FY 21-22 Hospitality Fund Estimated Revenues	\$ 4,647,500

This is the list of recommended expenditures for the Hospitality Fund for FY 2021-22. The Tennis Center/Performing Arts Center Debt Service (\$527,520) ends in 2024.

<u>Hospitality Fund Expenditures</u>	
Athletic Facilities Operations	\$ 1,491,700
Florence Museum	100,000
Florence Downtown Development Corporation	54,000
Florence Downtown Economic Development Incentives	12,000
Florence Downtown Promotions	35,000
Tennis Center/Performing Arts Center Debt Service (through April 2024)	527,520
Recreation Facility/Gymnasium Debt Service (through June 2034)	400,540



**FLORENCE CITY COUNCIL
SPECIAL MEETING – MAY 18, 2021**

2016 Special Obligation Bond Debt Service Appropriation (through Dec 2046)	300,000
Florence Historic District Street Lighting Operations	30,000
Florence Center (Debt Service effective through April 2040. FY 21-22 DS = \$656,100)	1,405,500
James Allen Plaza Restroom Facilities – 7 th of 10-year Lease Payment	9,000
Contingency	<u>750</u>
FY 21-22 Hospitality Fund Estimated Expenditures	\$ 4,647,500

Councilman Schofield asked if the \$30,000 for street lighting is solely for operations or if it also includes maintenance. Clint Moore, Assistant City Manager of Development, responded the city leases the lights from Duke Energy and those funds cover the lease.

Pro tem Jebaily asked what happens with public restrooms once the 10-year lease agreement with the James Allen Plaza restroom facilities ends and Mr. Moore responded public restrooms will become available with the pharmacy project.

Water & Sewer Utilities Enterprise Fund:

The total Water and Sewer Revenue Fund is \$37,561,000. This chart shows the Water and Sewer Revenues by Source. 47% of the revenues for this fund comes from water fees and charges; 50% from wastewater fees and charges and 3% from other revenue (reconnection fees, tap fees, etc.).

<u>Water and Sewer</u> <u>Revenues by Source</u>	
Water Fees & Charges (\$18,776,000)	47%
Wastewater Fees & Charges (\$20,466,000)	50%
Other Revenue (\$1,700,000)	3%

This chart shows the Water and Sewer Expenses by Department.

<u>Water & Sewer Expenses</u> <u>By Department</u>		
Utility Finance	\$ 3,008,770	8.01%
Engineering	1,585,150	4.22%
WW Treatment	5,726,770	15.25%
Surface Water Production	2,590,100	6.90%
Ground Water Production	1,858,680	4.95%
Distribution Operations	2,392,990	6.37%
Collection Operations	1,520,520	4.04%
Debt Service	9,609,500	25.58%
Non-departmental	<u>9,268,520</u>	<u>24.68%</u>
Total	\$ 37,561,000	100.00%

Mr. Yokim said Florence is growing. The number of tap applications received has grown from about 30-40 per month to 50-70 per month over the past several months. Councilman Schofield asked what the city is doing in response to this growth to expedite the application process. Mr. Osterman said he is concerned that it currently takes a water tap application 8 weeks to fulfill and the city is working on a plan to shorten the gap. Councilman Schofield asked if this was the reason for the higher proposed salaries. Mr. Osterman said the increase is due to the necessity of additional personnel in Fire and Public Works and Utilities and to cover costs associated with cost of living and merit.



FLORENCE CITY COUNCIL
SPECIAL MEETING – MAY 18, 2021

Councilman Braddock asked if the 25% debt service is a healthy amount. Mr. Yokim replied it could be lower, but it is a healthy number given the size of the city’s system and the growth the city is experiencing.

Councilman Schofield inquired on the possibility of passing credit card fees on to the customer to offset some of the debt service. Mr. Yokim said the city, per policy, decided not to pass along the service charge by credit card companies to the customer for paying their utility bill, permits, fees, etc. with a credit card. Councilman Schofield said it would save the city approximately \$250,000 a year if those fees were passed to the customer. Mr. Yokim said this is a policy decision Council could consider.

Water & Sewer Utilities Construction Fund:

This is the construction fund. Total budget for this fund is \$8,005,000 and consists of the items listed below. \$3,880,000 will be carried over from the previous year. The \$100,000 Florence County Infrastructure Fund Reimbursement does not roll over; if the County does not use this allocation annually, they lose it.

**FY 2021-22 Water & Sewer
Construction Fund Revenue**

Projected Funds on Hand on July 1, 2021	\$3,880,000
FY 2021-22 Transfer from W/S Operating Fund	3,000,000
Capital Construction Fund Transfer	1,000,000
Florence County Infrastructure Fund Reimbursement	100,000
Projected Interest Earnings	<u>25,000</u>
Total W/S Construction Fund Revenue	\$8,005,000

This is a list of projects that are funded through the Water and Sewer Construction Fund. There is an Asset Management Study proposed for FY 2021-22. Mr. Osterman said this study will include an asset inventory and will allow the city to secure infrastructure and predict where potential problems may arise.

**FY 2021-22
W/S Construction Fund Projects**

A. Projects Approved in Prior Year Budgets

1. Elevated Tank Inspection Repair and Painting	\$ 500,000
2. Jeffries Creek Beaver Management (SSO Compliance)	7,000
3. Waterline Extension Requests – Florence County	100,000
4. Hoffmeyer Road Sewer Extension	365,000
5. Sumter Street Development Sewer Improvements	450,000
6. Sumter Street Annexations	200,000
7. West Florence/Timmons ville Sewer Master Plan	150,000
8. SCDOT Alligator Rd. Widening – Utility Relocation	227,000
9. Harris Court Water Line Extension	122,000
10. Middle Swamp Sewer Interceptor Manhole Upgrades	500,000
11. Naturally Outdoors Sewer Relocation	100,000
12. West Sumter St. Water Line Extension (Pisgah Rd. to Stokes Rd)	261,000



FLORENCE CITY COUNCIL
SPECIAL MEETING – MAY 18, 2021

B. Projects Approved and Added in FY 2020-21

1. Magna Carta (Charters) Lift Station	\$ 50,000
2. Water Line & Force Main to FMU Nature Center	320,000
3. Darlington St. & Hoffmeyer St. Sewer Lift Station	270,000
4. E. Howe Springs Rd Water Line Repl. (Bannockburn to Oliver)	132,000
5. Quinby Circle Water Line Replacement	164,000
6. Mauldin Drive Sewer Improvements	275,000
7. Cecil Road Water/Sewer Ext (Adams Outdoor Adv Property Sale)	220,000

C. Proposed Projects for FY 2021-22

1. Bellaire and Beauvoir Service Line Repairs/Rehab	\$ 90,000
2. Freedom Estates Water/Sewer Extension (Palmetto Corp. annex)	350,000
3. Lion’s Gate/Dawson Family Tract Water/Sewer Ext	150,000
4. John Paul Jones Rd Water Line Ext (close loop at Southside School)	81,000
5. Asset Management Study	100,000
6. Wisteria Drive Sewer Lift Station	350,000

D. Other

1. Utility Line Engineering/Legal/Professional Services	\$ 150,000
2. Reserved for Other Projects	<u>2,321,000</u>

Total W/S Construction Fund Expenses \$ 8,005,000

Councilman Schofield inquired on the cost of the construction of an elevated water tower. Mr. Hemingway replied the cost is approximately 2.3 million from start to finish. Councilman Schofield asked Mr. Hemingway if he foresaw the need for an additional water tower in order to maintain pressure and Mr. Hemingway said it depended on the location that growth occurs. Mr. Hemingway further explained that the Surface Water Treatment Plant was designed for expansion.

Stormwater Utility Enterprise Fund

The total Stormwater Utility Enterprise fund is \$1,460,500. This fund comes from a flat fee and is a very dependable fund. When the fund was created, the city stated they would dedicate 50% of funds to operations and 50% of funds to construction associated with stormwater utility. Debt Service (\$320,400) will come off in 2021 and will become available to fund other projects.

Stormwater Revenues by Source

Stormwater Fees (\$1,377,000)	94%
Other Revenue (\$83,500)	6%

Stormwater Expenses by Category

Operations (\$834,410)	57%
Debt Service (\$320,400)	22%
Nondept./Const. Fund Trf. (\$305,690)	21%

Stormwater Utility Construction Fund

The Stormwater Utility Construction Fund has \$296,000 to be used for projects. \$100,000 is being transferred from the Stormwater operating fund.



**FLORENCE CITY COUNCIL
SPECIAL MEETING – MAY 18, 2021**

**FY 2021-22 Stormwater
Construction Fund Revenue**

Projected Funds on Hand on July 1, 2021	\$ 191,000
FY 2021-22 Transfer from Stormwater Operating Fund	100,000
Projected Interest Earnings	5,000
Total Stormwater Construction Fund Revenue	\$ 296,000

This is the list of projects that are funded through the FY 2021-22 Stormwater Construction Fund.

**FY 2021-22 Stormwater
Construction Fund Projects**

A. Projects Approved in Prior Years	
1. Stormwater Operations Division Pipe Projects	\$ 10,000
2. NPDES Phase II Compliance	80,000
B. Proposed Projects for FY 2021-22	
1. Timrod Park Stream Restoration	\$ 40,000
C. Other	
1. Stormwater Engineering/Legal/Professional Services	\$ 25,000
2. Reserved for Other Projects	<u>141,000</u>
Total S/W Construction Fund Expenses	\$296,000

Below are the 2021 Proposed Stormwater Projects.

2021 Proposed Stormwater Projects

Dargan & Elm Street	\$ 165,000
Cheves Street Underpass	200,000
Rebecca Street Outfall	240,000
Tarleton Estates	295,000
Malden Drive	310,000
Cannon Street Outfall	400,000
Oakland Avenue	410,000
Thomas Road Outfall	485,000
Timrod Park	500,000
St Anthony's/College Park	515,000
Sandhurst West	585,000
Wisteria	1,000,000
Pennsylvania Street Outfall	<u>1,525,000</u>
2021 Proposed Stormwater Projects	\$ 6,630,000

Mr. Osterman said the current 15-year debt service will roll off next month. To continue stormwater system improvements, the city will need to re-issue new debt service to fund new projects. The list above are the proposed projects. Current stormwater rates are enough to issue a \$4 million bond and, short of a rate increase, the last two projects in the list would need to be deferred. Councilman Schofield inquired



**FLORENCE CITY COUNCIL
SPECIAL MEETING – MAY 18, 2021**

on cost of the rate increase. Mr. Yokim replied it would be 0.50 a month increase to fund all the projects and 0.25 a month increase to fund all but the last (Pennsylvania Street Outfall) project. This fee only pertains to water customers located inside the city and approximately 75% of these customers pay \$3.34 a month but can range from \$2.00 to \$10.02 per month depending on the impervious surface ratio.

Councilman Braddock asked when the last stormwater fee increase was. Mr. Yokim said the stormwater fee was established when the first stormwater bond was issued in 2006 and hasn't been increased since. Mr. Hemingway said a rate increase will allow for more projects to be completed. This list was developed by identifying projects that are major contributors and impact a large number of customers. In comparison, other municipalities have doubled their stormwater fees based on the impact from recent weather events on their communities. Councilman Schofield asked how long these projects will take. Mr. Hemingway said the payment will be for 15 years, but the projects themselves should be completed in 5-6 years.

Pro tem Jebaily said these projects are a small part of the big picture and that it would cost the city upwards of \$100 million to fix all stormwater issues. Mr. Hemingway said when a lot of the stormwater infrastructure in the city was completed in the 1950's and 60's, it was developed in more open space where trees could absorb a lot of the water. As the city grows, the green spaces where water was absorbed are becoming developed. In order to completely stop the stormwater issues, the entire city would need to be reconstructed and all the swales and drainage throughout the city and under the streets would need to be replaced. Pro tem Jebaily said newer neighborhoods are less likely to flood because their stormwater infrastructure was built to standards that did not exist with the older neighborhoods. Pro tem Jebaily asked if a study has been done to develop the city's next steps with this issue. Mr. Hemingway said they have worked with agencies on ways to prevent infrastructure issues with future growth and annexations and the bond projects are the major issues with older infrastructure in the city. Pro tem Jebaily asked if the city could look into a comprehensive study for ways to identify and address stormwater issues throughout the city. Mr. Osterman said it would be a costly and long process, but it can be looked into.

Councilman Braddock asked if the cost of the study could be considered in the issuance of the bond as well as the \$6.6 million to fund all the projects in the list. Mr. Osterman said he can get some information together on potential cost and timeline and can present it at the next Council meeting.

Mayor Ervin reminded Council that the city's water and sewer rates were recently increased and if they are going to consider raising the stormwater rate, they will need sound answers when questions arise from citizens.

Utilities Equipment Replacement Fund

The Equipment Replacement Fund is a fund to replace utility equipment. This fund allows for the replacement of equipment when it is needed and does not require that the purchase be deferred.

W/S Equipment Replacement Fund
Budget by Department

Department	Amount
Engineering	\$ 60,000
Wastewater Treatment Plant	265,000
Ground Water Production	50,000
Distribution Operations	374,000
Collection Operations	<u>335,000</u>
W/S Capital Equipment Fund Total	\$ 1,084,500



FLORENCE CITY COUNCIL
SPECIAL MEETING – MAY 18, 2021

There is \$135,000 in the Stormwater Equipment Replacement Fund.

<u>Stormwater Equipment Replacement Fund Budget by Department</u>	
Department	Amount
Stormwater Operations	<u>\$135,000</u>
Stormwater Capital Equipment Fund Total	\$135,000

Councilwoman Barnes asked if there is an increase in Sanitation. Mr. Osterman said additional personnel and equipment is included in the budget, and it does not necessitate an increase in fee.

Councilman McCall asked where comprehensive studies are paid from in the budget. Mr. Osterman said it comes from the department's professional services line item for whichever department is leading the study.

Councilman Schofield inquired on street lighting. He said the city pays \$1.6 million on street lighting and asked if the city would be able to ask for a rate change if all the lights were changed to LED. Mr. Osterman said they recently met with Duke Energy regarding changing the lights and the city will see a \$1,500 a month reduction in costs. It will cost approximately \$64,000 to change out all the lights and will take approximately a year. According to Duke Energy, it will take 3.6 years to recoup the costs associated to change out all the lights. Councilman Schofield further inquired on the potential to split the costs of the lighting with the county. Mr. Osterman said the city is committed to paying the full \$64,000 but he would be open to the possibility.

ADJOURN

Without objection, the special meeting of Florence City Council was adjourned at 4:43 p.m.

Dated this 14th day of June, 2021.

Casey C. Moore, Municipal Clerk

Teresa Myers Ervin, Mayor

FLORENCE CITY COUNCIL MEETING

DATE: May 10, 2021

AGENDA ITEM: Ordinance to Annex and Zone 2499 Rainford Road, TMN 01221-01-158

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex property located at 2499 Rainford Road, Tax Map Number 01221-01-158, into the City of Florence and zone to NC-15, Neighborhood Conservation-15. The request is being made by the property owner.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On April 13, 2021, Planning Commission held a public hearing on this matter, and voted unanimously, 7-0, to recommend the zoning request of NC-15, Neighborhood Conservation-15.

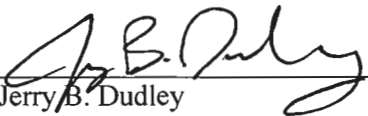
III. POINTS TO CONSIDER:

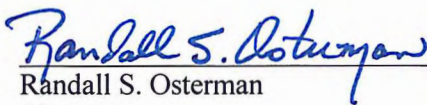
- (1) Request is being considered for first reading.
- (2) City water and sewer services are currently available; there is no cost to extend utility services.
- (3) A Public Hearing for zoning was held at the April 13, 2021 Planning Commission meeting.
- (4) City staff recommends annexation and concurs with Planning Commission's recommendation to zone the property NC-15 Neighborhood Conservation-15.

IV. PERSONAL NOTES:

V. ATTACHMENTS:

- (1) Ordinance
- (2) Vicinity Map
- (3) Annexation Petition


Jerry B. Dudley
Planning Director


Randall S. Osterman
City Manager

ORDINANCE NO. 2021_____

AN ORDINANCE TO ANNEX AND ZONE 2499 RAINFORD ROAD, TMN 01221-01-158.

WHEREAS, a Public Hearing was held in the Council Chambers on April 13, 2021 at 6:00 P.M. before the City of Florence Planning Commission via Zoom, and notice of said hearing was duly given;

WHEREAS, application by Robert T. Parsons, owner of TMN 01221-01-158, was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property be incorporated into the City limits of the City of Florence under the provisions of **Section 5-3-150(3) of the 1976 Code of Laws of South Carolina** and given the zoning district classification of NC-15:

The property requesting annexation is shown more specifically on Florence County Tax Map 01221, block 01, parcel 158 (0.779682 acre).

Any portions of public rights-of-way abutting the above described property will be also included in the annexation.

WHEREAS, Florence City Council concurs in the aforesaid application, findings and recommendations:

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:

- 1. That an Ordinance is hereby adopted annexing into the City Limits of the City of Florence the aforesaid property and amending the Zoning Atlas to the aforesaid zoning classifications.**
- 2. That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence and posting of this amendment in the official Zoning Atlas.**

EXECUTED ON ONE (1) ADDITIONAL PAGE

ADOPTED THIS _____ DAY OF _____, 2021

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin,
Mayor


Attest:

Casey C. Moore
Municipal Clerk

Vicinity Map – 2499 Rainford Road



Legend

-  City Limits
-  Parcels



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FLORENCE CITY COUNCIL MEETING

DATE: May 10, 2021

AGENDA ITEM: An ordinance to amend the Planned Development District Ordinance for The Grove at Ebenezer

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION

Request to amend the Planned Development District (PDD 2016-01) for the Grove at Ebenezer to reduce front setback requirement for Phase III and future single-family detached residential to 15ft.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

- (1) PDD 2016-01 was created in May 2016 per Ordinance 2016-16 and entered into a development agreement as outlined in Ordinance 2016-17. Ordinance 2018-27 was later adopted to reduce the setbacks for the townhome development within a portion of The Grove Subdivision.
- (2) The currently proposed PDD amendment requests a reduction in the front setback requirement for single-family detached homes and was unanimously (7-0) recommended by the Planning Commission on April 13, 2021. At the same meeting, Planning Commission approved the proposed sketch plan for the Grove Phase III contingent upon approval of this PDD amendment.

III. POINTS TO CONSIDER:

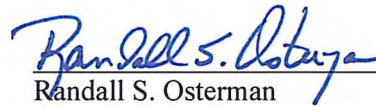
- (1) This matter is before City Council for first reading.
- (2) The property is zoned Planned Development District (PDD) and is reviewed per the development guidelines of PDD 2016-01, which allows front setbacks of 20 ft for single-family detached homes.
- (3) The Developer is requesting an amendment to The Grove PDD to permit 15 ft front setbacks for Phase III and future single-family detached residential development. This request is based on space constraints due to stormwater infrastructure, utility rights-of-way, and a future addition to the City's Rail Trail system.
- (4) City staff recommends the proposed PDD amendment to reduce the front setback for single-family detached homes to 15 feet for Phase III and future phases of development. This reduced setback would not extend to include Phases I and II of The Grove Subdivision.

IV. NOTES:

V. ATTACHMENTS:

- (1) Ordinance
- (2) Proposed changes to PDD 2016-01
- (3) Location Map
- (4) The Grove Phase III Approved Sketch Plan


Jerry B. Dudley
Planning Director


Randall S. Osterman
City Manager

ORDINANCE NO. 2021-_____

AN ORDINANCE TO AMEND THE PLANNED DEVELOPMENT DISTRICT ORDINANCE FOR THE GROVE AT EBENEZER , SAID PROPERTY BEING SPECIFICALLY DESIGNATED IN THE FLORENCE COUNTY TAX RECORDS AS TAX MAP PARCELS 00075-01-036, 00075-01-214, 00075-01-219, 00075-01-220, 00075-01-221, 00075-01-222, 00075-01-232, 00075-01-235, 00075-01-236, 00075-01-238, TO ALLOW FOR DEVELOPMENT PLAN REVISIONS:

WHEREAS, a Public Hearing was held in City Council Chambers on April 13, 2021 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given; and,

WHEREAS, The Grove at Ebenezer, LLC made application to amend the Planned Development District Ordinance to update the development plan to allow for smaller front setbacks for single-family residential homes in Phase III & future phases; and,

WHEREAS, Florence City Council concurs in the aforesaid application, findings, and recommendations.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:

1. That the text of The Grove at Ebenezer identified as PDD 2016-01 Schedule B – Development Standards Table A will read in whole as follows:

Table A

District	Minimum Lot Area (a)		Lot Width (ft) (b)	Front Yard Setback	Side Yard Setback		Rear Yard Setback Minimum		Max Hgt. (ft) (c)	Max Impervious Surface Ratio (%)
	Residential	Non-Residential			Res	Non Res	Res	Non Res		
Single Family Residential	6000	6000	50	15(f)	5	5	15	25	48	70
Multi-Family	N/A		N/A	N/A	20	20	20	20	5 stories	75
Duplexes & Town Homes	2,200	2,200	22	20	0	0	20	20	48	75
Commercial	5,000	5,000	50	35(e)	5(e)	5(e)	20(e)	20(e)	(d)	90

Notes to Table A

- (a) Lot area is expressed in square feet.
- (b) Measurement from front property line.

- (c) Measurement from average elevation of finished grade of the front of the structure.
- (d) There is no maximum; provided side and rear setbacks shall increase by one (1) foot for each two (2) feet in height over thirty-five (35) feet for buildings; further provided that approval of buildings over thirty-five (35) feet shall be based on fire ladder capabilities as determined by the City of Florence Fire Department.
- (e) A minimum zero set-back may be allowed with approval of the Director of the Department of Planning, Research and Development, upon receiving consent from the Home Owner's Association president in writing. Approval shall be based on site design and placement of buildings and subject to applicable fire and building codes.
- (f) **The front yard setback for single-family detached residential in Phases I & II shall be 20ft as approved by City Council on May 9, 2016 (Ordinance 2016-16, PDD 2016-01)**

NA=Not Applicable

2. That an Ordinance is hereby adopted by amending the Planned Development District Ordinance to update the development plan to allow the proposed front setbacks
3. That this Ordinance shall become effective seven days upon its approval adoption by the City Council of the City of Florence and posting of this amendment in the official Zoning Atlas.

ADOPTED THIS _____ DAY OF _____, 2021

Teresa Myers Ervin
Mayor

Approved as to form:

Attest:

James W. Peterson, Jr.
City Attorney

Casey C. Moore
Municipal Clerk

Attachment B: Proposed amendments to PDD 2016-01, The Grove at Ebenezer.
 Deletions are struck through, and additions are highlighted

Table A

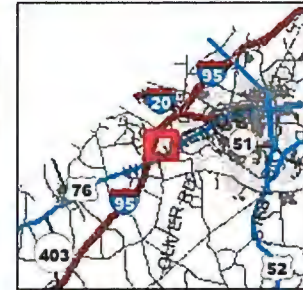
District	Minimum Lot Area (a)		Lot Width (ft) (b)	Front Yard Setback	Side Yard Setback		Rear Yard Setback Minimum		Max Hgt. (ft) (c)	Max Impervious Surface Ratio (%)
	Residential	Non-Residential			Res	Non Res	Res	Non Res		
Single Family Residential	6000	6000	50	20 15(f)	5	5	15	25	48	70
Multi-Family	N/A		N/A	N/A	20	20	20	20	5 stories	75
Duplexes & Town Homes	2,200	2,200	22	20	0	0	20	20	48	75
Commercial	5,000	5,000	50	35(e)	5(e)	5(e)	20(e)	20(e)	(d)	90

Notes to Table A

- (a) Lot area is expressed in square feet.
- (b) Measurement from front property line.
- (c) Measurement from average elevation of finished grade of the front of the structure.
- (d) There is no maximum; provided side and rear setbacks shall increase by one (1) foot for each two (2) feet in height over thirty-five (35) feet for buildings; further provided that approval of buildings over thirty-five (35) feet shall be based on fire ladder capabilities as determined by the City of Florence Fire Department.
- (e) A minimum zero set-back may be allowed with approval of the Director of the Department of Planning, Research and Development, upon receiving consent from the Home Owner's Association president in writing. Approval shall be based on site design and placement of buildings and subject to applicable fire and building codes.
- (f) The front yard setback for single-family detached residential in Phases I & II shall be 20ft as approved by City Council on May 9, 2016 (Ordinance 2016-16, PDD 2016-01)**

NA=Not Applicable

Location Map - The Grove at Ebenezer

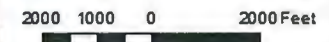


Legend

 Parcels

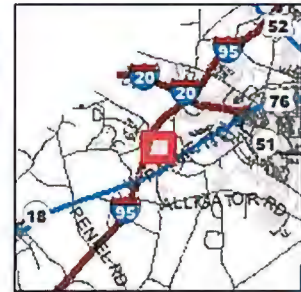


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Date: 5/2/2021

The Grove Phase III Sketch Plan



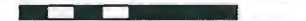
Legend

 Parcels



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2000 1000 0 2000 Feet



Date: 5/5/2021

FLORENCE CITY COUNCIL MEETING

DATE: May 10, 2021

AGENDA ITEM: Ordinance to Annex and Zone the North Side of Lake Oakdale and the Lake Oakdale Dam, a portion of TMN 00751-01-049.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex a portion of Tax Map Number 00751-01-049 which includes the north half of Lake Oakdale and the dam into the City of Florence and zone to OSR, Open Space and Recreation. The request is being made by the property owner.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On April 13, 2021, Planning Commission held a public hearing on this matter, and voted unanimously, 7-0, to recommend the zoning request of OSR, Open Space and Recreation.

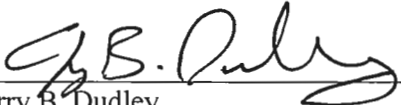
III. POINTS TO CONSIDER:

- (1) Request is being considered for first reading.
- (2) City water and sewer services are not necessary; there is no cost to extend utility services.
- (3) A Public Hearing for zoning was held at the April 13, 2021 Planning Commission meeting.
- (4) This request includes portions of Lake Oakdale and the associated dam. The proposed zoning of OSR is in agreement with the existing use of the property.

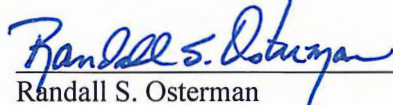
IV. PERSONAL NOTES:

V. ATTACHMENTS:

- (1) Ordinance
- (2) Vicinity Map
- (3) Parcels 1 and 2 Plat
- (4) Annexation Petition



Jerry B. Dudley
Planning Director



Randall S. Osterman
City Manager

ORDINANCE NO. 2021_____

AN ORDINANCE TO ANNEX AND ZONE THE NORTH SIDE OF LAKE OAKDALE AND THE LAKE OAKDALE DAM, A PORTION OF TMN 00751-01-049.

WHEREAS, a Public Hearing was held in the Council Chambers on April 13, 2021 at 6:00 P.M. before the City of Florence Planning Commission via Zoom, and notice of said hearing was duly given;

WHEREAS, application by Claussen Developers, LLC, owner of TMN 00751-01-049, was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property be incorporated into the City limits of the City of Florence under the provisions of **Section 5-3-150(3) of the 1976 Code of Laws of South Carolina** and given the zoning district classification of OSR:

The property requesting annexation is shown more specifically on Florence County Tax Map 00751, block 01, parcel 049 and on the plat filed in Plat Book 107 at page 233.

Any portions of public rights-of-way abutting the above described property will be also included in the annexation.

WHEREAS, Florence City Council concurs in the aforesaid application, findings and recommendations:

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:

- 1. That an Ordinance is hereby adopted annexing into the City Limits of the City of Florence the aforesaid property and amending the Zoning Atlas to the aforesaid zoning classifications.**
- 2. That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence and posting of this amendment in the official Zoning Atlas.**

EXECUTED ON ONE (1) ADDITIONAL PAGE

Ordinance No. 2021 - _____
Page 2

ADOPTED THIS _____ DAY OF _____, 2021

Approved as to form:

James W. Peterson, Jr.
City Attorney

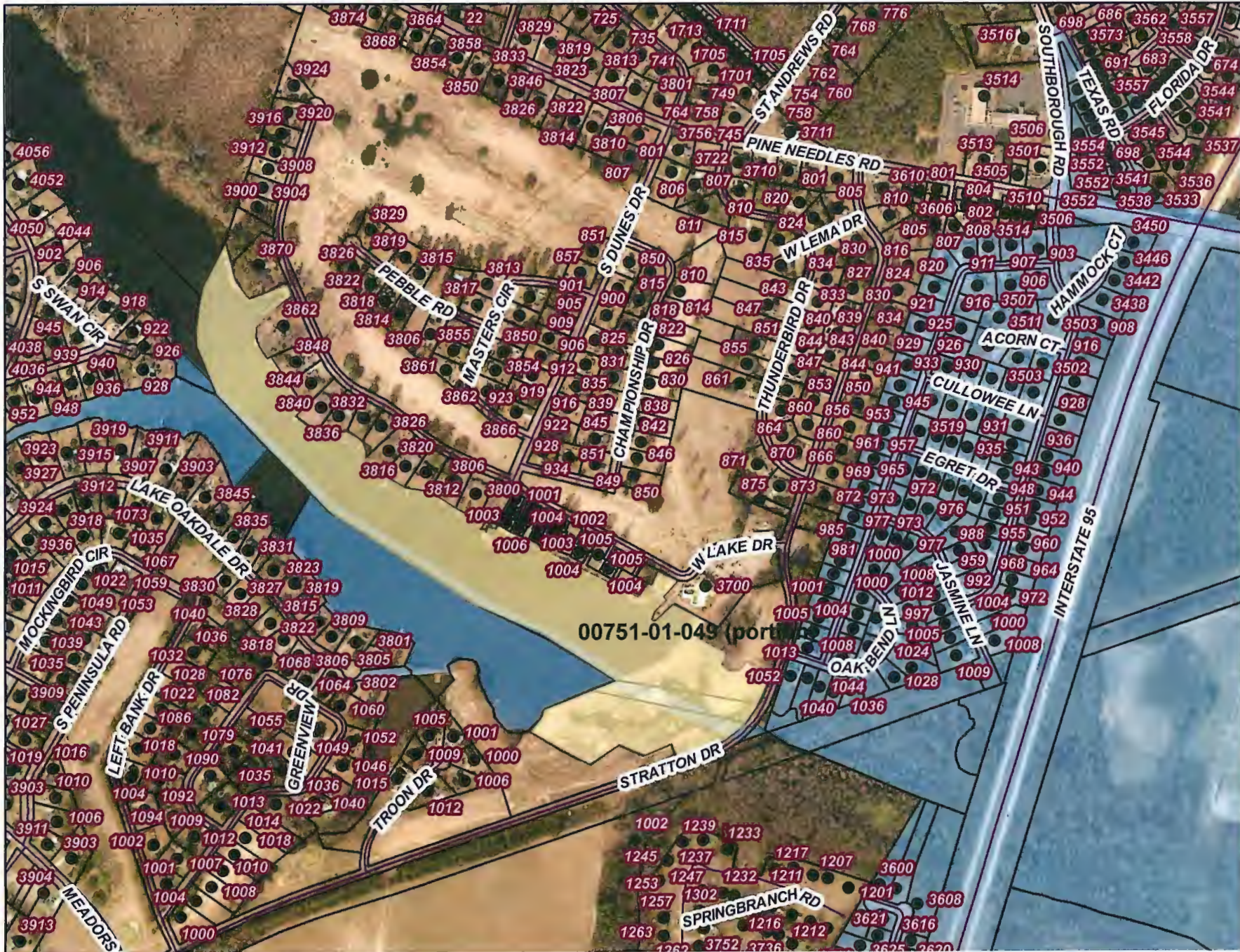
Teresa Myers Ervin,
Mayor

Attest:






Casey C. Moore
Municipal Clerk

Lake Oakdale Annexation

April, 2021



Legend

-  Oakdale Annex
-  County address
-  Streets
-  Parcels
-  City Limits

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "B" SURVEY AS SPECIFIED THEREIN.

WILLIAM F. COX, JR. PLS 11363 DATE 8/31/20



Florence County Planning Department
 Date by certified as of 8/31/20
 day of August 2020
 County Planner: *Donna Sigley*

LEGEND
 I.N. IRON NEW 1/2" REBAR
 I.O. IRON OLD
 PT. POINT

NOTES:
 1) TAX MAP NO. 00075-01-020, 00751-01-049
 2) DATE OF SURVEY: AUGUST 19, 2020
 3) THIS LOT IS LOCATED IN FLOOD ZONE "X"
 NATIONAL FLOOD INSURANCE PROGRAM,
 FLOOD RATE MAP DATED DEC. 16, 2014

REFERENCE:
 1) PLAT BY ERVIN ENGINEERING DATED MARCH 15, 1993 FOR OAKDALE COUNTRY CLUB.
 2) PB 22/555
 3) PB 23/173
 4) PB 30/210
 5) PB 35/419
 6) PB 43/135
 7) PB 84/421
 8) PB 90/170
 9) PB 92/295

L=506.93'
 R=1446.74'
 $\Delta=20^{\circ}04'34''$
 C LEN=504.34'
 BRG=S 32'39'40" E

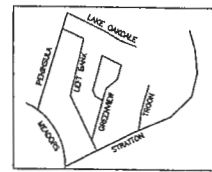
L=363.35'
 R=4175.26'
 $\Delta=04^{\circ}59'10''$
 C LEN=363.23'
 BRG=N 64'36'48" E

L=157.70'
 R=4010.68'
 $\Delta=02^{\circ}15'10''$
 C LEN=157.69'
 BRG=N 61'05'21" E

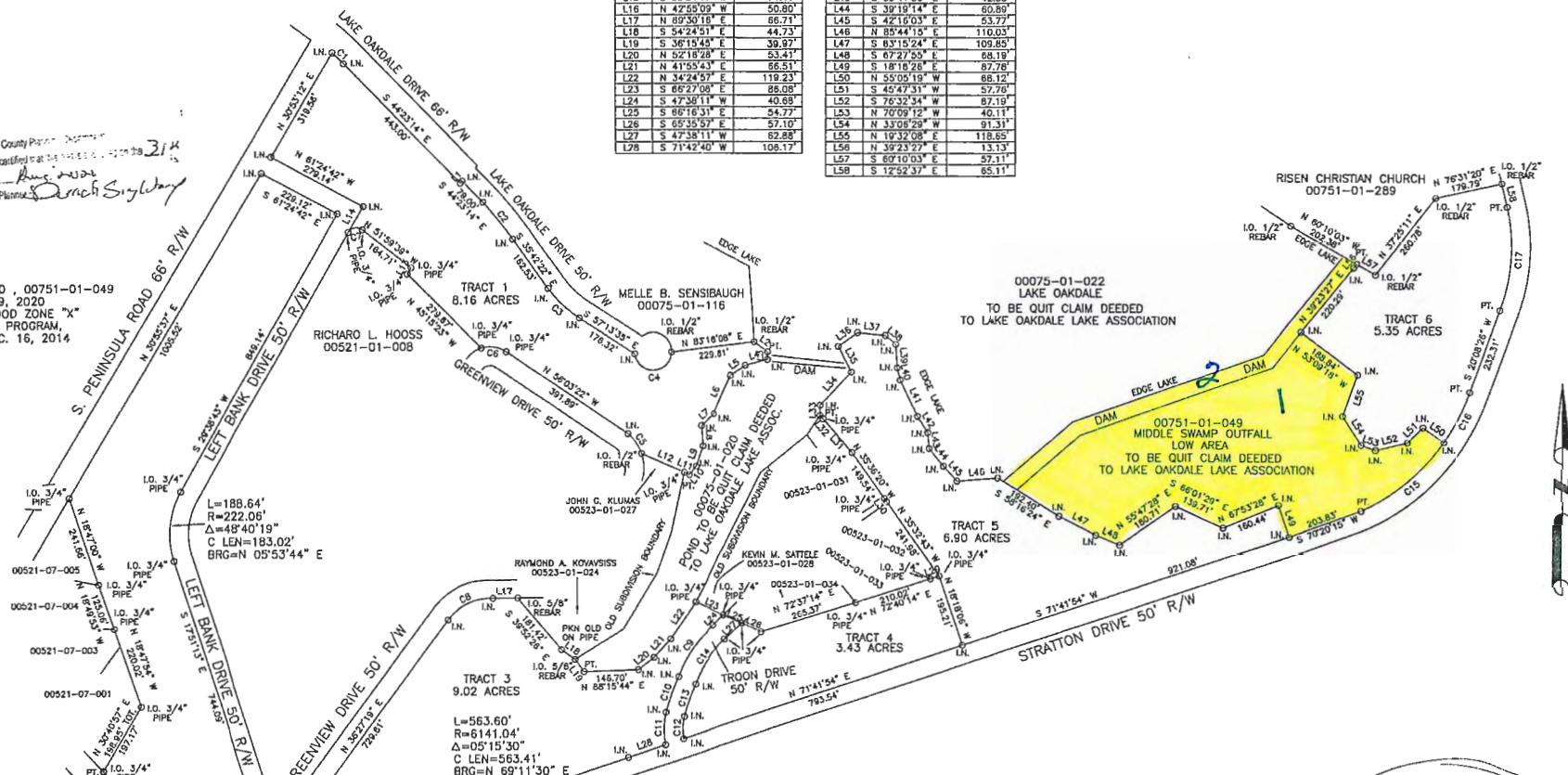
LINE	BEARING	DISTANCE
L1	N 45°36'48" E	8.00'
L2	S 53°04'41" E	44.59'
L3	S 00°53'31" W	29.03'
L4	S 75°22'11" W	61.45'
L5	S 56°40'56" W	48.73'
L6	S 23°50'57" W	112.87'
L7	S 50°59'00" W	48.77'
L8	S 04°20'05" E	54.29'
L9	S 16°58'10" W	57.50'
L10	S 39°22'49" W	26.79'
L11	N 66°01'44" W	15.00'
L12	N 66°01'44" W	125.56'
L13	N 31°03'42" E	19.65'
L14	N 30°29'52" E	79.73'
L15	S 59°34'17" W	74.41'
L16	N 42°50'09" W	50.89'
L17	N 89°30'18" E	66.71'
L18	S 54°24'51" E	44.73'
L19	S 36°15'45" E	39.97'
L20	N 52°18'28" E	53.47'
L21	N 41°55'43" E	86.51'
L22	N 34°24'57" E	119.23'
L23	S 66°27'08" E	86.08'
L24	S 47°38'11" W	40.89'
L25	S 66°18'51" E	54.77'
L26	S 65°35'57" E	57.10'
L27	S 47°38'11" W	62.88'
L28	S 71°42'40" W	106.17'

LINE	BEARING	DISTANCE
L29	N 72°29'36" E	8.00'
L30	N 35°32'43" W	10.04'
L31	N 40°43'34" W	118.04'
L32	N 40°43'34" W	12.03'
L33	N 00°37'28" E	27.15'
L34	N 43°12'51" E	121.67'
L35	N 26°59'42" W	76.24'
L36	N 54°44'50" E	62.84'
L37	S 84°19'27" E	74.80'
L38	S 50°17'24" E	38.42'
L39	S 03°48'57" E	62.22'
L40	N 13°28'31" E	33.98'
L41	S 25°03'17" E	107.12'
L42	S 32°36'48" E	80.85'
L43	S 05°41'56" E	42.59'
L44	S 39°19'14" E	60.89'
L45	S 42°16'03" E	53.77'
L46	N 85°44'15" E	110.03'
L47	S 63°15'24" E	109.85'
L48	S 07°27'53" E	68.19'
L49	S 18°18'28" E	67.29'
L50	N 55°05'19" W	68.12'
L51	S 45°47'31" W	57.76'
L52	S 76°32'34" W	87.19'
L53	N 70°09'19" W	40.11'
L54	N 33°08'29" W	91.31'
L55	N 19°32'08" E	118.65'
L56	N 39°23'27" E	13.13'
L57	S 60°16'03" E	57.11'
L58	S 12°52'37" E	65.11'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	683.08'	41.67'	41.67'	S 46°14'14" E	03°29'44"
C2	1100.89'	126.93'	126.88'	S 38°55'53" E	05°39'31"
C3	309.36'	115.88'	115.20'	N 46°42'30" W	21°27'40"
C4	50.00'	148.53'	96.63'	S 87°26'37" W	176°12'15"
C5	119.89'	65.51'	64.70'	S 34°29'21" E	31°24'42"
C6	77.11'	70.40'	67.98'	S 81°22'19" E	52°18'24"
C7	25.73'	43.47'	38.48'	N 79°10'48" E	96°47'41"
C8	139.62'	140.42'	134.58'	N 84°41'29" E	57°37'22"
C9	340.73'	168.81'	167.09'	N 34°44'58" E	28°23'12"
C10	651.12'	101.59'	101.43'	N 19°23'17" E	10°33'05"
C11	208.65'	66.95'	66.32'	N 00°58'07" E	23°52'34"
C12	158.65'	59.17'	58.83'	N 02°02'30" E	21°22'08"
C13	501.12'	92.07'	91.94'	N 19°28'04" E	10°31'39"
C14	287.68'	148.58'	146.91'	N 34°39'13" E	29°39'21"
C15	541.51'	290.45'	286.98'	S 60°20'00" W	30°43'56"
C16	541.51'	151.12'	150.83'	S 26°58'20" W	16°59'23"
C17	476.55'	279.90'	276.89'	S 03°52'42" W	33°39'07"



VICINITY MAP NOT TO SCALE



Re 9/10/20
 107/233

SURVEY FOR THE PALMS COURSE AT OAKDALE, LLC FLORENCE COUNTY SOUTH CAROLINA
 SCALE 1"=200' AUGUST 19, 2020
 SURVEY AND PLAT BY LOWER FLORENCE COUNTY SURVEYING 155 NORTH COUNTY STREET LAKE CITY, S.C. 29560 843-374-8614

SCHEDULE A
PROPERTY TO BE ANNEXED

Parcel 1 of 3: The parcel of land depicted as "Middle Swamp Outfall Low Area to be Quit Claim Deeded to Lake Oakdale Lake Association" on the plat filed in the Florence County Clerk of Court's Office on September 10, 2020 in Plat Book 107 at Page 233.

Parcel 2 of 3: The strip of land abutting Parcel 1 above depicted on the plat referenced above as "DAM", being bound as follows: on its southernmost end by Tract 5 as shown on the above referenced plat; on its eastern line by Parcel 1 above and Tract 6 depicted on the above reference plat; on its northernmost line by property of Risen Christian Church (tax parcel 00751-01-289); and on its westernmost line by Lake Oakdale.

Parcel 3 of 3: The **portion** of Tax Parcel Number 00751-01-049 comprising essentially the northern half of Lake Oakdale, bounded as follows: on the south by Parcels 00075-01-022 and 00075-01-237; on the east by a portion of Parcel 2 above; on the West by Parcels 00075-01-021 and 0051-01-003 and on its northern most line by the rear property lines of various residential parcels that front on West Lake Drive; this Parcel 3 to be annexed also abuts two (2) portions of West Lake Drive - one near its northeastern end between Tax Parcels 00751-01-285 and 00751-01-040 and the other near its southern end between Tax Parcels 00751-01-281, 00751-01-282 and 00751-01-289.

FLORENCE CITY COUNCIL MEETING

DATE: June 14, 2021

AGENDA ITEM: Ordinance To Annex and Zone 2495 Hoffmeyer Road, TMN 01221-01-109.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex property located at 2495 Hoffmeyer Road, Tax Map Number 01221-01-109, into the City of Florence and zone to NC-15, Neighborhood Conservation 15. The request is being made by the property owner.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On March 11, 2021, Planning Commission held a public hearing on this matter, and voted unanimously, 7-0, to recommend the zoning request of NC-15, Neighborhood Conservation 15.

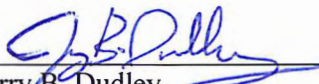
III. POINTS TO CONSIDER:


- (1) Request is being considered for first reading.
- (2) City water and sewer services are currently available; there is no cost to extend utility services.
- (3) A Public Hearing for zoning was held at the May 11, 2021 Planning Commission meeting.
- (4) City staff recommends annexation and concurs with Planning Commission's recommendation to zone the property NC-15 Neighborhood Conservation 15.

IV. PERSONAL NOTES:

V. ATTACHMENTS:

- (1) Ordinance
- (2) Vicinity Map
- (3) Annexation Petition


Jerry B. Dudley
Planning Director


Randall S. Osterman
City Manager

ORDINANCE NO. 2021_____

AN ORDINANCE TO ANNEX AND ZONE 2495 HOFFMEYER ROAD, TMN 01221-01-109.

WHEREAS, a Public Hearing was held in the Council Chambers on May 11, 2021 at 6:00 P.M. before the City of Florence Planning Commission via Zoom, and notice of said hearing was duly given;

WHEREAS, application by James and Barbara Lewis, owners of TMN 01221-01-109, was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property be incorporated into the City limits of the City of Florence under the provisions of **Section 5-3-150(3) of the 1976 Code of Laws of South Carolina** and given the zoning district classification of NC-15:

The property requesting annexation is shown more specifically on Florence County Tax Map 01221, block 01, parcel 109 (0.598393 acre).

Any portions of public rights-of-way abutting the above described property will be also included in the annexation.

WHEREAS, Florence City Council concurs in the aforesaid application, findings and recommendations:

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:

- 1. That an Ordinance is hereby adopted annexing into the City Limits of the City of Florence the aforesaid property and amending the Zoning Atlas to the aforesaid zoning classifications.**
- 2. That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence and posting of this amendment in the official Zoning Atlas.**

ADOPTED THIS _____ DAY OF _____, 2021

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin,
Mayor

Attest:

Casey C. Moore
Municipal Clerk

Location Map – 2495 Hoffmeyer Road



Legend

- County address points
- Streets
- ▭ Parcels
- ▭ City Limits



DISCLAIMER:
 The City of Florence Department of Planning, Research, and Development data represented on this map is the product of compilation, as produced by others. It is provided for informational purposes only and the City of Florence makes no representation as to its accuracy. Its use without field verification is at the sole risk of the user.



Date: 4/8/2021

STATE OF SOUTH CAROLINA)

PETITION FOR ANNEXATION

COUNTY OF FLORENCE)

Petition requesting Florence City Council to enact an Ordinance annexing the area described below, that area being the same property as shown by the map prepared by the City of Florence Planning, Research, and Development Department, attached and incorporated by reference herein:

The undersigned freeholder property owner(s) hereby respectfully certifies, petitions, and requests of the City Council of Florence as follows:

- 1. The petitioners are the sole owner(s) of real estate in the County of Florence, State of South Carolina which property lies adjacent and contiguous to the corporate limits of the City of Florence.
- 2. That the petitioner(s) desires to annex the property more particularly described below:

Florence County Tax Map Number: 01221-01-109

- 3. Annexation is being sought for the following purposes:

Fire protection, police + city services

- 4. That the petitioner(s) request that the City Council of Florence annex the above described property in accordance with subsection 31 of 5-3-150(3) of the Code of Laws of South Carolina for 1976, such section allowing the annexation of an area without the necessity of an election and referendum.

To the Petitioner: The following information needs to be completed for submittal to the City of Florence and other government agencies for records prior to and after annexation.

Total Residents	<u>3</u>	Race	<u>W</u>
Total 18 and Over	<u>3</u>	Total Registered to Vote	<u>3</u>

APPLICANT (S) (Please print or type):

Name(s): _____

Address: 2495 Hoffmeyer Rd

Telephone Numbers: 843-468-1271 [work] 843-468-1271 [home]

Email Address: grammy31155@gmail.com

Signature: Barbara A. Lewis Date: 4-3-2021

Barbara A. Lewis

Certification as to ownership on the date of petition:	FOR OFFICAL USE ONLY
Date: <u>4-6-21</u>	<u>AB</u>

FLORENCE CITY COUNCIL MEETING

DATE: June 14, 2021

AGENDA ITEM: Ordinance to Annex and Zone 2504 Abbey Way, 2513 Abbey Way, 2485 Parsons Gate, and 2502 Parsons Gate, specifically identified as Florence County Tax Map Numbers 01221-01-254, 01221-01-261, 01221-01-305, and 01221-01-283.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex properties located at 2504 Abbey Way, 2513 Abbey Way, 2485 Parsons Gate, and 2502 Parsons Gate, specifically identified as Florence County Tax Map Numbers 01221-01-254, 01221-01-261, 01221-01-305, and 01221-01-283, into the City of Florence and zone to NC-15, Neighborhood Conservation. The request is being made by the property owners.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On May 11, 2021, Planning Commission held a public hearing on this matter, and voted unanimously, 7-0, to recommend the zoning request of NC-15, Neighborhood Conservation.

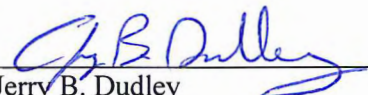
III. POINTS TO CONSIDER:

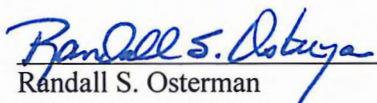
- (1) Request is being considered for first reading.
- (2) City water and sewer services are currently available; there is no cost to extend utility services.
- (3) A Public Hearing for zoning was held at the May 11, 2021 Planning Commission meeting.
- (4) City staff recommends annexation and concurs with Planning Commission's recommendation to zone the property NC-15, Neighborhood Conservation.

IV. PERSONAL NOTES:

V. ATTACHMENTS:

- (1) Ordinance
- (2) Vicinity Map
- (3) Annexation Petitions


Jerry B. Dudley
Planning Director


Randall S. Osterman
City Manager

ORDINANCE NO. 2021_____

AN ORDINANCE TO ANNEX AND ZONE 2504 ABBEY WAY, TMN 01221-01-254; 2513 ABBEY WAY, TMN 01221-01-261; 2485 PARSONS GATE, TMN 01221-01-305; & 2502 PARSONS GATE, TMN 01221-01-283.

WHEREAS, a Public Hearing was held in the Council Chambers on May 11, 2021 at 6:00 P.M. before the City of Florence Planning Commission via Zoom, and notice of said hearing was duly given;

WHEREAS, applications by Scott, Tamara, & Aiden Byrne, owners of TMN 01221-01-254; Robert & Julie LeMaster, owners of TMN 01221-01-261; Taewook & Eunjung Change, owners of TMN 01221-01-305; and James & Kimberly Osborne, owners of TMN 01221-01-283 were presented requesting amendments to the City of Florence Zoning Atlas that the aforesaid properties be incorporated into the City limits of the City of Florence under the provisions of **Section 5-3-150(3) of the 1976 Code of Laws of South Carolina** and given the zoning district classification of NC-15:

The properties requesting annexation are shown more specifically on Florence County Tax Map 01221, block 01, parcel 254 (0.536595 acre); 01221, block 01, parcel 261 (0.520166); 01221, block 01, parcel 305 (0.606038 acre); and 01221, block 01, parcel 283 (0.52343).

Any portions of public rights-of-way abutting the above described property will be also included in the annexation.

WHEREAS, Florence City Council concurs in the aforesaid application, findings and recommendations:

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:

- 1. That an Ordinance is hereby adopted annexing into the City Limits of the City of Florence the aforesaid properties and amending the Zoning Atlas to the aforesaid zoning classifications.**
- 2. That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence and posting of this amendment in the official Zoning Atlas.**

ADOPTED THIS _____ DAY OF _____, 2021

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin,
Mayor

Attest:

Casey C. Moore
Municipal Clerk

Location Map - 2504, 2513 Abbey Way & 2485, 2502 Parsons Gate



Legend

- City Limits
- Parcels



DISCLAIMER:
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60 30 0 60 Feet

Date: 6/5/2021

Attachment 3: Petition for Annexation forms

STATE OF SOUTH CAROLINA)

PETITION FOR ANNEXATION

COUNTY OF FLORENCE)

Petition requesting Florence City Council to enact an Ordinance annexing the area described below, that area being the same property as shown by the map prepared by the City of Florence Planning, Research, and Development Department, attached and incorporated by reference herein:

The undersigned freeholder property owner(s) hereby respectfully certifies, petitions, and requests of the City Council of Florence as follows:

1. The petitioners are the sole owner(s) of real estate in the County of Florence, State of South Carolina which property lies adjacent and contiguous to the corporate limits of the City of Florence.
2. That the petitioner(s) desires to annex the property more particularly described below:
 Florence County Tax Map Number: 01221-01-254
3. Annexation is being sought for the following purposes:
city services
4. That the petitioner(s) request that the City Council of Florence annex the above described property in accordance with subsection 31 of 5-3-150(3) of the Code of Laws of South Carolina for 1976, such section allowing the annexation of an area without the necessity of an election and referendum.

To the Petitioner: The following information needs to be completed for submittal to the City of Florence and other government agencies for records prior to and after annexation.

Total Residents	<u>3</u>	Race	<u>Caucasian</u>
Total 18 and Over	<u>2</u>	Total Registered to Vote	<u>1</u>

APPLICANT (S) (Please print or type):

Name(s): Scott Byrne, Tamara Byrne, Aiden Byrne

Address: 204 Abbey Way

Telephone Numbers: 847-271-1443 [work] " " [home]

Email Address: Sabyrne88@gmail.com

Signature [Handwritten Signature] Date 3/29/21

Certification as to ownership on the date of petition:	FOR OFFICAL USE ONLY
Date <u>4-7-21</u>	<u>4-7-21</u>

STATE OF SOUTH CAROLINA)

PETITION FOR ANNEXATION

COUNTY OF FLORENCE)

Petition requesting Florence City Council to enact an Ordinance annexing the area described below, that area being the same property as shown by the map prepared by the City of Florence Planning, Research, and Development Department, attached and incorporated by reference herein:

The undersigned freeholder property owner(s) hereby respectfully certifies, petitions, and requests of the City Council of Florence as follows:

1. The petitioners are the sole owner(s) of real estate in the County of Florence, State of South Carolina which property lies adjacent and contiguous to the corporate limits of the City of Florence.
2. That the petitioner(s) desires to annex the property more particularly described below:
Florence County Tax Map Number: 01221-01-261
3. Annexation is being sought for the following purposes: city services
4. That the petitioner(s) request that the City Council of Florence annex the above described property in accordance with subsection 31 of 5-3-150(3) of the Code of Laws of South Carolina for 1976, such section allowing the annexation of an area without the necessity of an election and referendum.

To the Petitioner: The following information needs to be completed for submittal to the City of Florence and other government agencies for records prior to and after annexation.

Total Residents	<u>4</u>	Race	<u>white</u>
Total 18 and Over	<u>2</u>	Total Registered to Vote	<u>2</u>

APPLICANT (S) (Please print or type):

Name(s): Robert and Julia LaMaster

Address: 2513 Abbey Way

Telephone Numbers: 843-601-5101 [work] 843-662-4212 [home]

Email Address: robertlmaster@gmail.com

Signature Robert LaMaster Date 3/24/21

Certification as to ownership on the date of petition:	FOR OFFICIAL USE ONLY
Date <u>03</u>	<u>4-7-21</u>

STATE OF SOUTH CAROLINA)

PETITION FOR ANNEXATION

COUNTY OF FLORENCE)

Petition requesting Florence City Council to enact an Ordinance annexing the area described below, that area being the same property as shown by the map prepared by the City of Florence Planning, Research, and Development Department, attached and incorporated by reference herein:

The undersigned freeholder property owner(s) hereby respectfully certifies, petitions, and requests of the City Council of Florence as follows:

1. The petitioners are the sole owner(s) of real estate in the County of Florence, State of South Carolina which property lies adjacent and contiguous to the corporate limits of the City of Florence.
2. That the petitioner(s) desires to annex the property more particularly described below:
Florence County Tax Map Number: 01221-01-305
3. Annexation is being sought for the following purposes: city services
4. That the petitioner(s) request that the City Council of Florence annex the above described property in accordance with subsection 31 of 5-3-150(3) of the Code of Laws of South Carolina for 1976, such section allowing the annexation of an area without the necessity of an election and referendum.

To the Petitioner: The following information needs to be completed for submittal to the City of Florence and other government agencies for records prior to and after annexation.

Total Residents	<u>3</u>	Race	<u>Asians</u>
Total 18 and Over	<u>2</u>	Total Registered to Vote	<u>2</u>

APPLICANT (S) (Please print or type):

Name(s): Taewook (Brian) Kim & Eunjung (June) Chang

Address: 2485 PARSONS GATE

Telephone Numbers: 843-610-3936 [work] 843-661-1533 [home]

Email Address: echang@fmarion.edu
eunjungchang17@gmail.com

Signature [Signature] Date 3/24/2021

Certification as to ownership on the date of petition:	FOR OFFICIAL USE ONLY
Date <u>4/7/21</u>	<u>[Signature]</u>

STATE OF SOUTH CAROLINA)

PETITION FOR ANNEXATION

COUNTY OF FLORENCE)

Petition requesting Florence City Council to enact an Ordinance annexing the area described below, that area being the same property as shown by the map prepared by the City of Florence Planning, Research, and Development Department, attached and incorporated by reference herein:

The undersigned freeholder property owner(s) hereby respectfully certifies, petitions, and requests of the City Council of Florence as follows:

1. The petitioners are the sole owner(s) of real estate in the County of Florence, State of South Carolina which property lies adjacent and contiguous to the corporate limits of the City of Florence.
2. That the petitioner(s) desires to annex the property more particularly described below:
 Florence County Tax Map Number: 01221-01-283
3. Annexation is being sought for the following purposes: City services
4. That the petitioner(s) request that the City Council of Florence annex the above described property in accordance with subsection 31 of 5-3-150(3) of the Code of Laws of South Carolina for 1976, such section allowing the annexation of an area without the necessity of an election and referendum.

To the Petitioner: The following information needs to be completed for submittal to the City of Florence and other government agencies for records prior to and after annexation.

Total Residents 4 Race White/Chinese
 Total 18 and Over 4 Total Registered to Vote 4

APPLICANT (S) (Please print or type):

Name(s): James A. & Kimberly L. Osborne

Address: 2502 Parsons Gate, Florence, SC, 29501

Telephone Numbers: 904-735-0797 [work] _____ [home]

Email Address: CoachKimOsborne@gmail.com

Signature: [Handwritten Signature] Date: 3-30-2021
[Handwritten Signature] 3-30-2021

Certification as to ownership on the date of petition:	FOR OFFICIAL USE ONLY
Date: <u>4-7-21</u>	<u>[Signature]</u>

FLORENCE CITY COUNCIL MEETING

DATE: June 14, 2021

AGENDA ITEM: Ordinance to Annex and Zone 3136 Pisgah Road,
TMN 00097-01-029.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex property located at 3136 Pisgah Road, Tax Map Number 00097-01-029, into the City of Florence and zone to RG-3, General Residential. The request is being made by the property owner.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On May 11, 2021, Planning Commission held a public hearing on this matter, and voted unanimously, 7-0, to recommend the zoning request of RG-3, General Residential.

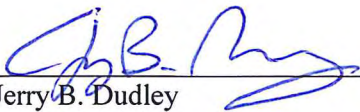
III. POINTS TO CONSIDER:

- (1) Request is being considered for first reading.
- (2) City water is currently available; City sewer is currently unavailable; there is no cost to extend utility services. If/when sewer becomes available, the homeowner will have 5 years to connect by City Ordinance.
- (3) A Public Hearing for zoning was held at the May 11, 2021 Planning Commission meeting.
- (4) City staff recommends annexation and concurs with Planning Commission's recommendation to zone the property RG-3, General Residential.


IV. PERSONAL NOTES:

V. ATTACHMENTS:

- (1) Ordinance
- (2) Vicinity Map
- (3) Annexation Petition



Jerry B. Dudley
Planning Director



Randall S. Osterman
City Manager

ORDINANCE NO. 2021_____

AN ORDINANCE TO ANNEX AND ZONE 3136 PISGAH ROAD, TMN 00097-01-029.

WHEREAS, a Public Hearing was held in the Council Chambers on May 11, 2021 at 6:00 P.M. before the City of Florence Planning Commission via Zoom, and notice of said hearing was duly given;

WHEREAS, application by Jessica Harrington, owner of TMN 00097-01-029, was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property be incorporated into the City limits of the City of Florence under the provisions of **Section 5-3-150(3) of the 1976 Code of Laws of South Carolina** and given the zoning district classification of RG-3, General Residential:

The property requesting annexation is shown more specifically on Florence County Tax Map 00097, block 01, parcel 029 (0.885447 acre).

Any portions of public rights-of-way abutting the above described property will be also included in the annexation.

WHEREAS, Florence City Council concurs in the aforesaid application, findings and recommendations:

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:

- 1. That an Ordinance is hereby adopted annexing into the City Limits of the City of Florence the aforesaid property and amending the Zoning Atlas to the aforesaid zoning classifications.**
- 2. That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence and posting of this amendment in the official Zoning Atlas.**

ADOPTED THIS _____ DAY OF _____, 2021

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin,
Mayor

Attest:

Casey C. Moore
Municipal Clerk

Location Map - 3136 Pisgah Road

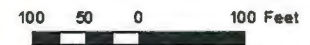


Legend

-  Manhole
-  Gravity Main
-  Water Mains
-  City Limits
-  Parcels



DISCLAIMER:
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Date: 5/20/2021

Attachment 3: Petition for Annexation form

STATE OF SOUTH CAROLINA)

PETITION FOR ANNEXATION

COUNTY OF FLORENCE)

Petition requesting Florence City Council to enact an Ordinance annexing the area described below, that area being the same property as shown by the map prepared by the City of Florence Planning, Research, and Development Department, attached and incorporated by reference herein:

The undersigned freeholder property owner(s) hereby respectfully certifies, petitions, and requests of the City Council of Florence as follows:

1. The petitioners are the sole owner(s) of real estate in the County of Florence, State of South Carolina which property lies adjacent and contiguous to the corporate limits of the City of Florence.

2. That the petitioner(s) desires to annex the property more particularly described below:

Florence County Tax Map Number: 00097-01-029

3. Annexation is being sought for the following purposes:

to be able to get city services such as water

4. That the petitioner(s) request that the City Council of Florence annex the above described property in accordance with subsection 31 of 5-3-150(3) of the Code of Laws of South Carolina for 1976, such section allowing the annexation of an area without the necessity of an election and referendum.

To the Petitioner: The following information needs to be completed for submittal to the City of Florence and other government agencies for records prior to and after annexation.

Total Residents 4
Race W
Total 18 and Over 2
Total Registered to Vote 2

Date: 4/15/2021 Petitioner Signature: Amber Hudson

Date: Petitioner Signature:

APPLICANT(S) (Please print or type): Name(s): Jessica Harrington
Address: 3139 Colony Lane Florence, SC 29501
Telephone Number: 843-250-6052 [cell] [home]
Email Address: jharrington7984@gmail.com

Certification as to ownership on the date of petition: FOR OFFICIAL USE ONLY
Date: 4-16-21 13

FLORENCE CITY COUNCIL MEETING

DATE: June 14, 2021

AGENDA ITEM: Ordinance to Rezone from NC-6.2 to CBD the parcels located at 113 & 115 East Pine Street and 319 & 321 Railroad Avenue, TMNs 90087-06-001, 90087-06-002, 90087-06-005, and 90087-06-006.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

A request to rezone from NC-6.2 to CBD the parcels located at 113 & 115 East Pine Street and 319 & 321 Railroad Avenue, said properties being specifically designated in the Florence County Tax Records as Tax Map Parcels 90087-06-001, 90087-06-002, 90087-06-005, and 90087-06-006. The request is being made by the property owner.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On May 11, 2021, the City of Florence Planning Commission held a public hearing on this matter and voted 7-0 to recommend the parcels be rezoned from NC-6.2 to CBD.

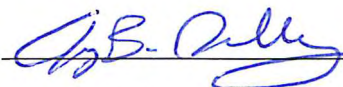
III. POINTS TO CONSIDER:

- (1) This request is being considered for first reading.
- (2) The lots are currently owned by the City of Florence.
- (3) The properties are currently zoned NC-6.2, Neighborhood Conservation-6.2 District. The requested zoning is CBD, Central Business District.
- (4) The City is working toward a conditional agreement with a private developer to construct townhouse units intended for homeownership. The proposed zoning would allow this development.
- (5) City staff recommends that the rezoning request be approved.

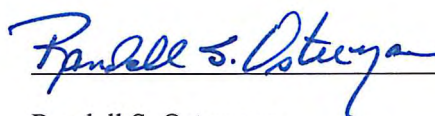
IV. PERSONAL NOTES:

V. ATTACHMENTS:

- A) Ordinance
- B) Vicinity Map
- C) Location Map
- D) Zoning Map
- E) Future Land Use Map



Jerry B. Dudley
Planning Manager



Randall S. Osterman
City Manager

ORDINANCE NO. 2021-_____

AN ORDINANCE TO REZONE PROPERTIES IDENTIFIED AS 113 & 115 EAST PINE STREET AND 319 & 321 RAILROAD AVENUE, TAX MAP NUMBERS 90087-06-001, 90087-06-002, 90087-06-005, and 90087-06-006 FROM NEIGHBORHOOD CONSERVATION-6.2 ZONING DISTRICT TO CENTRAL BUSINESS DISTRICT ZONING DISTRICT:

WHEREAS, a Public Hearing was held in City Council Chambers on May 11, 2021 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, the City of Florence made application to rezone from NC-6.2 Neighborhood Conservation-6.2 District to CBD, Central Business District;

WHEREAS, Florence City Council concurs in the aforesaid application, findings and recommendations:

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:

1. That an Ordinance is hereby adopted by amending the Zoning Atlas of the City of Florence for the aforesaid property to CBD Central Business District;
2. That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence and posting of this amendment in the official Zoning Atlas.

ADOPTED THIS _____ DAY OF _____, 2021

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin
Mayor

Attest:

Casey C. Moore
Municipal Clerk

Vicinity Map – Pine Street & Railroad Avenue

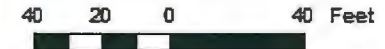


Legend

 Parcels



DISCLAIMER:
 The City of Florence Department of Planning, Research, and Development data represented on this map is the product of compilation, as produced by others. It is provided for informational purposes only and the City of Florence makes no representation as to its accuracy. Its use without field verification is at the sole risk of the user.



Date: 4/27/2021

Location Map – Pine Street & Railroad Avenue



Legend

 Parcels



DISCLAIMER:

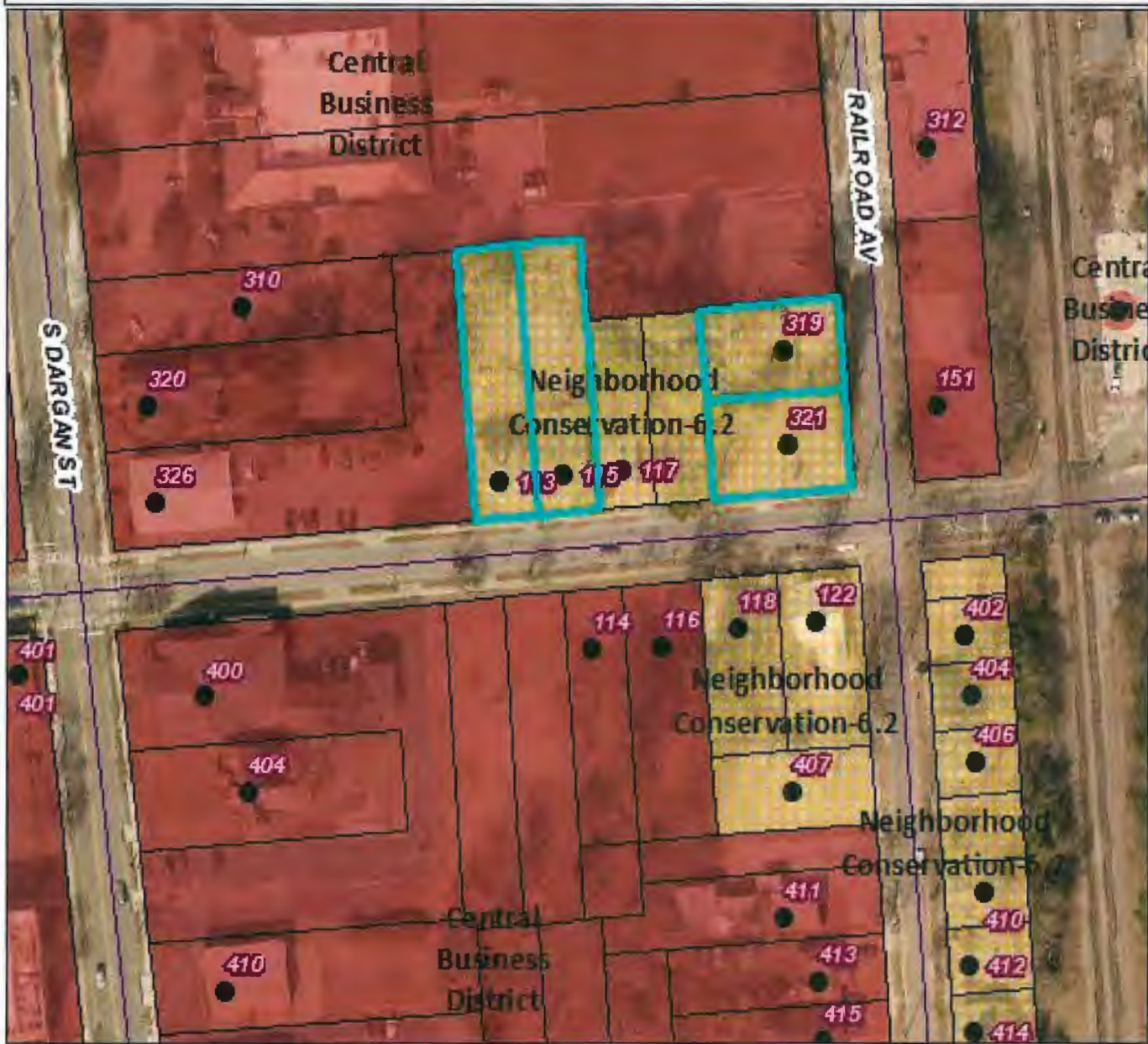
The City of Florence Department of Planning, Research, and Development data represented on this map is the product of compilation, as produced by others. It is provided for informational purposes only and the City of Florence makes no representation as to its accuracy. Its use without field verification is at the sole risk of the user.

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




Date: 4/27/2021

Zoning Map – Pine Street & Railroad Avenue

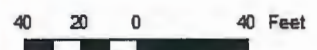


Legend

-  Parcels
- Zoning District**
- Neighborhood Conservation Sub-Districts**
-  NC-6.2
- Mixed-Use Districts**
-  CBD

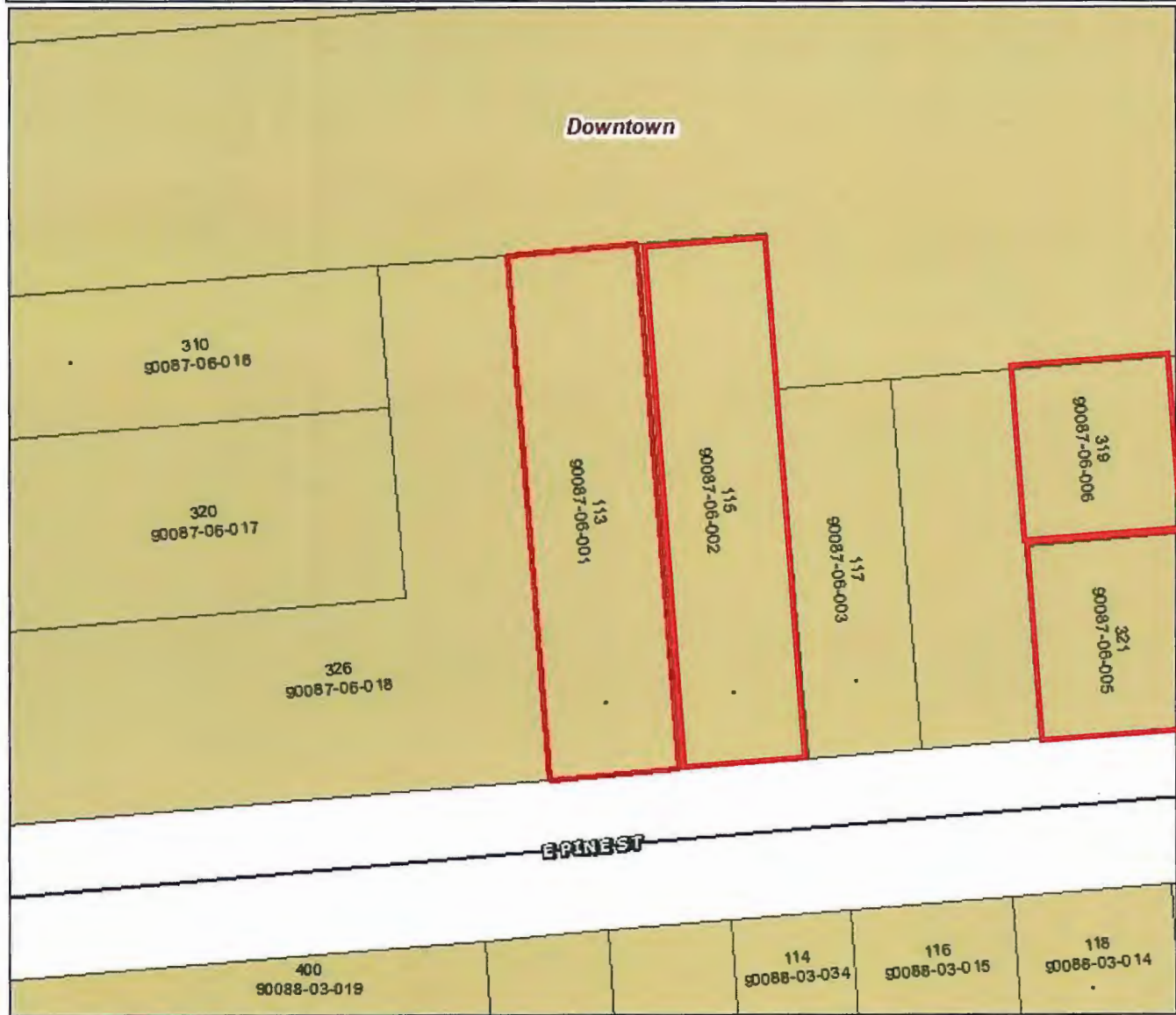


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Date: 4/27/2021

Future Land Use – Pine Street & Railroad Avenue



Legend

Parcels

Future Land Use 2010

Future Land Use

Central Business District



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60 30 0 60 Feet

Date: 3/16/2021

FLORENCE CITY COUNCIL MEETING

DATE: June 14, 2021
AGENDA ITEM: An ordinance authorizing the transfer of land to the Desolate Development Group, specifically tax parcels 90060-05-014 and 90060-06-008
DEPARTMENT/DIVISION: Planning, Research, & Development

I. ISSUE UNDER CONSIDERATION:

To declare as surplus and authorize the conveyance of land, specifically Florence County tax parcels 90060-05-014 and 90060-06-008 located at 708 Gladstone Street and 806 Gladstone Street.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

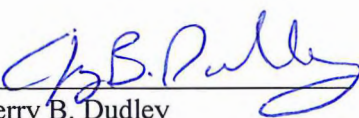
None


III. POINTS TO CONSIDER:

1. Request is being considered for first reading.
2. The Desolate Development Group wishes to purchase the properties for the purpose of constructing detached single-family homes intended for homeownership.
3. The Desolate Development Group has recently (through private venture) constructed two new homes on Gladstone Street and is currently constructing a third home.
4. One parcel is currently vacant and one has a dilapidated structure which will be demolished by the buyer.
5. Compensation for the properties has been established through a letter of intent as outlined below:
 - a. 708 Gladstone Street (90060-05-014) for \$6,400
 - b. 806 Gladstone Street (90060-06-008) for \$4,000

IV. ATTACHMENTS:

1. Ordinance
2. Location Map


Jerry B. Dudley
Planning Director


Randall S. Osterman
City Manager

ORDINANCE NO. 2021-_____

AN ORDINANCE AUTHORIZING THE TRANSFER OF LAND TO THE DESOLATE DEVELOPMENT GROUP, SPECIFICALLY TAX PARCELS 90060-05-014 AND 90060-06-008

WHEREAS, after due consideration, the City has concluded that the land designated as Florence County tax parcels 90060-05-014 and 90060-06-008 located at 708 Gladstone Street and 806 Gladstone Street is surplus land to the City, and conveyance of said property to the Desolate Development Group for the purpose of constructing single-family detached homes is in the best interest and to the benefit of the citizens of the City of Florence and;

WHEREAS, the City of Florence Neighborhood Revitalization Strategy encourages the assemblage of property and collaboration with private developers and non-profit organizations to provide opportunities for homeownership within the target neighborhoods.

NOW, THEREFORE, be it ordained by the City Council of the City of Florence in meeting duly assembled and by the authority thereof:

1. That, pursuant to §5-7-260(6) of the South Carolina Code of Laws, as amended, and §2-26(8) of the Code of Ordinances of the City of Florence, the City Manager of the City of Florence is hereby authorized to execute the necessary Deed, and other documentation in order to convey title to the property described above to the Desolate Development Group; and

2. This Ordinance shall become effective immediately upon its approval and adoption by the City Council of the City of Florence, South Carolina.

ADOPTED THIS _____ DAY OF _____, 2021.

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin
Mayor

Attest:

Casey C. Moore
Municipal Clerk

Location Map - 708 & 806 Gladstone Street



Legend
 City Limits
 Parcels



DISCLAIMER:
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100 50 0 100 Feet

Date: 8/9/2021



FLORENCE CITY COUNCIL MEETING

DATE: June 14, 2021
AGENDA ITEM: FY 2021-22 Budget Ordinance
DEPARTMENT/DIVISION: Finance

I. ISSUE UNDER CONSIDERATION:

For City Council consideration is the adoption of Fiscal Year 2021-22 Budgets for the City of Florence.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

FY 2021-22 budget development began in January and continued through March and April with the preparation of revenue estimates, wages and benefits data development, the submission of departmental budget requests, and departmental budget meetings with the City Manager. A Council work session was held to review budget related issues.

III. POINTS TO CONSIDER:

The General Fund, General Fund Debt Service Fund, Water & Sewer Enterprise Fund, Stormwater Enterprise Fund, Water and Sewer Utilities Construction Fund, Stormwater Utility Construction Fund, Water and Sewer Utilities Equipment Replacement Fund, Stormwater Utility Equipment Replacement Fund, and the Hospitality Fund budgets for the fiscal year ending June 30, 2022, recommended for adoption by the City Council are enclosed for your review.

IV. OPTIONS:


1. Adopt the budget.
2. Modification of the budgets as presented.

V. STAFF RECOMMENDATION:

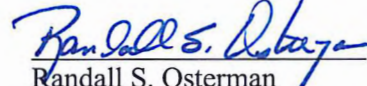
Staff recommends adoption of the FY2021/22 budgets as recommended.

VI. ATTACHMENTS:

1. The FY2021/22 budget ordinance is attached.



Kevin V. Yokim
Assistant City Manager



Randall S. Osterman
City Manager

ORDINANCE NO. 2020- _____

AN ORDINANCE TO RAISE REVENUE AND ADOPT A BUDGET FOR THE CITY OF FLORENCE, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2021, AND ENDING JUNE 30, 2022.

WHEREAS, § 5-7-260 of the South Carolina Code of Laws (as amended) requires that a Municipal Council shall act by ordinance to adopt budgets and levy taxes pursuant to public notice.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Florence in Council duly assembled and by the authority of the same:

Section 1

- (a) There is hereby adopted a General Fund budget for the City of Florence for the fiscal year beginning July 1, 2021, and ending June 30, 2022, as filed in the office of the City Clerk which is hereby incorporated by reference as if set forth fully herein, providing for revenues and appropriations in a total amount of \$41,091,000.
- (b) Further, there is hereby adopted a General Fund Debt Service Fund budget for the City of Florence for fiscal year beginning July 1, 2021, and ending June 30, 2022, as filed in the office of the City Clerk which is hereby incorporated by reference as if set forth fully herein, providing for revenues and appropriations in the total amount of \$694,000.
- (c) Further, there is hereby adopted a Water and Sewer Utilities Enterprise Fund budget for the City of Florence for fiscal year beginning July 1, 2021, and ending June 30, 2022, as filed in the office of the City Clerk which is hereby incorporated by reference as if set forth fully herein, providing for revenues and appropriations in a total amount of \$37,561,000.
- (d) Further, there is hereby adopted a Stormwater Utility Enterprise Fund budget for the City of Florence for the fiscal year beginning July 1, 2021, and ending June 30, 2022, as filed in the office of the City Clerk which is hereby incorporated by reference as if set forth fully herein providing for revenues and appropriations in the total amount of \$1,460,500.
- (e) Further, there is hereby adopted a Water and Sewer Utilities Construction Fund budget for the City of Florence for fiscal year beginning July 1, 2021, and ending June 30, 2022, as filed in the office of the City Clerk which is hereby incorporated by reference as if set forth fully herein, providing for revenues and appropriations in a total amount of \$8,005,000.
- (f) Further, there is hereby adopted a Stormwater Utility Construction budget for the City of Florence for fiscal year beginning July 1, 2021, and ending June 30, 2022, as filed in the office of the City Clerk which is hereby incorporated by reference as if set forth fully herein, providing for revenues and appropriations in a total amount of \$296,000.

- (g) Further, there is hereby adopted a Water and Sewer Utilities Equipment Replacement Fund budget for the City of Florence for the fiscal year beginning July 1, 2021, and ending June 30, 2022, as filed in the office of the City Clerk which is hereby incorporated by reference as if set forth fully herein providing for revenues and appropriations in the total amount of \$1,024,500.
- (h) Further, there is hereby adopted a Stormwater Utility Equipment Replacement Fund budget for the City of Florence for the fiscal year beginning July 1, 2021, and ending June 30, 2022, as filed in the office of the City Clerk which is hereby incorporated by reference as if set forth fully herein providing for revenues and appropriations in the total amount of \$135,000.
- (i) Further, there is hereby adopted a Hospitality Fund budget for the City of Florence for the fiscal year beginning July 1, 2021, and ending June 30, 2022, as filed in the office of the City Clerk which is hereby incorporated by reference as if set forth fully herein providing for revenues and appropriations in the total amount of \$4,647,500. Authorized as part of this ordinance and incorporated into the Hospitality Fund budget is a commitment by the City of Florence to contribute to the operations and maintenance costs of the Florence County Museum for the fiscal year beginning July 1, 2021, and ending June 30, 2022, and for future fiscal years through June 30, 2025 pursuant to the Memorandum of Understanding Between Florence County and the City of Florence dated April 25, 2013.

Section 2

In accordance with § 6-1-320 of the South Carolina Code of Laws (as amended), a tax for general operating purposes for the period from July 1, 2021, and ending June 30, 2022, for the sums and in the amount hereinafter mentioned, is and shall be levied, collected and paid into the treasury of the City of Florence for the operational use and service thereof. A tax of fifty nine and one-tenth (59.1) mills upon each one dollar (\$1.00) in value of real estate and personal property of every description owned and used in the City of Florence, South Carolina, is and shall be levied and paid into the City treasury for the credit to the City of Florence for the corporate purposes, improvements, and for the purpose of paying current operating expenses of said municipality. Such tax, set at the same operating millage rate as the previous fiscal year, is levied on property assessed for taxation for County and State purposes.

Section 3

In accordance with of § 6-1-320 of the South Carolina Code of Laws (as amended), a tax for general obligation bond indebtedness for the period from July 1, 2021, and ending June 30, 2022, for the sums and in the amount hereinafter mentioned, is and shall be levied, collected and paid into the treasury of the City of Florence for the purpose of meeting general obligation bond debt service requirements. A tax of up to, but not exceeding, four (4.0) mills upon each one dollar (\$1.00) in value of real estate and personal property of every description owned and used in the City of Florence, South Carolina, is and shall be levied and paid into the City treasury for the credit to the City of Florence for the purpose of providing and paying for general obligation bond debt of the municipality. Such tax is levied on property that is assessed for taxation for County and State purposes.

Section 4

In accordance with § 23-47-10 through § 23-47-80 of the South Carolina Code of Laws (as amended), and § 14-93 through § 14-98 of the City of Florence, SC Code of ordinances (as amended), funding is and shall be provided to allow for the operation, maintenance, and enhancements of the E-911 system through a monthly charge of seventy-seven cents (\$0.77) upon each local exchange access line in the area served by or which would be served by the E-911 service and/or system of the City. Such charges are specifically enforceable under § 23-47-50 (B) of the SC Code of Laws. E-911 fees collected by the City of Florence shall be used to fund the acquisition of Police and Fire communications equipment in compliance with § 23-47-40 (B) of the South Carolina Code of Laws, as amended. Funding in the total amount of \$560,000 is hereby appropriated and allocated in increments of approximately \$80,000 per year over a seven-year period, from fiscal year beginning July 1, 2015 through fiscal year ending June 30, 2022 as part of a multi-year communications equipment budget provided pursuant to the Florence City Council adoption of Resolution No. 2015-13.

Section 5

The City Manager shall administer the budget and may authorize the transfer of appropriate funds within and between departments as necessary to achieve the goals of the budget. The City Manager is authorized to assign fund balance intended to be used for specific purposes.

Section 6

The City Manager or his designee is authorized to execute all necessary documents relating to the lease-purchase financing of equipment specifically authorized in the budget as presented or amended by City Council for fiscal year beginning July 1, 2021, and ending June 30, 2022. This action further constitutes a resolution of City Council authorizing and approving such equipment for lease-purchase acquisition, and this ordinance shall serve as representation of this resolution.

Section 7

If for any reason, any sentence, clause, or provision of this Ordinance shall be declared invalid, such shall not affect the remaining provisions thereof.

Section 8

That all ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed, insofar as the same affect this Ordinance.

Section 9

That this Ordinance shall become effective on July 1, 2021.

ADOPTED THIS _____ DAY OF _____, 2021.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin
Mayor

Attest:

Casey C. Moore
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: June 14, 2021

AGENDA ITEM: A second supplemental ordinance providing for the issuance and sale of City of Florence, South Carolina Stormwater System Revenue Bonds, Series 2021, in the principal amount of not exceeding \$7,000,000; and other matters relating thereto

DEPARTMENT/DIVISION: Finance

I. ISSUE UNDER CONSIDERATION:

For City Council consideration is an ordinance authorizing the issuance and sale of Stormwater System Revenue Bonds in an amount not to exceed \$7,000,000. The proceeds of the Bonds will be used to fund various projects and to fund the cost of a study of the City's stormwater system, and other matters relating thereto.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

1. The City issued its first stormwater revenue bond in 2006. The final payment on this bond will be made in June 2021.
2. At its October 12, 2020 regular meeting, City Council approved second reading of Ordinance 2020-30 which provided for the construction of capital improvement projects including the repair and retrofitting of the stormwater system to minimize damage to public and private property.
3. At its May 18, 2021 budget work session, City Council recommended that a study of the City's entire stormwater system be performed.

III. POINTS TO CONSIDER:


1. Staff recommends adoption of the resolution. Council can approve the issuance of \$4,000,000 in bonds for stormwater projects (plus closing costs). The debt service on these bonds can be covered by the existing stormwater fee.
2. The cost of the proposed projects totals \$6,630,000. In addition to the project cost, the cost of a study of City's stormwater system and the closing costs of the bond would therefore require the bond to be sized at \$7,000,000. The current monthly stormwater fee would have to be increased by \$0.50 per month to fund a bond of this size.
3. Based on the timetable outlined in the attached financing schedule, the Bonds are scheduled to close on July 22, 2021.
4. The Bonds will mature on June 1, 2036.
5. Adoption of an ordinance authorizing the issuance of the Bonds is required prior to the issuance and sale of these bonds.


IV. STAFF RECOMMENDATION:

Staff recommends approval and adoption of the proposed ordinance to provide for the issuance of the Bonds, and other matters related thereto.

V. ATTACHMENTS:

1. An Ordinance authorizing the issuance of the Bonds.
2. The financing schedule for the borrowing.


Kevin V. Yokim
Assistant City Manager


Randall S. Osterman
City Manager

SECOND SUPPLEMENTAL ORDINANCE

A SECOND SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF CITY OF FLORENCE, SOUTH CAROLINA, STORMWATER SYSTEM REVENUE BOND, SERIES 2021, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$7,000,000; AND OTHER MATTERS RELATING THERETO.

WHEREAS, on June 26, 2006, the Florence City Council ("**Council**"), the governing body of the City of Florence, South Carolina (the "**City**"), adopted a General Bond Ordinance providing for the issuance of Stormwater System Revenue Bonds; and

WHEREAS, Council wishes to issue a series of bonds for the purposes of defraying a portion of the costs of Stormwater System capital improvements of the City, and for other purposes related thereto;

NOW, THEREFORE, BE IT ORDAINED by Council as follows:

Section 1. Definitions. The terms defined in this Section 1 and all words and terms defined in the General Bond Ordinance adopted by Council on June 26, 2006 (the "**General Bond Ordinance**," as from time to time amended or supplemented by Supplemental Ordinances, being defined as the "**Ordinance**") (except as herein otherwise expressly provided or unless the context otherwise requires), shall for all purposes of this Supplemental Ordinance have the respective meanings given to them in the Ordinance and in this Section 1.

"Business Day" shall mean any day other than a Saturday, Sunday, legal holiday or bank holiday in the State of South Carolina or the state where the principal office of the Trustee is located.

"Completion Date" shall be that date established pursuant to Section 6 hereof.

"Custodian" shall mean the institution or institutions set forth in a certificate to be signed by the Mayor which shall serve in such capacity for the custodial funds created by the Ordinance.

"Interest Payment Date" shall mean the dates established pursuant to Section 2(c) hereof.

"2021 Construction Fund" shall mean the Construction Fund established pursuant to Section 5 hereof.

"Project" shall mean those facilities described in Exhibit A attached hereto and any other improvements to, replacements of, or expansions to the System as approved by Council, the costs of which shall be paid from the funds deposited in the 2021 Construction Fund.

"Series 2021 Bond" shall mean the City's Stormwater System Revenue Bond, Series 2021, in the aggregate principal amount of not exceeding \$7,000,000 authorized to be issued hereunder.

Section 2. Authorization of Series 2021 Bond, Maturities, Interest Rates, Redemption Provisions and Sale of Bond.

(a) There is hereby authorized to be issued a Series of Bonds designated "Stormwater System Revenue Bond, Series 2021", or such the designation as shall be set forth in a certificate to be signed by the

Mayor, in the total principal amount of not exceeding \$7,000,000 (the "**Series 2021 Bond**") for the purpose of (A) paying the Costs of the Project and (B) paying the Costs of Issuance of the Series 2021 Bond.

(b) The Series 2021 Bond shall be issued in registered form and shall be numbered and lettered in such way as to maintain a proper record thereof and will be issued in the form of a single bond in the denomination of not exceeding \$7,000,000.

(c) The Mayor is hereby authorized and empowered to determine the aggregate principal amount of the Series 2021 Bond, the payment dates and sums of such principal payments; the interest rate or rates for the Series 2021 Bond (provided that such rate of interest shall not exceed 3.25%) and the dates of such payments, the redemption provisions and any such other information as may be necessary to effect the issuance of the Series 2021 Bond, all as shall be set forth in a certificate to be signed by the Mayor.

(d) The Registrar for the Series 2021 Bond shall be the Trustee under the Bond Ordinance or such other institution as shall be set forth in a certificate to be signed by the Mayor.

(e) The Series 2021 Bond shall be sold, upon consultation with First Tryon Advisors as Financial Advisor, at competitive sale. The Mayor is hereby authorized to negotiate the award of the Series 2021 Bond to an entity which, in determination of the Mayor, offers the terms most favorable to the City.

(f) The Series 2021 Bond shall be substantially in the form attached hereto as Exhibit B.

(g) The proceeds of the Series 2021 Bond shall be applied as set forth in a certificate to be signed by the Mayor.

Section 3. Recording and Transfer of Ownership of the Series 2021 Bond. The City, the Trustee, the Registrar and the Paying Agent may deem and treat the registered owner of the Series 2021 Bond as the absolute owner of such Series 2021 Bond for the purpose of receiving payment of the principal and interest thereof and for all other purposes whatever. The Trustee will be the registrar and transfer agent for the Series 2021 Bond and will keep proper registry and transfer records.

Section 4. Qualified Tax-Exempt Obligations. The Bond is a "qualified tax-exempt obligations" in accordance with Section 265(b)(3)(B) of the Code.

Section 5. 2021 Construction Fund.

(a) There is hereby created and established the 2021 Construction Fund. The Custodian of the 2021 Construction Fund shall be the institution set forth in a certificate to be signed by the Mayor.

(b) Withdrawals from the 2021 Construction Fund shall be made by an Authorized Representative of the City. The City hereby authorizes the Custodian to disburse the moneys in the 2021 Construction Fund to the persons entitled thereto in accordance with instruction of the Authorized Representative.

(c) Promptly after the Completion Date, the City shall transfer any moneys held in the 2021 Construction Fund and not needed to pay Costs of the Project to the Debt Service Fund and shall be used only to (i) pay the principal of and interest on the Series 2021 Bond; (ii) acquire outstanding principal amounts of the Series 2021 Bond at a price (exclusive of accrued interest) not exceeding the face amount thereof; or (iii)

apply to other lawful purposes with respect to the System provided an Opinion of Bond Counsel is provided to the Trustee that such disposition will not jeopardize the tax-exemption of interest on the Series 2021 Bond.

Section 6. Establishment of Completion Date. The Completion Date shall be evidenced to the Trustee and the Custodian of the 2021 Construction Fund by a certificate signed by the Authorized Representative stating that except for amounts retained by the Custodian for Costs of the Project incurred but not then due and payable, the Project has been completed in accordance with the approved plans and specifications therefor and all labor, services, materials, and supplies used in construction and improvement have been paid for, all other facilities necessary in connection with the Project have been constructed, acquired, and installed in accordance with the specifications therefor, and all costs and expenses incurred in connection therewith have been paid, and any other approvals or permits required by any government authority, for the use of the Project for its intended purposes have been obtained, including but not limited to, certificates that the construction and intended use of the Project are in compliance with all applicable zoning and building codes. Notwithstanding the foregoing, the certificate shall state that it is given without prejudice to any rights against third parties which exist at the date of the certificate or which may subsequently come into being. It is the duty of the City to cause the certificate contemplated by this Section 6 to be furnished as soon as the Project shall have been completed.

Section 7. Certain Findings and Determinations. The City finds and determines:

(a) This Supplemental Ordinance supplements the Ordinance, constitutes and is a "Supplemental Ordinance" within the meaning of the quoted term as defined and used in the Bond Ordinance, and is adopted under and pursuant to the Ordinance.

(b) The Series 2021 Bond constitutes and is a "Bond" within the meaning of the quoted word as defined and used in the Ordinance.

(c) The Revenues pledged under the Ordinance are not encumbered by any lien or charge thereon or pledge thereof.

(d) There does not exist an Event of Default, nor does there exist any condition which, after the passage of time or the giving of notice, or both, would constitute an Event of Default under the Ordinance.

(e) The period of usefulness of the System is in excess of 40 years.

(f) Section 2.03(c)(i) of the Bond Ordinance shall not apply to the Series 2021 Bond and therefore the certificate of the Authorized Representative referenced therein shall not be required for the issuance of the Series 2021 Bonds.

Section 8. Award of Series 2021 Bond.

(a) As referenced at Section 2(e) herein, the Series 2021 Bond is authorized to be sold, upon consultation with First Tryon Advisors as Financial Advisor, at competitive sale. The City Manager and the Assistant City Manager are each hereby authorized to execute such documents, if any, as are necessary to award the Series 2021 Bond on behalf of the City provided the terms thereof are consistent with Section 2 herein.

(b) Council hereby authorizes and directs all of the officers and employees of the City to carry out or cause to be carried out all obligations of the City under the Ordinance and to perform all other actions

as they shall consider necessary or advisable in connection with the issuance, sale, and delivery of the Series 2021 Bond.

Section 9. Tax Exemption of the Series 2021 Bond.

(a) The Series 2021 Bond and the interest thereon shall be exempt from all state, county, municipal, school district, and all other taxes or assessments in the State of South Carolina, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate, or transfer taxes.

(b) The City shall not take, or permit or suffer to be taken, any action with respect to the gross proceeds of the Series 2021 Bond which would cause the Series 2021 Bond to be an "arbitrage bond" within the meaning of Section 148(a) of the Code.

Section 10. Disposition of Proceeds of the Series 2021 Bond. From the proceeds derived from the sale of the Series 2021 Bond there shall be transferred or deposited with the Custodian for deposit in the 2021 Construction Fund to pay Costs of Issuance and Costs of the Project.

Section 11. Interested Parties. To the extent that the Ordinance confers upon or gives or grants to any right, remedy or claim under or by reason of the Ordinance, is hereby explicitly recognized as being a third-party beneficiary hereunder and may enforce any such right, remedy or claim conferred, given or granted hereunder.

Nothing in the Ordinance expressed or implied is intended or shall be construed to confer upon, or to give or grant to, any person or entity, other than the City, the Trustee, and the Registered Holder of the Series 2021 Bond, any right, remedy or claim under or by reason of the Ordinance or any covenant, condition or stipulation hereof, and all covenants, stipulations, promises and agreements in the Ordinance contained by and on behalf of the City shall be for the sole and exclusive benefit of the City, the Trustee, and the Registered Holder of the Series 2021 Bond.

Section 12. Additional Documents. The Mayor, City Manager and the Assistant City Manager are each fully authorized and empowered to take any further action and to execute and deliver any closing documents as may be necessary and proper to effect the delivery of the Series 2021 Bond in accordance with the terms and conditions hereinabove set forth, and the action of the officers or any one or more of them in executing and delivering any documents, in the form as he, she, or they shall approve, is hereby fully authorized.

Section 13. Provisions Amending General Bond Ordinance. Pursuant to Section 10.01 of the General Bond Ordinance and in recognition that no Bonds are currently Outstanding, the reference to 18 months at Section 2.03(c)(i) is deleted and 24 months substituted therefor. Section 2.03(c)(i) as so amended shall read in its entirety as follows:

(c)(i) For the issuance of Bonds (other than the initial Series of Bonds) issued hereunder to finance the Costs of the Project (A) there shall be delivered to the Trustee a certificate of the Authorized Representative, which is not required to be based upon an audit of the City, to the effect that Net Revenues during any consecutive 12-month period out of the 24 months immediately preceding the issuance date of the proposed Bonds (the "Test Period") are not less than 125% of the greatest sum for any Fiscal Year obtained by adding the Principal and Interest Requirements for each Fiscal Year for all Series of Bonds then proposed to be Outstanding, and

(B) there shall be delivered to the Trustee a certificate from a Financial Consultant or an Independent Consultant to the effect that for each of the three full Fiscal Years following the later of the date of the delivery of the Bonds proposed to be issued or the period (if any) for which interest is funded from proceeds of such Bonds, Net Revenues (based upon the assumption set forth in the certificate and subject to adjustments provided herein) are estimated to be not less than 120% of the greatest sum for any Fiscal Year obtained by adding the Principal and Interest Requirements for that Fiscal Year for all Series of Bonds then proposed to be Outstanding.

Section 14. Effective Date. This Supplemental Ordinance shall become effective immediately upon its adoption.

CITY OF FLORENCE, SOUTH CAROLINA

(SEAL)

Mayor

Attest:

Clerk

First Reading: June 14, 2021

Second Reading: June 21, 2021

Description of Project

The Project consists of the construction, repair and renovation of the Stormwater Management System of the City as more fully described below:

Form of Bond

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
CITY OF FLORENCE
STORMWATER SYSTEM REVENUE BOND
SERIES 2021

No. 1 \$ _____

KNOW ALL MEN BY THESE PRESENTS, that the City of Florence, South Carolina (hereinafter called the "**City**"), a body politic and corporate and a municipal corporation organized and existing under the laws of the State of South Carolina, is justly indebted, and, for value received, hereby promises to pay, but only from the Net Revenues (as hereinafter defined) pledged to the payment hereof, to _____ or registered assigns (the "**Registered Holder**"), the principal sum of \$ _____. This bond bears interest at the rate of ____% calculated on the basis of a 360-day year of twelve 30 day months, payable _____, 202_ and each _____ 1 and _____ 1 thereafter through _____, inclusive. Principal shall be payable on _____ 1 in the years and in the amounts set forth below:

_____ 1 Principal Amount _____ 1 Principal Amount

[This bond is subject to redemption at the option of the City and may be prepaid in whole on any Interest Payment Date at par.] Both the principal of and interest on this bond are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for the payment of public and private debts.

THIS BOND HAS BEEN ISSUED UNDER THE PROVISIONS OF CHAPTER 21, TITLE 6 OF THE CODE OF LAWS OF SOUTH CAROLINA 1976, AS AMENDED (THE ENABLING STATUTE), AND DOES NOT CONSTITUTE AN INDEBTEDNESS OF THE CITY WITHIN ANY STATE CONSTITUTIONAL PROVISIONS (OTHER THAN ARTICLE X, SECTION 14, PARAGRAPH 10 OF THE SOUTH CAROLINA CONSTITUTION AUTHORIZING OBLIGATIONS PAYABLE SOLELY FROM SPECIAL SOURCES NOT INVOLVING REVENUES FROM ANY TAX OR LICENSE) OR STATUTORY LIMITATION AND SHALL NEVER CONSTITUTE NOR GIVE RISE TO A PECUNIARY LIABILITY OF THE CITY OR A CHARGE AGAINST ITS GENERAL CREDIT OR TAXING POWER. THE FULL FAITH, CREDIT, AND TAXING POWERS OF THE CITY ARE NOT PLEDGED TO THE PAYMENT OF THE PRINCIPAL OF AND INTEREST ON THIS BOND.

This bond is issued pursuant to a General Bond Ordinance adopted by the Florence City Council on June 26, 2006, as from time to time amended, and a Second Supplemental Ordinance adopted by the Florence

City Council on June 21, 2021 (collectively, the "**Ordinance**"), and under and in full compliance with the Constitution and Statutes of the State of South Carolina to obtain funds to expand the stormwater management system of the City.

All principal, interest, or other amounts due hereunder shall be payable only to the Registered Holder hereof. The City designates The Bank of New York Mellon Trust Company, N.A. (the "**Trustee**") as Bond Registrar and directs the Trustee as Bond Registrar to maintain the Books of Registry for the registration or transfer of this bond. This bond may not be transferred except by the Registered Holder hereof in person or by his attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Trustee as Bond Registrar duly executed by the Registered Holder of this bond or his duly authorized attorney. Any purported assignment in contravention of the foregoing requirements shall be, as to the City, absolutely null and void. The person in whose name this bond shall be registered shall be deemed and regarded as the absolute owner hereof for all purposes, and payment of the principal of and interest on this bond shall be made only to or upon the order of the Registered Holder or his legal representative. All payments made in this manner shall be valid and effective to satisfy and discharge the liability of the City upon this bond to the extent of the sum or sums paid. No person other than the Registered Holder shall have any right to receive payments, pursue remedies, enforce obligations, or exercise or enjoy any other rights under this bond against the City. Notwithstanding the foregoing, nothing herein shall limit the rights of a person having a beneficial interest in this bond as against a person (including the Registered Holder) other than the City, as in the case where the Registered Holder is a trustee or nominee for two or more beneficial owners of an interest in this bond.

The principal of, premium, if any, and interest on this bond is payable solely from the Revenues (as defined in the Ordinance) derived from the operation of the City's stormwater management system (the "**System**") after provision has been made for operation and maintenance of the System (the "**Net Revenues**"). The pledge of Net Revenues made to secure the payment of this bond has priority over all other pledges of Revenues except the lien in favor of bonds issued under the Ordinance on a parity with this bond.

No recourse shall be had for the payment of the principal of and interest on this bond against the several funds of the City, except in the manner and to the extent provided in the Ordinance, nor shall the credit or taxing power of the City be deemed to be pledged to the payment of this bond. This bond shall not be a charge, lien, or encumbrance, legal or equitable, upon any property of the City or upon any income, receipts, or revenues of the City, other than the Net Revenues that have been pledged to the payment thereof, and this bond is payable solely from the Net Revenues pledged to the payment thereof and the City is not obligated to pay the same except from the Net Revenues.

Whenever the terms of this bond require any action be taken on a Saturday, Sunday, or legal holiday or bank holiday in the State of South Carolina or in any state where the corporate trust office of the Trustee is located, the action shall be taken on the first business day occurring thereafter.

The Ordinance contains provisions defining terms; sets forth the terms and conditions upon which the covenants, agreements, and other obligations of the City made therein may be discharged at or prior to the maturity of this bond with provisions for the payment thereof in the manner set forth in the Ordinance; and sets forth the terms and conditions under which the Ordinance may be amended or modified with or without the consent of the Registered Holder of this bond. Reference is hereby made to the Ordinance, to all the provisions of which any Registered Holder of this bond by the acceptance hereof thereby assents.

This bond and the interest hereon are exempt from all State, county, municipal, school district, and all other taxes or assessments of the State of South Carolina, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except estate, transfer or certain franchise taxes.

It is hereby certified and recited that all acts, conditions, and things required by the Constitution and Laws of the State of South Carolina to exist, to happen, and to be performed precedent to or in the issuance of this bond exist, have happened, and have been done and performed in regular and due time, form, and manner, and that the amount of this bond, and the issue of which this bond is one, does not exceed any constitutional or statutory limitation thereon.

This bond shall not be entitled to any benefit under the Ordinance or become valid or obligatory for any purpose until it shall have been authenticated by the execution of the Certificate of Authentication which appears hereon by the manual signature of an authorized officer of the Trustee as Bond Registrar.

IN WITNESS WHEREOF, THE CITY OF FLORENCE, SOUTH CAROLINA, has caused this bond to be signed in its name by the Mayor, and attested by the Clerk of the City, under the Seal of the City of Florence, South Carolina, impressed or reproduced hereon, and this bond to be originally dated the ____ day of July, 2021.

CITY OF FLORENCE, SOUTH CAROLINA

(SEAL)

By: _____
Mayor

ATTEST:

Clerk

CERTIFICATE OF AUTHENTICATION

This bond is issued under the provisions of the within-mentioned Ordinance.

THE BANK OF NEW YORK MELLON TRUST
COMPANY, Bond Registrar

By: _____
Authorized Agent

Date of Authentication:

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____ (Social Security No. or other Identifying Number of Assignee _____) the within bond of the CITY OF FLORENCE, SOUTH CAROLINA, and does hereby irrevocably constitute and appoint _____ to transfer the within bond on the books kept for registration thereof with full power of substitution in the premises.

DATED: _____

Signature Guaranteed: _____

NOTICE: Signature must be guaranteed by an institution who is a participant in the Securities Transfer Agent Medallion Program ("STAMP") or similar program.

NOTICE: The signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

CITY OF FLORENCE, SOUTH CAROLINA
Stormwater Revenue Bond, Series 2021
FINANCING SCHEDULE

May-21							Jun-21							Jul-21						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1			1	2	3	4	5					1	2	3
2	3	4	5	6	7	8	6	7	8	9	10	11	12	4	5	6	7	8	9	10
9	10	11	12	13	14	15	13	14	15	16	17	18	19	11	12	13	14	15	16	17
16	17	18	19	20	21	22	20	21	22	23	24	25	26	18	19	20	21	22	23	24
23/30	24/31	25	26	27	28	29	27	28	29	30				25	26	27	28	29	30	31

DATE	TASK	RESPONSIBILITY
May 25	Distribute draft of Bank RFP	FTA
June 1	Distribute Final Bank RFP to Potential Bidders	FTA
June 14	First Reading of the Bond Ordinance	C
June 21	Second Reading of the Bond Ordinance	C
June 22	Bids Due	Working Group
July 6	Distribute Draft of Closing Documents	BC
July 14	Comments Due on Closing Documents	Working Group
July 22	Closing	Working Group

City Council typically meets on the 2nd Monday of each month

RESPONSIBILITY LEGEND:

Role	Entity	Defined
Issuer	City of Florence, South Carolina	"C"
Bond Counsel	Haynsworth Sinkler Boyd	"BC"
Financial Advisor	First Tryon Advisors	"FTA"
Local Counsel	CJPM Law	"LC"
Bank	TBD	"B"
Bank Counsel	TBD	"BKC"

FLORENCE CITY COUNCIL MEETING

DATE: June 14, 2021
AGENDA ITEM: Ordinance
DEPARTMENT/DIVISION: City Manager

I. ISSUE UNDER CONSIDERATION:

This ordinance establishes an Aesthetics Advisory Committee that will research, investigate, recommend, and support a culture of stewardship, striving to develop and enhance an aesthetic environment where every neighborhood will be a place that is attractive and inviting.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

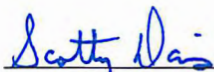
None.

III. POINTS TO CONSIDER:

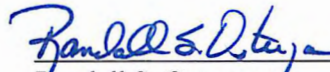
1. This request is being considered for first reading.
2. This committee will work to improve and enhance Florence communities by facilitating the development of an ideal environment, where sections, neighborhoods, streets, and blocks are made beautiful, safe, and inviting.
3. To accomplish its purpose, the committee shall seek to accomplish the following:
 - a) Establish, document, and maintain short-term and long-term goals;
 - b) Provide advisement in the planning, development, implementation, and assessment of projects;
 - c) Promote the importance of community development through education, advocacy, and coordination; and
 - d) Foster partnerships between governmental agencies, private community development groups, related organizations, and other community development and leadership professionals;

IV. ATTACHMENTS:

1. Ordinance



Scotty Davis
Deputy City Manager



Randall S. Osterman
City Manager

ORDINANCE NO. 2021-____

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CODE OF ORDINANCES BY ADDING ADDITIONAL SECTIONS TO ARTICLE III TO ESTABLISH THE AESTHETICS ADVISORY COMMITTEE.

WHEREAS, the City recognizes that Sections 5-9-40, 5-11-40, and 5-13-100 of the South Carolina Code of Laws establish the authority of cities to establish advisory commissions and boards;

WHEREAS, the City Council (the "Council") of the City of Florence, South Carolina recognizes that it is necessary and in the best interests of the City of Florence to establish the Aesthetics Advisory Committee which will research, investigate, recommend, and support a culture of stewardship, striving to develop and enhance an aesthetic environment where every neighborhood will be a place that is attractive and inviting, a culture that extols the virtue of unity and beauty in community, and emphasize the value of standing strong together to alleviate disparities and build a healthy community;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED, AND BY THE AUTHORITY THEREOF AS FOLLOWS:

1. Chapter 2 of the Code of Ordinances is hereby amended to establish the Aesthetics Advisory Committee by adding Sections 2-133 through 2-139 to Division 3 thereof, said Code Sections to read in their entirety as set forth in Exhibit A hereto, which is specifically incorporated herein by reference.
2. Effective Date. This Ordinance shall become effective immediately upon its approval and adoption on Second Reading.

ADOPTED THIS ____ DAY OF _____, 2021.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin
Mayor

Attest:

Casey Moore
Municipal Clerk

DIVISION 3. Aesthetics Advisory Committee

Sec. 2-133. Establishment, functions, and role.

- (a) *Establishment.* The City hereby establishes the Aesthetics Advisory Committee for the purposes set forth below.
- (b) *Vision.* The city will offer and support a quality of life for its citizens by emphasizing and encouraging its citizens to organize, mobilize, and energize to improve and enhance Florence communities by facilitating the development of an ideal environment, where sections, neighborhoods, streets, and blocks are made beautiful, safe, and inviting.
- (c) *Mission statement.* The Aesthetics Advisory Committee will research, investigate, recommend, and support a culture of stewardship, striving to develop and enhance an aesthetic environment where every neighborhood will be a place that is attractive and inviting, a culture that extols the virtue of unity and beauty in community, and emphasize the value of standing strong together to alleviate disparities and build a healthy community. This committee will seek to address these issues in our community by promoting responsible practices to include, but not be limited to, programs and initiatives, education, and development.
- (d) *Purpose, Duties, and Responsibilities.* To advise city council, the city manager, and other city staff on the development of programs and initiatives, to facilitate the implementation of bridge building beautification projects that will connect and involve all in the community. To accomplish its purpose, the committee shall seek to accomplish the following:
 - Establish, document, and maintain short-term and long-term goals;
 - Provide advisement in the planning, development, implementation, and assessment of projects;
 - Promote the importance of community development through education, advocacy, and coordination;
 - Foster partnerships between governmental agencies, private community development groups, related organizations, and other community development and leadership professionals;
 - Support the City in seeking internal and external resources (such as grants and incentive opportunities) to support the implementation of the City's community development goals;
 - Embrace "Helping Florence Flourish" through the implementation of bridge building beautification projects that will connect and involve all in the community;
 - Develop an aesthetic environment where every neighborhood will be a place that is attractive and inviting;
 - Create a culture that extols the virtue of unity and beauty in community; and
 - Emphasize the value of standing strong together to alleviate disparities and build a healthy community.

Sec. 2-134. Membership.

- (a) *Committee size.* The Aesthetics Advisory Committee shall be comprised of seven (7) voting members appointed by city council.
- (b) *Membership.* Members must reside or be employed within the city limits. If a member moves out of the city or if the location of the member's employment is no longer within the city, the member shall no longer qualify for membership.

- (c) *Terms.*
 - (1) All terms of appointment to the advisory committee shall be three (3) consecutive years staggered so that two (2) or three (3) of the members have terms expiring in each year. Members shall serve until their successors are appointed and qualified.
 - (2) Provided, however, the terms of the initial appointees shall be staggered so that two (2) of the appointees shall serve initial terms of one (1) year, two (2) of the appointees shall serve initial terms of two (2) years, and three (3) of the appointees shall serve initial terms of three (3) years. After the completion of the initial terms, all members appointed shall serve three-year terms.
- (d) *Officers.* The officers of the Committee shall consist of a chairperson, a vice-chairperson, and a recording secretary.
 - (1) The initial chairperson shall be selected by city council and shall serve for two years. Following the initial term, the chairperson shall be selected by the advisory committee. The vice-chairperson and the recording secretary shall be elected by the advisory committee and shall serve for two years.
 - (2) Members shall serve on the advisory committee for at least one year before serving as officers on the advisory committee, absent extraordinary and extenuating circumstances. Officers shall be elected during the month of June, or as soon thereafter as feasible.
 - (3) The chairperson shall preserve order and decorum at all meetings while promoting discussion by all members in deliberations.
 - (4) In the chairperson's absence, the vice-chairperson shall serve as chairperson. In all other circumstances, the next senior member shall preside.
 - (5) The secretary shall keep notes during meetings and prepare minutes of meetings for approval by the committee at its next regular meeting. The secretary may also be a staff liaison and may designate one or more persons to assist in preparing and keeping minutes.
- (e) *Ad hoc committees.* The chairperson in consultation with other officers, the entire committee, or both, shall have the right to form ad hoc committees to focus on particular projects. Each ad hoc committee shall be chaired by a member of the advisory committee and membership may include non-members selected by the committee.
- (e) *Attendance requirements.*
 - (1) Any member who, for reasons other than sickness or bona fide emergency, misses three consecutive regular meetings or 30 percent of all meetings within a calendar year shall no longer qualify for membership.
 - (2) Any member who is unable to attend a meeting, whether regular or special, shall contact the staff liaison as much in advance of the meeting as possible so that the staff liaison can determine and report to the chairperson whether or not a quorum can be established.
 - (3) The staff liaison shall maintain a record of attendance for each board member. The staff liaison shall be responsible for notifying the city clerk of any members who violate the attendance requirements. The city clerk shall then provide council with the details of the violation.
- (f) *Resignation.* Members shall provide resignation in writing to the city clerk's office with a copy to the advisory committee chairperson. The resignation shall state its effective date if different from the date tendered.
- (g) *Ethics.* All members shall be subject to the provisions of the South Carolina State Ethics Act.

Sec. 2-135. Quorum and voting procedures.

- (a) At least a majority of the duly appointed voting members must be present to conduct meetings and to vote.

- (b) All votes shall be decided by a simple majority of those present and voting.
- (c) A list of members and any votes taken shall accompany all advisory committee recommendations and resolutions or dissenting opinions.
- (d) Members present, including the chairperson, shall vote and shall not abstain, unless there is a conflict of interest.
- (e) In the instance of a conflict of interest, the conflict shall be stated for the record and a statement form completed.
- (f) Voting by proxy or absentee is prohibited.

Sec. 2-136. Meetings.

- (a) *Meeting time and place.* To the extent feasible, all meetings will be held on a weekday in city hall or at a meeting place and time of the advisory committee's choosing. At the committee's discretion, the chairperson or staff liaison shall schedule the time and place of meetings.
- (b) *Meeting frequency.* The committee shall hold regular meetings at a time and place to be appropriate by the committee. Other meetings may be called by the chairperson when deemed appropriate for conducting the business of the committee. The Aesthetics Advisory Committee shall meet a minimum of six times a year. Any ad hoc committees shall meet as deemed necessary by each ad hoc committee chairperson.
- (c) *Rules of order.* Meetings shall be conducted in an orderly manner to ensure the fair treatment of all persons and issues before the committee. One or more generally recognized publications on procedure shall be available for reference when procedural issues are to be resolved. The committee, in its discretion, may adopt its own rules of procedure.

Sec. 2-137. Staffing arrangements.

- (a) The city manager shall designate an employee to serve as a staff liaison. Specifically, it shall be the responsibility of the staff liaison to:
 - (1) Draft and mail agendas and information packets and arrange the time and place of meetings in consultation with the chairperson and vice-chairperson.
 - (2) Make available, in conjunction with the chairperson, relevant information and prepare all recommendations.
 - (3) Make available copies of comments, proposals or any other information submitted from other sources (i.e., neighborhood meetings, citizen organizations, departmental staff, appointed and elected officials) on a timely basis.
 - (4) Submit a calendar of events to each advisory committee member. Information on special meetings shall be submitted in addition to the planned calendar of events.
 - (5) Brief the city manager, or his designee, on the findings and activities of the committee using a status report at least once a year.
 - (6) Serve as a liaison between the city and other departments.
 - (7) Provide technical assistance to the advisory committee.
- (b) The city manager shall, in coordination with department heads, assign additional staff as necessary to assist with ad hoc committees and coordinate initiatives with city staff.

Sec. 2-138. Staff reports and recommendations.

The staff liaison may submit reports and recommendations for those agenda items requiring decisions or recommendations by the committee. Other staff having experience, education, and professional training in the subject matter may provide input into the reports and recommendations or may provide supplemental ones. The material submitted may be oral, written, or graphic, or some combination of all. The reports and recommendations shall be accepted as evidence of record to the same extent as oral testimony and exhibits accepted from applicants, opponents, persons who are subjects of an inquiry, expert and lay witnesses, and members of the public who provide information for the record of the proceedings.

Sec. 2-139. Notice and public information.

- (a) The staff liaison shall be responsible for ensuring compliance with the Freedom of Information Act and for notifying the city clerk reasonably in advance of all meetings.
- (b) The staff liaison is required to comply with guidelines pertaining to matters of public notice and scheduling as provided by the city clerk.

Secs. 2-140—2-199. Reserved.

FLORENCE CITY COUNCIL MEETING

DATE: June 14, 2021

AGENDA ITEM: Ordinance

DEPARTMENT/DIVISION: City Manager

I. ISSUE UNDER CONSIDERATION:

This ordinance establishes a Resilience and Sustainability Advisory Committee that will research, recommend, and support a culture of stewardship, striving to preserve and enhance our natural resources and landscape, societal opportunities, and economic needs. This committee will seek to address the environmental inequities in our community by promoting responsible practices to include, but not be limited to, programs and initiatives, education, and development.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

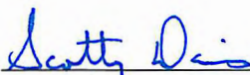
None.

III. POINTS TO CONSIDER:

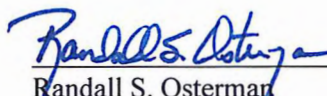
1. This request is being considered for first reading.
2. The purpose of this committee is to advise city council, the city manager, city staff, and other parties on the development of programs and initiatives, including the development of a "Sustainability and Climate Action Plan," which will distinguish the city as a leader in sustainability efforts.
3. The Resilience and Sustainability Advisory Committee support a sustainable quality of life for Florence citizens. A sustainable quality of life includes conservation of air, water, energy and land resources, effective minimization and management of waste, good neighborhood planning, and a comprehensive multi-modal transportation network for improved livability.

IV. ATTACHMENTS:

1. Ordinance



Scotty Davis
Deputy City Manager



Randall S. Osterman
City Manager

ORDINANCE NO. 2021-_____

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CODE OF ORDINANCES BY ADDING ADDITIONAL SECTIONS TO ARTICLE III TO ESTABLISH THE RESILIENCE AND SUSTAINABILITY ADVISORY COMMITTEE.

WHEREAS, the City recognizes that §§5-9-40, 5-11-40, and 5-13-100 of the South Carolina Code of Laws establish the authority of cities to establish advisory commissions and boards;

WHEREAS, the City Council (the "Council") of the City of Florence, South Carolina recognizes that it is necessary and in the best interests of the City of Florence to establish the Resilience and Sustainability Advisory Committee which will research, recommend, and support a culture of stewardship, striving to preserve and enhance our natural resources and landscape, societal opportunities, and economic needs.;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED, AND BY THE AUTHORITY THEREOF AS FOLLOWS:

1. Chapter 2 of the Code of Ordinances is hereby amended to establish the Resilience and Sustainability Advisory Committee by adding Sections 2-125 through 2-132 to Division 3 thereof, said Code Sections to read in their entirety as set forth in Exhibit A hereto, which is specifically incorporated herein by reference.
2. Effective Date. This Ordinance shall become effective immediately upon its approval and adoption on Second Reading.

ADOPTED THIS ____ DAY OF _____, 2021.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin
Mayor

Attest:

Casey Moore
Municipal Clerk

EXHIBIT A

DIVISION 3. Resilience & Sustainability Advisory Committee

Sec. 2-125. Definitions.

The following definitions shall apply to the terms below as they may appear throughout the bylaws:

- (1) *Resilience* means to recover ecologically, economically, and socially from disruption without changing into something fundamentally different; the capacity of a system to recover from stress and disturbance while retaining its essential functions, structure, feedbacks, and identity.
- (2) *Sustainability* means the ability to meet the needs of the present without compromising the ability of future needs to be met from an environmental, economic development, and social equity standpoint.

Sec. 2-126. Functions and role.

- (a) *Vision.* The city will offer and support a sustainable quality of life for its citizens. A sustainable quality of life includes conservation of air, water, energy and land resources, effective minimization and management of waste, good neighborhood planning, and a comprehensive multi-modal transportation network for improved livability. The city will be a city in which sustainability is considered instrumental to the long-term success of the city. The Resilience and Sustainability Advisory Committee will be an integral partner of the city and region in encouraging, supporting, and promoting sustainability so that the city community can incorporate sustainability into its analysis and management of economic development, environmental measures, and quality of life.
- (b) *Mission statement.* The Resilience and Sustainability Advisory Committee will research, recommend, and support a culture of stewardship, striving to preserve and enhance our natural resources and landscape, societal opportunities, and economic needs. This committee will seek to address the environmental inequities in our community by promoting responsible practices to include, but not be limited to, programs and initiatives, education, and development.
- (c) *Purpose.* To advise city council, the city manager, and other city staff on the development of programs and initiatives, including the development of a "Sustainability and Climate Action Plan," which will distinguish the city as a leader in sustainability efforts.

Sec. 2-127. Membership.

- (a) *Committee size.* The Resilience and Sustainability Advisory Committee shall be comprised of nine (9) voting members appointed by city council.
- (b) *Membership.* Members must reside or be employed within the city limits.
 - (1) If a member moves out of the city or if the location of the member's employment is no longer within the city, the member shall no longer qualify for membership.
 - (2) Membership will consist of one (1) representative from a local energy company, one (1) representative from a local university or college, three (3) representatives from conservation or environmental organizations, one (1) representative from each council district in the City of Florence, and one (1) layperson who resides in Florence city.

- (c) *Terms.*
- (1) All terms of appointment to the advisory committee shall be three (3) consecutive years staggered so that one-third of the members have terms expiring in each year. Members shall serve until their successors are appointed and qualified.
 - (2) Provided, however, the terms of the initial appointees shall be staggered so that three (3) of the appointees shall serve initial terms of one (1) year, three (3) of the appointees shall serve initial terms of two (2) years, and three (3) of the appointees shall serve initial terms of three (3) years. After the completion of the initial terms, all members appointed shall serve three-year terms.
- (d) *Officers.* The officers of the Committee shall consist of a chairperson, a vice-chairperson, and a recording secretary.
- (1) The initial chairperson shall be selected by city council and shall serve for two years. Following the initial term, the chairperson shall be selected by the advisory committee. The vice-chairperson and the recording secretary shall be elected by the advisory committee and shall serve for two years.
 - (2) Members shall serve on the advisory committee for at least one year before serving as officers on the advisory committee, absent extraordinary and extenuating circumstances. Officers shall be elected during the month of June, or as soon thereafter as feasible.
 - (3) The chairperson shall preserve order and decorum at all meetings while promoting discussion by all members in deliberations.
 - (4) In the chairperson's absence, the vice-chairperson shall serve as chairperson. In all other circumstances, the next senior member shall preside.
 - (5) The secretary shall keep notes during meetings and prepare minutes of meetings for approval by the committee at its next regular meeting. The secretary may also be a staff liaison and may designate one or more persons to assist in preparing and keeping minutes.
- (e) *Ad hoc committees.* The chairperson in consultation with other officers, the entire committee, or both, shall have the right to form ad hoc committees.
- (1) Each ad hoc committee shall be chaired by a member of the advisory committee and membership may include non-members selected by the committee.
 - (2) Ad hoc committees may address, but are not limited to, the following issues:
 - a. Mobility: Focus on public transit and alternative transportation modes.
 - b. Recycling and waste management: Focus on conservation, waste reduction, and recycling.
 - c. Energy and buildings: Focus on alternative energy (including wind, solar, fuels, etc.) and building codes
 - d. Natural systems: Focus on air, water, land, green space and other natural resources.
 - e. Community outreach and education: Focus on achieving public input in addition to developing sustainability outreach and education programs and initiatives.
- (e) *Attendance requirements.*
- (1) Any member who, for reasons other than sickness or bona fide emergency, misses three consecutive regular meetings or 30 percent of all meetings within a calendar year shall no longer qualify for membership.
 - (2) Any member who is unable to attend a meeting, whether regular or special, shall contact the staff liaison as much in advance of the meeting as possible so that the staff liaison can determine and report to the chairperson whether or not a quorum can be established.
-

- (3) The staff liaison shall maintain a record of attendance for each board member. The staff liaison shall be responsible for notifying the city clerk of any members who violate the attendance requirements. The city clerk shall then provide council with the details of the violation.
- (f) *Resignation.* Members shall provide resignation in writing to the city clerk's office with a copy to the advisory committee chairperson. The resignation shall state its effective date if different from the date tendered.
- (g) *Ethics.* All members shall be subject to the provisions of the South Carolina State Ethics Act.

Sec. 2-128. Quorum and voting procedures.

- (a) At least a majority of the duly appointed voting members must be present to conduct meetings and to vote.
- (b) All votes shall be decided by a simple majority of those present and voting.
- (c) A list of members and any votes taken shall accompany all advisory committee recommendations and resolutions or dissenting opinions.
- (d) Members present, including the chairperson, shall vote and shall not abstain, unless there is a conflict of interest.
- (e) In the instance of a conflict of interest, the conflict shall be stated for the record and a statement form completed.
- (f) Voting by proxy or absentee is prohibited.

Sec. 2-129. Meetings.

- (a) *Meeting time and place.* To the extent feasible, all meetings will be held on a weekday in city hall or at a meeting place and time of the advisory committee's choosing. At the committee's discretion, the chairperson or staff liaison shall schedule the time and place of meetings.
- (b) *Meeting frequency.* The committee shall hold regular meetings at a time and place to be appropriate by the committee. Other meetings may be called by the chairperson when deemed appropriate for conducting the business of the committee. The Resilience and Sustainability Advisory Committee shall meet a minimum of six times a year. Any ad hoc committees shall meet as deemed necessary by each ad hoc committee chairperson.
- (c) *Rules of order.* Meetings shall be conducted in an orderly manner to ensure the fair treatment of all persons and issues before the committee. One or more generally recognized publications on procedure shall be available for reference when procedural issues are to be resolved. The committee, in its discretion, may adopt its own rules of procedure.

Sec. 2-130. Staffing arrangements.

- (a) The city manager shall designate an employee to serve as a staff liaison. Specifically, it shall be the responsibility of the staff liaison to:
 - (1) Draft and mail agendas and information packets and arrange the time and place of meetings in consultation with the chairperson and vice-chairperson.
 - (2) Make available, in conjunction with the chairperson, relevant information and prepare all recommendations.
 - (3) Make available copies of comments, proposals or any other information submitted from other sources (i.e., neighborhood meetings, citizen organizations, departmental staff, appointed and elected officials) on a timely basis.

- (4) Submit a calendar of events to each advisory committee member. Information on special meetings shall be submitted in addition to the planned calendar of events.
 - (5) Brief the city manager, or his designee, on the findings and activities of the committee using a status report at least once a year.
 - (6) Serve as a liaison between the city and other departments.
 - (7) Provide technical assistance to the advisory committee.
- (b) The city manager shall, in coordination with department heads, assign additional staff as necessary to assist with ad hoc committees and coordinate initiatives with city staff.

Sec. 2-131. Staff reports and recommendations.

The staff liaison may submit reports and recommendations for those agenda items requiring decisions or recommendations by the committee. Other staff having experience, education, and professional training in the subject matter may provide input into the reports and recommendations or may provide supplemental ones. The material submitted may be oral, written, or graphic, or some combination of all. The reports and recommendations shall be accepted as evidence of record to the same extent as oral testimony and exhibits accepted from applicants, opponents, persons who are subjects of an inquiry, expert and lay witnesses, and members of the public who provide information for the record of the proceedings.

Sec. 2-132. Notice and public information.

- (a) The staff liaison shall be responsible for ensuring compliance with the Freedom of Information Act and for notifying the city clerk reasonably in advance of all meetings.
- (b) The staff liaison is required to comply with guidelines pertaining to matters of public notice and scheduling as provided by the city clerk.

Secs. 2-133—2-199. Reserved.

FLORENCE CITY COUNCIL MEETING

DATE: June 14, 2021

AGENDA ITEM: Ordinance

DEPARTMENT/DIVISION: City Manager

I. ISSUE UNDER CONSIDERATION:

This ordinance establishes an independent Public Safety Review Board that will be empowered to consider larger policy issues relative to the public safety departments and to hear specific concerns from the public at large concerning the departments when those concerns are significant enough to warrant scrutiny and independent judgment.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:


None.

III. POINTS TO CONSIDER:

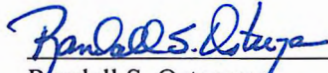
1. This request is being considered for first reading.
2. The demands and challenges for uniformed employees serving in the public safety are different from those of employees serving in other city departments. In certain circumstances, there is merit in having independent citizens of good character and good judgment make conclusions after reasonable inquiry about general departmental practices and specific events which are brought to their attention.
3. This ordinance establishes the mechanism by which such inquiries can be made and such conclusions can be reached in a way that protects the public interest, public safety personnel and promotes the integrity of the city organization.
4. The board shall receive and review internal complaints from uniformed employees about policies, practices and procedures in the public safety departments. The board shall also receive and review external complaints about uniformed employees of the public safety departments.

IV. ATTACHMENTS:

1. Ordinance



Scotty Davis
Deputy City Manager



Randall S. Osterman
City Manager

ORDINANCE NO. 2021-____

AN ORDINANCE TO AMEND CHAPTER 2 OF THE CODE OF ORDINANCES BY ADDING ADDITIONAL SECTIONS TO ARTICLE III TO ESTABLISH THE PUBLIC SAFETY CITIZEN'S REVIEW BOARD.

WHEREAS, the City recognizes that Sections 5-9-40, 5-11-40, and 5-13-100 of the South Carolina Code of Laws establish the authority of cities to establish advisory commissions and boards;

WHEREAS, the City Council (the "Council") of the City of Florence, South Carolina recognizes that it is necessary and in the best interests of the City of Florence to establish the Public Safety Citizen's Review Board which will receive and review internal and external complaints about policies, practices and procedures in the public safety departments.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED, AND BY THE AUTHORITY THEREOF AS FOLLOWS:

1. Chapter 2 of the Code of Ordinances is hereby amended to establish the Public Safety Citizen's Review Board by adding Sections 2-140 through 2-146 to Division 3 thereof, said Code Sections to read in their entirety as set forth in Exhibit A hereto, which is specifically incorporated herein by reference.
2. **Effective Date.** This Ordinance shall become effective immediately upon its approval and adoption on Second Reading.

ADOPTED THIS ____ DAY OF _____, 2021.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin
Mayor

Attest:

Casey Moore
Municipal Clerk

DIVISION 3. Public Safety Citizen's Review Board**Sec. 2-140. Purpose.**

- (a) The city council finds that the demands and challenges for uniformed employees serving in the public safety are different from those of employees serving in other city departments.
- (b) In certain circumstances, there is merit in having independent citizens of good character and good judgment make conclusions after reasonable inquiry about general departmental practices and specific events which are brought to their attention. This division establishes the mechanism by which such inquires can be made and such conclusions can be reached in a way that protects the public interest, public safety personnel and promotes the integrity of the city organization.
- (c) The city council further finds citizens and city officials will benefit from an independent board that is empowered to consider larger policy issues as they pertain to public safety departments and to hear specific concerns from the public at large concerning the departments when those concerns are significant enough to warrant scrutiny and independent judgment.

Sec. 2-141. Public Safety citizen's review board.

There is established a public safety citizen's review board to exercise the powers vested in it in accordance with the provisions of this division. The board shall receive and review internal complaints from uniformed employees about policies, practices and procedures in the public safety departments. The board shall also receive and review external complaints about uniformed employees of the public safety departments. Uniformed employees shall include all personnel who have been trained and certified in accordance with the general law of the state to exercise the authority of a public safety official regardless of whether they wear uniforms in the exercise of their duties on a regular basis.

Sec. 2-142. Members and terms of office; uniformed participants.

- (a) The board shall consist of seven voting members, selected by the city council for terms of office of four years each. Provided, however, the terms of the initial appointees shall be staggered so that seats designated as seats 1 and 2 will serve initial terms of two (2) years, seats designated as seats 3, 4, and 5 will serve initial terms of four (4) years, and seats designated as seats 6 and 7 will serve initial terms of three (3) years. After completion of the initial terms, all members of the board will serve four (4) year terms. Each member must be a person who resides in the city, is at least 21 years of age, and has sound judgment and good moral character. No member shall be the spouse, parent, child or sibling of any employee of a public safety department. Each board member must complete the Police Departments Citizens Police Academy and a curriculum for the purpose of becoming familiar with fire departmental operations and policies. The city council shall exercise care in its selection of members to maintain a total membership that is reasonably representative of a cross section of a diverse population.
- (b) In addition to the voting members, there shall be two nonvoting participant representatives of the uniformed employees from all public safety departments. Each participant shall be selected by the city manager after consultation with chief of each public safety department and other members of these departments as deemed appropriate by the city manager. Each participant shall have at least five continuous years' experience with the department and no participant shall be the grade of lieutenant or higher. Each nonvoting participant shall be authorized to volunteer statements or to answer questions from the board during hearings and deliberations. Nonvoting participants shall not vote on actions taken by the board. Each nonvoting member shall be subject to disciplinary action for violating committee provisions of confidentiality.

Sec. 2-143. Meetings.

The board shall establish a regular schedule for meetings that occur no less than four times each year on a quarterly basis. The committee shall also make provision for special meetings as special needs arise. At each regular meeting, citizens shall be afforded an opportunity to address the board on matters within the board's jurisdiction pursuant to such reasonable rules as the board may adopt to ensure a balance between good order and the rights of citizens to be heard. A majority of the duly appointed voting members shall constitute a quorum. A quorum shall be present before any business is conducted by the board other than rescheduling a meeting.

Sec. 2-144. Complaints.

(a) *Internal complaints.*

(1) Any uniformed employee of a public safety department who believes that the policies and practices of that department result continually in acts of unfairness, or believes that on a single occasion, there has been an especially damaging impact, may file a written statement requesting the board to review those practices, or to address the circumstances of the single event. The complaint must specify what actions the employee has taken to seek a redress of the issue internally and should say in what respects the department's internal procedures have not or will not address the problem.

(2) The following complaints in ordinary circumstances shall not be addressed to the board:

- a. Annual employee evaluations.
- b. Job assignments.
- c. Amounts of compensation.
- d. Disciplinary actions

(3) Notwithstanding the list of exclusions in subsection (a)(2) of this section, such items may be presented to the board for review when there is a compelling reason to do so and the employee describes succinctly how departmental procedures otherwise in place fail to properly evaluate the employee's circumstances.

(b) *External complaints.* Any person who has a complaint about the conduct or statements of a uniformed employee of a public safety department may initiate a complaint with the department, through the human resources department or directly with the board. All external complaints, regardless of how received, shall first be investigated by the affected department and the complainant shall be informed of the final departmental determination. If the complainant is not satisfied with the determination, he or she may seek further review by the board in accordance with the procedure outlined in this division. All final departmental determinations must inform the complaining person of this opportunity.

Sec. 2-145. Powers of the commission board.

(a) Upon receipt of a complaint, the board has up to 30 days to determine the necessity of an investigation. The board may undertake an inquiry through its own membership, or through city staff from outside the public safety department, or through some combination of those resources to determine the accuracy of the facts and circumstances set forth in the complaint. Upon completion of the inquiry, the board shall summarize its findings and recommended actions and shall submit those to the complaining employee or to the complaining member of the public and shall submit the same findings and recommendations to the chief of the affected department and to the city manager. The chief and the city manager may designate one or more persons to receive and assess such reports and recommendations on a regular basis.

- (b) All hearings or meetings conducted by the board to address complaints are held in executive session unless the complaining party requests, at least 24 hours prior to the hearing, that it be held in open session. The official recording and the official minutes of all such hearings or meetings are subject to the control and disposition of the City Manager.
- (c) In exercising its duties under subsection (a) of this section, the board shall have access to personnel records or records related to personnel, except to the limited extent such access is specifically precluded by state or federal law, that pertain to the issue. Personnel records which are not relevant shall not be made available. The board shall have access to records and files kept in the ordinary course of departmental operations. The board shall have access to other investigations and inquires within the department and relevant to the inquiry before the board. Any assertion by a department head or a person keeping the records to be provided that their disclosure to the board would breach confidentiality of highly personal information, threaten public security, or harm an ongoing investigation shall be resolved by the city attorney.
- (d) The board shall not have the authority to summon for interview any city employee. Nor shall the elected officials of the city be subjected to a summons from the board. The board has authority to invite for interview any member of the public having knowledge of the facts. The conversations may be held in private to the full extent otherwise permitted by law. The board may delegate one or more members to conduct private interviews, provided their meetings and discussions occur in compliance with state law. The board or delegated board members may hold such conversations in private without notifying the chief of the affected department.
- (e) The board on its own may initiate its own inquiry into established practices of the department, or into the facts giving rise to a specific occurrence, provided the board first delivers to the city manager a written statement of its intent to do so. Upon completion of such inquiries, the board shall make a summary of its findings and present them along with any recommendations to the city manager.
- (f) The board may request legal advice from the city attorney. Such legal advice will be provided in executive session.
- (g) The board may, at times, request to speak with the city manager to discuss items of interest or concern related to the management or operations of the public safety department. The city manager shall inform the city council of the board's concerns.
- (h) Information which is lawfully classified as confidential and which is received as confidential information by the board shall not be disclosed, directly or indirectly, by board members to media representatives, other members of the public, or to employees. Failure to obey the confidentiality rules set forth herein is grounds for removal of a board member. Nothing in this subsection shall preclude the disclosure of all relevant information to the extent necessary or appropriate by the committee in its reports to the public safety chief and the city manager.

Sec. 2-146. Retaliation prohibited.

- (a) No supervisor or coworker of a complaining employee shall retaliate, directly or indirectly, in any manner against the employee who exercises rights under this division or who makes statements to the board or its delegated member or representative.
- (b) No uniformed employee of the public safety department shall retaliate, directly or indirectly, in any manner against any complaining person who is part of the general public for having submitted a complaint or report to the board.
- (c) Any violation of this section shall be a basis for disciplinary action, including dismissal.

Secs. 2-147—2-199. - Reserved.

VIII. a.
Resolution No.
2021-16

FLORENCE CITY COUNCIL MEETING

DATE: June 14, 2021

AGENDA ITEM: Resolution authorizing City Council to execute a Community Development Block Grant- Mitigation (CDBG-MIT) subrecipient agreement between the City of Florence and the South Carolina Disaster Recovery Office to fund an infrastructure improvement project that will mitigate the impact of future disasters.

DEPARTMENT/DIVISION: Department of Planning, Research, and Development

I. ISSUE UNDER CONSIDERATION:

A resolution authorizing City Council to execute a Community Development Block Grant-Mitigation (CDBG-MIT) subrecipient agreement between the City of Florence and the South Carolina Disaster Recovery Office to fund an infrastructure improvement project that will mitigate the impact of future disasters.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

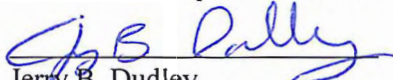
1. The City made application for CDBG-Mitigation grant funds; and upon execution of the subrecipient agreement, will be awarded a total of \$4,048,811 for two stormwater infrastructure projects.

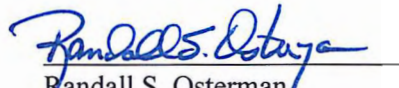
III. POINTS TO CONSIDER:

1. The grants were made available through Federal Community Development Block Grant – Mitigation funds and are distributed through the South Carolina Office of Resilience, Disaster Recovery Division.
2. Two projects were awarded funding:
 - a. McQueen Street Infrastructure Project totaling \$2,685,334
 - b. Cedar Street Infrastructure Project totaling \$1,363,477
3. The scope of the McQueen Street Project involves the upgrade of stormwater infrastructure (pipe, inlets, and junction boxes) in the vicinity of McQueen Street to include stream restoration (daylighting) of a portion of Doe Branch. The project extends from the 400 block of North McQueen south to Timrod Park and includes infrastructure throughout the stormwater capture area for the McQueen Street trunk line.
4. The scope of the Cedar Street Project involves the upgrade of stormwater infrastructure (pipe, inlets, and junction boxes) in the vicinity of West Cedar Street, which includes a commercial corridor (South Irby Street) and sections of the Timrod Park Neighborhood.
5. The two projects work synergistically to improve drainage and upgrade failing infrastructure throughout the catch basin associated with Doe Branch and the McQueen Street trunk line.

IV. ATTACHMENTS:

1. Proposed Resolution


Jerry B. Dudley
Planning Director


Randall S. Osterman
City Manager

(STATE OF SOUTH CAROLINA)
()
(CITY OF FLORENCE)

RESOLUTION NO. 2021-_____

A RESOLUTION AUTHORIZING CITY COUNCIL TO EXECUTE A COMMUNITY DEVELOPMENT BLOCK GRANT- MITIGATION (CDBG-MIT) SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF FLORENCE AND THE SOUTH CAROLINA DISASTER RECOVERY OFFICE TO FUND AN INFRASTRUCTURE IMPROVEMENT PROJECT THAT WILL MITIGATE THE IMPACT OF FUTURE DISASTERS.

WHEREAS, the City of Florence recognizes the threat that flooding poses to the City; and

WHEREAS, the City of Florence has proposed two flood mitigation projects- McQueen Street and West Cedar; and

WHEREAS, the City of Florence anticipates receiving \$4,048,811 in CDBG- Mitigation grant funds from the South Carolina Disaster Recovery Office to carry out mitigation activities in a timely manner; and

WHEREAS, the City of Florence will continue to participate in updating the South Carolina Disaster Recovery Office throughout the duration of the grant; and

WHEREAS, the City of Florence acknowledges and accepts responsibility for the management and monitoring of contractors and their respective projects; and

WHEREAS, the City of Florence acknowledges and accepts ownership and responsibility for the ongoing operation and maintenance for the life of the improvement; and

WHEREAS, the City of Florence will uphold these infrastructure improvements in a manner that conforms to all health and safety requirements;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FLORENCE IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:

1. That the City of Florence respectfully accepts funding provided by the South Carolina Disaster Recovery Office through the Community Development Block Grant-Mitigation to fund infrastructure improvements that will mitigate the impact of future flooding.
2. That the City of Florence respectfully accepts responsibility for completion of the Project, any defects or failures, and the long-term maintenance after completion.

(EXECUTED ON ONE ADDITIONAL PAGE)

AND IT IS SO RESOLVED, this _____ day of _____, 2021.

ADOPTED THIS _____ day of _____, 2021.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin
Mayor

Attest:

Casey C. Moore
Municipal Clerk

VIII. b.
Resolution No.
2021-17

FLORENCE CITY COUNCIL MEETING

DATE: June 14, 2021

AGENDA ITEM: Resolution

DEPARTMENT/DIVISION: City Council

I. ISSUE UNDER CONSIDERATION:

A Resolution to proclaim the month of June as Home Ownership Month in the City of Florence.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

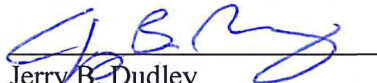
1. On June 1, 2021, President Joseph R. Biden, Jr. proclaimed the month of June as National Homeownership Month to recognize the enduring value of homeownership and to recommit ourselves to helping more Americans realize that dream.

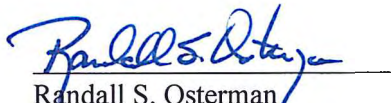
III. POINTS TO CONSIDER:

1. Owning a home is at the heart of the American dream and is source of wealth which individuals can pass down to their children and grandchildren.
2. The Fair Housing Act has been strengthened since its adoption in 1968; however, discrimination in the housing market still creates the inability for individuals and families to secure mortgages and generate wealth.
3. The concept of homeownership is at the core of the City's Comprehensive Plan and Neighborhood Revitalization Strategy
4. Proclaiming June as Homeownership Month provides an opportunity for all citizens to recognize that homeownership is becoming more difficult to realize and sustain, especially following the economic devastation inflicted by the COVID-19 pandemic, and to reaffirm our commitment to the dream of homeownership.

IV. ATTACHMENTS:

1. Proposed Resolution


Jerry B. Dudley
Planning Director


Randall S. Osterman
City Manager

(STATE OF SOUTH CAROLINA)
()
(CITY OF FLORENCE)

RESOLUTION 2021-__

- WHEREAS,** owning a home is at the heart of the American dream and is a source of wealth which individuals can pass down to their children and grandchildren; and
- WHEREAS,** National Homeownership Month provides an opportunity for all Americans to work together to provide families with the tools and information they need to overcome barriers to homeownership; and
- WHEREAS,** homeownership unites families, empowers communities, and strengthens both local and national economies; and
- WHEREAS,** homeownership encourages personal responsibility and strong values while creating more stable neighborhoods, civic-minded residents, better schools and less crime; and
- WHEREAS,** on June 1, 2021, President Joseph R. Biden, Jr. proclaimed the month of June as National Homeownership Month to recognize the enduring value of homeownership and to recommit ourselves to helping more Americans realize that dream.

NOW THEREFORE BE IT RESOLVED, the City Council of the City of Florence, in the State of South Carolina, do hereby proclaim the month of June as

“Homeownership Month”

in the City of Florence and urge all our citizens to join in this effort to reaffirm our individual commitment to support the dream of homeownership.

RESOLVED THIS 14TH DAY OF JUNE, 2021.

APPROVED AS TO FORM:

James W. Peterson, Jr.
City Attorney

Teresa Myers-Ervin
Mayor

Attest:

Casey C. Moore
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: June 14, 2021

AGENDA ITEM: A resolution to amend a conditional grant agreement dated November 22, 2013 between the City of Florence and New Florence Investment, LLC.

DEPARTMENT/DIVISION: Finance

I. ISSUE UNDER CONSIDERATION:

For City Council consideration is a resolution to amend a conditional grant agreement because of less investment by the developer than was originally estimated.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:


1. On November 22, 2013, the City entered into a conditional grant agreement with New Florence Investment, LLC (the "Developer"). The Developer subsequently redeveloped the Kress Building, which houses Town Hall restaurant, office space, and various apartments. This development served as one of the early catalysts for other downtown development.
2. The grant was in the amount of \$850,000 "which is an amount equal to the estimated total of 85% of the property taxes paid by the Developer Team over the first seven (7) years following the completion of the project.
3. The grant agreement stipulated that "the condition of this grant is met for so long as 85% of the net tax paid each year equals at least \$121,400. In the event that 85% of the net tax paid in any given year falls short of \$121,400, the Development Team shall pay to the City the amount of the shortfall."

III. POINTS TO CONSIDER:

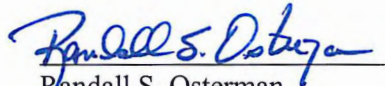
1. The original capital investment from this project was expected to be \$10-\$11,000,000.
2. However, the tax value of the new investment is approximately \$3,000,000. As a result, this resolution increases the payback period from seven (7) years to (18) years.
3. In exchange for this amendment the Developer Team agrees not to appeal the assessment by the County Assessor during the remaining life of the current TIF, which expires in 2046.
4. Staff recommends adoption of the resolution.

IV. ATTACHMENTS:

1. Proposed Resolution
2. Amendment to Conditional Grant Agreement



Kevin V. Yokim
Assistant City Manager



Randall S. Osterman
City Manager

RESOLUTION NO. 2021-

A RESOLUTION TO AMEND A CONDITIONAL GRANT AGREEMENT DATED JULY 22, 2011 BETWEEN THE CITY OF FLORENCE AND NEW FLORENCE INVESTMENT, LLC.

1. On November 22, 2013, the City entered into a conditional grant agreement with New Florence Investment, LLC (the "Developer"). The Developer subsequently redeveloped the Kress Building, which houses Town Hall restaurant, office space, and various apartments. This development served as one of the early catalysts for other downtown development.
2. The grant was in the amount of \$850,000 "which is an amount equal to the estimated total of 85% of the property taxes paid by the Developer Team over the first seven (7) years following the completion of the project.
3. The grant agreement stipulated that "the condition of this grant is met for so long as 85% of the net tax paid each year equals at least \$121,400. In the event that 85% of the net tax paid in any given year falls short of \$121,400, the Development Team shall pay to the City the amount of the shortfall."
4. The original capital investment from this project was expected to be \$10-\$11,000,000.
5. However, the tax value of the new investment is approximately \$3,000,000. As a result, this resolution increases the payback period from seven (7) years to (18) years.
6. In exchange for this amendment the Developer Team agrees not to appeal the assessment by the County Assessor during the remaining life of the current TIF, which expires in 2046.
7. City Council adopts this Resolution authorizing the amendment of the conditional grant.

NOW, THEREFORE, BASED UPON THE FINDINGS OF FACT REFERENCED AND SET OUT ABOVE, IT IS HEREBY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FLORENCE, SOUTH CAROLINA AS FOLLOWS:

- a. The City hereby approves the **AMENDMENT TO CONDITIONAL GRANT AGREEMENT** attached and incorporated by reference.

AND IT IS SO RESOLVED THIS 14TH DAY OF JUNE, 2021.

APPROVED AS TO FORM:

JAMES W. PETERSON, JR.
City Attorney

TERESA MYERS ERVIN
Mayor

ATTEST:

CASEY C. MOORE
Municipal Clerk

Developer Team over the first eighteen (18) years following completion of the project. The payment will be made in one lump sum at the time of the issuance of the building permit for the project.

(i) The grant described above is being made based upon the condition that the resulting development will result in future increases in property tax sufficient to match the granted funds over a 18-year period from the date of the issuance of the Certificate of Occupancy. As a result, it is agreed by the parties that, if the project does not result in the payment of increased property taxes to accomplish this long term match, the portion of the grant not matched through the property taxes will be calculated and repaid by the Developer Team, or their successors, heirs and assigns, in accordance with the calculations, terms and conditions set out in sub paragraphs (ii) below.

(ii) The parties hereto agree that the ability of the project to match the grant through property taxes paid will be determined through a calculation to be made each year on February 1 for a period of 18 years, the first such calculation to occur on February 1, 2019. The annual calculation shall determine 85% of the property tax obligation paid by the owner of the project at that time, and the condition of this grant is met for so long as 85% of the net tax paid each year equals at least \$51,405.00. In the event that 85% of the net tax paid in any given year falls short of \$51,405.00, the Development Team shall pay to the City the amount of the shortfall by no later than March 1 of the same year. This calculation will be accomplished

each of the seven years, and reconciliation will be done each of those years. If the Developer team has to pay any shortfalls during any annual reconciliation, but in a later year the 85% tax calculation shows an excess over the \$51,405.00, the City agrees that it will pay back to the Developer Team an amount equal to any previous shortfall up to the amount of the overage for that year.

(iii) The Developer Team shall, on February 1 of each year from 2019 through 2036, furnish to the City a copy of the paid tax receipt for the previous year so that the City is able to monitor annually the development during the seven-year incentive period.

(iv) The parties further agree that tax valuations on the properties involved in this development for Tax Year 2019 represent the minimum fair market values for the subject properties. The Developer Team further agrees that neither it, nor its successors or assigns, will take any action to appeal any tax assessment or tax valuation of said property in which it asserts that the property should be valued less than the 2019 tax values plus the statutorily allowed incremental increases of 15% per reassessment during the remaining life of the current TIF, which expires in 2046.

II. Except as so amended, all remaining provisions, terms and conditions set forth in the Second Amended Agreement and Conditional Grant Agreement attached hereto as Exhibit "A" shall remain in full force and effect.

[Signatures on Next Page]

This Third Amendment to the Agreement and Conditional Grant Agreement is executed
this 14th day of June, 2021.

CITY OF FLORENCE

By: _____
Randall S. Osterman, City Manager

DEVELOPER TEAM

New Florence Development, LLC

By: _____

By: _____

FLORENCE CITY COUNCIL MEETING

DATE: June 14, 2021
AGENDA ITEM: Resolution
DEPARTMENT/DIVISION: Planning, Research, and Development

I. ISSUE UNDER CONSIDERATION:

A resolution to designate ten (10) on-street parking spaces located on the north side of the 400 block of West Evans along the frontage of the McMillan Federal Building as “U.S. Marshals Parking Only”.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

1. This issue is before City Council for first and final reading.
2. This issue has not been considered, nor has any previous action been taken.

III. POINTS TO CONSIDER:

1. The U.S. Marshals Florence, SC office made request on March 12, 2021, following the installation of the new on-street project associated with the West Evans Streetscape project, to designate the new spaces as “U.S. Marshals Parking Only”.
2. Section 19-4 of the Code of Ordinances allows the chief of police, when so directed by resolution of City Council, to regulate the operation of vehicles within the City by erecting or placing of proper signs or markers indicating limited or prohibited parking, angle parking, parking of official vehicles, or parking of public service vehicles.
3. Ordinance 88-51 established two hour, on-street parking in the following areas:
 - a. 100 and 200 blocks of West Evans Street,
 - b. 100 blocks of North and South Dargan Street
4. The 2016 Parking Study for Downtown Florence, conducted by CDM Smith, recommends establishing on-street parking to facilitate the development and growth of downtown.

IV. ATTACHMENTS:

1. Proposed Resolution
2. Request from U.S. Marshals Service
3. Location Map



Clint Moore
Assistant City Manager



Randall S. Osterman
City Manager

(STATE OF SOUTH CAROLINA)
()
(CITY OF FLORENCE)

RESOLUTION NO. 2021-_____

A RESOLUTION TO DESIGNATE 10 (TEN) ON-STREET PARKING SPACES ON THE NORTH SIDE OF THE 400 BLOCK OF WEST EVANS AS “LAW ENFORCEMENT PARKING ONLY” ALONG THE FRONTAGE OF THE MCMILLAN FEDERAL BUILDING.

WHEREAS, the City Council of the City of Florence seeks to provide both an effective and safety-oriented means of on-street parking within the municipal limits of the City and;

WHEREAS, Section 19-4 of the City of Florence Code of Ordinances allows the chief of police, when so directed by resolution of City Council, to regulate the operation of vehicles within the City by erecting or placing of proper signs or markers indicating limited or prohibited parking, angle parking, parking of official vehicles, or parking of public service vehicles and;

WHEREAS, the West Evans Streetscape Project establishes new on-street parking within the 400 block of West Evans, and;

WHEREAS, the City Council of the City of Florence wishes to establish designate ten (10) on-street parking spaces located on the north side of the 400 block of West Evans along the frontage of the McMillan Federal Building as “U.S. Marshals Parking Only”.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FLORENCE IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:

1. On the 400 block of West Evans Street, ten (10) on-street parking spaces located on the north side of the 400 block of West Evans along the frontage of the McMillan Federal Building as “U.S. Marshals Parking Only”;

AND IT IS SO RESOLVED, this _____ day of _____, 2021.

ADOPTED THIS _____ day of _____, 2021.

(EXECUTED ON ONE ADDITIONAL PAGE)

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin
Mayor

Attest:

Casey C. Moore
Municipal Clerk



U.S. Department of Justice

United States Marshals Service

*District of South Carolina
Florence Division*

*401 West Evans Street, Suite 215
Florence, South Carolina 29501*

March 12, 2021

Clint Moore, ASLA
Assistant City Manager
Planning, Research and Development
City of Florence.
324 West Evans Street
Florence, SC 29501
E: cmoore@cityofflorence.com
T: 843-665-2047

The United States Marshals Service is requesting the authorization from the City of Florence to designate the street parking around the McMillan Federal Building and Courthouse to be under the physical monitoring and control of this agency. This authorization from the city would allow the United States Marshals Service to secure the street parking in the immediate vicinity of the McMillan Federal Building on Evans, Sanborn, McQueen, and Barnes Street. This authorization would not supplant any enforcement authority granted to the Florence Police Department under state law over these parking areas or streets.

Our paramount motivation for this request is the overall safety of the citizenry of Florence that utilize the services of the federal courthouse and the protection of the federal judiciary housed there. This authorization would allow this agency to place signage indicating that the parking in front of the McMillan Building on Evans Street is "U. S. Marshals Parking Only". Additionally, "No Parking" signs would be placed around the perimeter of the McMillan Building on Sanborn, McQueen, and Barnes Street.

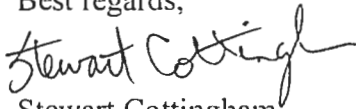
The McMillan Federal Building and Courthouse has the highest level of security classification of any facility in eastern South Carolina. It serves as a federal courthouse that holds two sitting federal district court judges, two visiting federal district court judges, two federal magistrates, and the administrative judge of the Social Security Administration. The McMillan Building serves as the center of federal judicial administration for the Pee Dee and Grand Strand regions

of South Carolina. It houses law enforcement components and prosecutorial offices of the United States Department of Justice that conduct sensitive investigations throughout the area.

The administration of justice in this courthouse involves extremely sensitive high-threat trials. The streetscape project is a wonderful beautification project undertaken by the City of Florence; however, these enhancements create unique security obstacles for this courthouse. The new parking in front of the McMillan Building created by the streetscape project is a huge security concern for this building. The addition of the streetscape parking creates a natural avenue for vehicle-borne explosives to be more easily placed next to the federal courthouse. It also provides easy access for outside elements to park, surveil, and threaten jurors and witnesses as they enter the building. Any of the potential scenarios would have an adverse impact upon the administration of justice and hamper the enforcement of our nation's laws.

The McMillan Federal Building provides ample parking behind our facility for use by the general public during regular business hours. It is accessible every day to the public. It is secure, maintained, and monitored for safety by the Marshals Service. We encourage everyone to utilize it when conducting business at the McMillan Federal Building and Courthouse. The parking is compliant for handicap visitors. In summary, the City of Florence's consideration for this request authorization is greatly appreciated by the United States Marshals Service. An aerial representation of the parking areas around the McMillan Federal Building is attached that delineates the parking areas to be considered in this request.

Best regards,



Stewart Cottingham

Supervisory Deputy U. S. Marshal

United States Marshals Service

W: 843-662-0750

E: stewart.cottingham@usdoj.gov

Attachment: aerial map

1304 SCOTT STREET
 CHARLOTTE, NC 28203
 THE LANDPLAN GROUP SOUTH
 LANDSCAPE ARCHITECTS

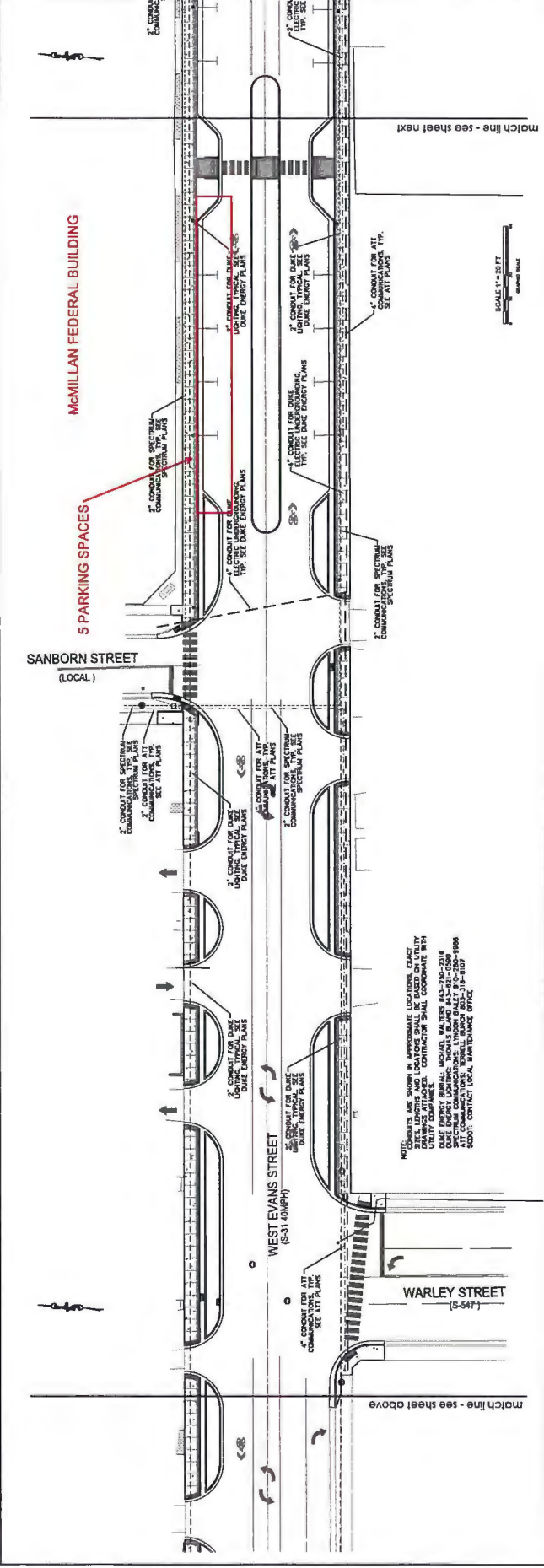
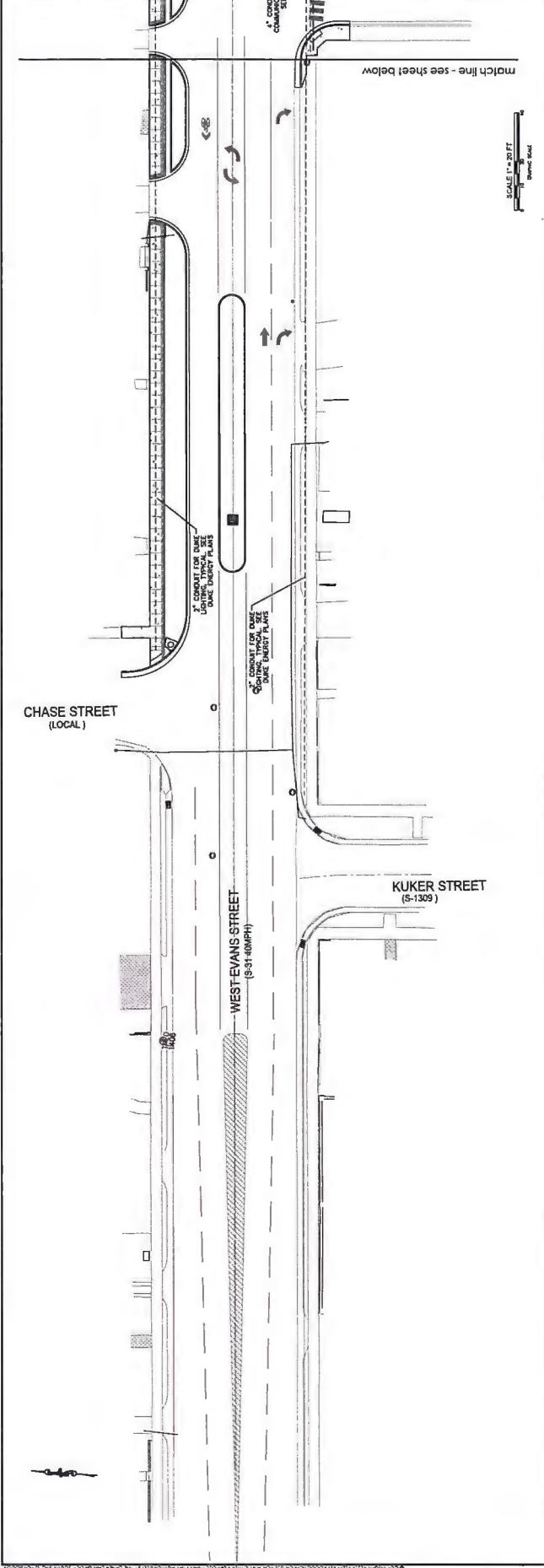


WEST EVANS STREET STREETSCAPE
 CONSTRUCTION DRAWINGS
 Florence, South Carolina
 CONDUIT PLAN



NO.	DATE	BY	CHKD.	REASON
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FILE NAME: 717-2/2019/717E-WestEvansStreet
 DRAWN BY: JRM
 CHECKED BY: JRM
 DATE: 02/25/20
 SCALE: 1" = 20'
 SHEET: 11 OF 21



NOTE: LOCATIONS SHOWN IN APPROXIMATE LOCATION. EXACTITY DETERMINED BY FIELD SURVEY. CONTRACTOR SHALL COORDINATE WITH DUNE ENERGY SERIAL MODEL, WALTERS 843-240-2318. SPECIFIC CONDUIT AND DUCT ENTRY PLAN SHALL BE PROVIDED BY DUNE ENERGY. CONTACT DUNE ENERGY AT 813-202-8988.

FLORENCE CITY COUNCIL MEETING

DATE: June 14, 2021
AGENDA ITEM: Resolution
DEPARTMENT/DIVISION: City Council

I. ISSUE UNDER CONSIDERATION:

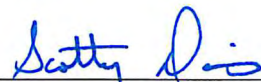
A Resolution by the City of Florence formally honoring woman's basketball legend Pearl Moore on her induction into the Naismith Memorial Basketball Hall of Fame.

II. POINTS TO CONSIDER:

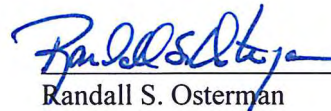
1. Pearl Moore is a native of Florence and graduate of Wilson High School, where she was in the starting line-up for all four years.
2. Pearl Moore commenced her collegiate career with Anderson Junior College before transferring to Francis Marion College where she graduated in 1979.
3. As a four-time All American, she is the all-time career-scoring leader for women's college basketball.
4. Pearl Moore was selected in the first round by the New York Stars in the Women's Professional Basketball League draft.
5. Throughout her career, Pearl Moore has received recognition for her accomplishments and in May 2021, she was selected to be inducted into the Naismith Memorial Basketball Hall of Fame.
6. The Naismith Memorial Basketball Hall of Fame is an American history museum and hall of fame and serves as basketball's most complete library, in addition to promoting and preserving the history of basketball. The Hall of Fame was opened and inducted its first class in 1959.

III. ATTACHMENTS:

1. Proposed Resolution



Scotty Davis
Deputy City Manager



Randall S. Osterman
City Manager

(STATE OF SOUTH CAROLINA)
()
(CITY OF FLORENCE)

RESOLUTION 2021-__

A Resolution by the City of Florence formally honoring woman's basketball legend Pearl Moore on her induction into the Naismith Memorial Basketball Hall of Fame.

WHEREAS, Pearl Moore is a native of Florence and graduated from Wilson High School, where she was in the starting line-up all four years and earned the MVP award at the 1975 and 1976 AAU Junior Olympic Games; and

WHEREAS, she continued her career at Anderson Junior College and transferred to Francis Marion University, quickly leading the Patriots team to three national championship appearances; and

WHEREAS, as a first-round draft of the Women's Professional Basketball League, Moore played professionally with the New York Stars, the St. Louis Streak and later with Venezuela on the Foreign Pro League; and

WHEREAS, her basketball prowess earned her the 1979 SCAIAW and Women's Sports Foundation Small College Player of the Year, and the 1979 South Carolina Amateur Athlete of the Year; and

WHEREAS, she is a four-time All-American with a career point total of 4,061 career points, which remains the record for women's college basketball and is ranked third on the College's Basketball Career Scoring List for all levels of men's and women's college basketball; and

WHEREAS, Pearl Moore was inducted into the Francis Marion Hall of Fame in 1992, the South Carolina Athletic Hall of Fame in 2000, the Florence Area Athletic Hall of Fame in 2006, and the Women's Basketball Hall of Fame in 2011.

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

The City of Florence formally commends and celebrates Pearl Moore for her incredible accomplishments in the world of women's basketball and her induction into the Naismith Memorial Basketball Hall of Fame.

RESOLVED THIS ___ DAY OF _____, 2021.

Approved as to form:

James W. Peterson, Jr., City Attorney

Teresa Myers Ervin, Mayor

ATTEST:

Casey C. Moore, Municipal Clerk