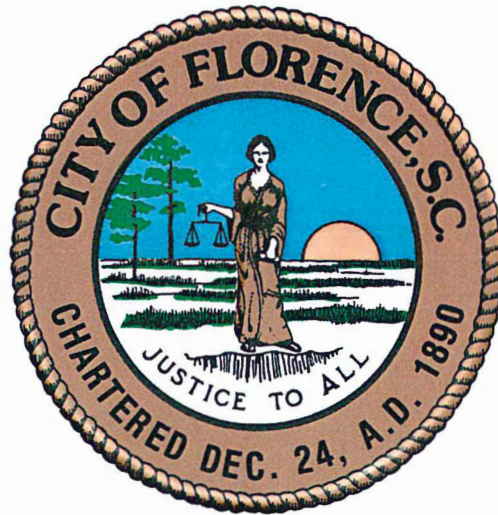


REGULAR MEETING
OF
FLORENCE CITY COUNCIL



COUNCIL CHAMBERS
324 W. EVANS STREET
FLORENCE, SOUTH CAROLINA

MONDAY
SEPTEMBER 14, 2020
1:00 P.M.



**REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, SEPTEMBER 14, 2020 – 1:00PM
CITY CENTER – COUNCIL CHAMBERS
324 WEST EVANS STREET
FLORENCE, SOUTH CAROLINA**

This meeting will be conducted through Zoom Video Conferencing.

I. CALL TO ORDER

II. INVOCATION

Pledge of Allegiance to the American Flag

III. APPROVAL OF MINUTES

August 10, 2020 – Regular Meeting

IV. APPEARANCES BEFORE COUNCIL

a. Lou Zeller, Blue Ridge Environmental Defense League

To discuss an environmental issue related to a proposed pipeline along the Pee Dee River in Pamplico since a portion of the City of Florence water supply comes from the Pee Dee River.

V. ORDINANCES IN POSITION

a. Bill No. 2020-27 – Second Reading

An ordinance to execute a lease agreement to lease the upstairs office suite and the downstairs conference room of the building located at 152 S. McQueen Street, Florence, South Carolina, a portion of Florence County Tax Map Parcel 90074-05-002 to Steven M. Calcutt

VI. INTRODUCTION OF ORDINANCES

a. Bill No. 2020-28 – First and Final Reading

An emergency ordinance to extend emergency measures put in place previously by Emergency Ordinances No. 2020-26, 2020-12, and 2020-13 to include the requirement established that individuals wear face coverings in establishments

open to the public and foodservice establishments, and other matters related in response to the COVID-19 Emergency.

b. Bill No. 2020-29 – First Reading

An ordinance submission approving the construction of capital improvement projects including the repair and retrofitting of the stormwater system to minimize damage to public and private property.

c. Bill No. 2020-30 – First 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 to reappropriate FY2019/20 funds for uncompleted projects and purchases.

d. Bill No. 2020-31 – First 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 to appropriate funds from excess fund balance.

e. Bill No. 2020-32 – First Reading

An ordinance to amend the Unified Development Ordinance to add conditions for brew pubs, micro-breweries, and micro-distilleries.

f. Bill No. 2020-33 – First Reading

An ordinance to annex and zone RG-3 and CG, 88 acres located along Freedom Boulevard, identified as TMN 00179-01-014

VII. INTRODUCTION TO RESOLUTIONS

a. Resolution No. 2020-20

A resolution to honor Flow Town Yoga's contributions to the efforts to revitalize downtown Florence.

VIII. REPORTS TO COUNCIL

a. Appointments to Boards and Commissions

IX. EXECUTIVE SESSION

a. Discussion of negotiations incident to proposed contractual arrangements [30-4-70(a)(2)].

(Note: After returning to open session, Council may take action on matters discussed in Executive Session.)

X. ADJOURN



**REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, AUGUST 10, 2020 – 1:00 P.M.
CITY CENTER – COUNCIL CHAMBERS
324 WEST EVANS STREET
FLORENCE, SOUTH CAROLINA
MEETING CONDUCTED THROUGH ZOOM VIDEO CONFERENCING**

MEMBERS PRESENT

Mayor Stephen J. Wukela, Mayor Pro tem Frank J. “Buddy” Brand, Councilman George Jebaily, Councilwoman Teresa M. Ervin, Councilman Glynn F. Willis, Councilwoman Octavia Williams-Blake and Councilwoman Pat Gibson-Hye Moore.

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; Interim Chief Shannon Tanner, Florence Fire Department; Mr. Michael Hemingway, Director of Utilities; Mr. Chuck Pope, Director of Public Works; and Mr. Jerry Dudley, Director of Planning.

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 Wukela called the August 10, 2020 regular meeting of Florence City Council to order at 1:15 p.m.

INVOCATION

Councilwoman Teresa Myers Ervin gave the invocation for the meeting. The pledge of allegiance to the American Flag followed the invocation.

APPROVAL OF MINUTES

Councilwoman Ervin made a motion to adopt the minutes of the July 13, 2020 Regular City Council meeting and Councilman Willis seconded the motion. The minutes were unanimously adopted.

PUBLIC HEARING

Police Chief Allen Heidler reported that this public hearing is required as part of the process for the police department’s annual application for the Department of Justice Byrne Memorial Law Enforcement Equipment Grant. This year the police department is seeking to purchase locking equipment boxes for the new vehicles purchased in this fiscal year’s budget.



FLORENCE CITY COUNCIL
REGULAR MEETING – AUGUST 10, 2020

Mayor Wukela opened the public hearing at 1:20 p.m. There being no one to speak, Mayor Wukela closed the public hearing at 1:21 p.m.

ORDINANCES IN POSITION

Bill No. 2020-17 – Second Reading

An ordinance revising the water and sewer rate schedule for the City of Florence, South Carolina.

Councilwoman Williams-Blake made a motion to adopt Bill No. 2020-17 on second reading and Mayor Wukela seconded the motion.

Council voted unanimously (7-0) to adopt Bill No. 2020-17.

Bill No. 2020-18 – Second Reading

An ordinance to amend Chapter 12, Article 3 Section 12-130 of the City of Florence Code of Ordinances to allow for the protection of water meters from unlawful damage, tampering or improper care.

Councilman Willis made a motion to adopt Bill No. 2020-18 on second reading and Pro tem Brand seconded the motion.

Council voted unanimously (7-0) to adopt Bill No. 2020-18.

Bill No. 2020-21 – Second Reading

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

Pro tem Brand made a motion to adopt Bill No. 2020-21 on second reading and Councilwoman Ervin seconded the motion.

Council voted unanimously (7-0) to adopt Bill No. 2020-21.

Bill No. 2020-22 – Second Reading

An ordinance authorizing the issuance of City of Florence Public Facilities Corporation Installment Purchase Revenue Bonds (City of Florence Project), Series 2020; authorizing the lease of certain property to City of Florence Public Facilities Corporation; authorizing the execution and delivery of certain instruments relating to the issuance and sale of the aforesaid bonds, including a base lease and conveyance agreement and a municipal facilities purchase and occupancy agreement, each between the City of Florence, South Carolina and City of Florence Public Facilities Corporation, a bond purchase agreement among the City, City of Florence Public Facilities Corporation and Stephens Inc., and a preliminary official statement and an official statement of the City; and other matters relating thereto.

Councilman Willis made a motion to adopt Bill No. 2020-22 on second reading and Councilwoman Moore seconded the motion.

Pro tem Brand asked what is the expected interest rate and Mr. Kevin Yokim, Assistant City Manager replied the rate will be received at the end of the month but is expected to be between 2 - 2.5%.

Council voted unanimously to adopt Bill No. 2020-22.



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Bill No. 2020-23 – Second Reading

An ordinance to provide for the issuance and sale of a General Obligation Bond, Series 2020, of the City of Florence, South Carolina, to prescribe the purposes for which the proceeds shall be expended, to provide for the payment thereof, and other matters relating thereto.

Councilwoman Ervin made a motion to adopt Bill No. 2020-23 on second reading and Councilwoman Williams-Blake seconded the motion.

Council voted unanimously (7-0) to adopt Bill No. 2020-23.

Bill No. 2020-24 – Second Reading

An ordinance to provide for the issuance and sale of a General Obligation Refunding Bond, Series 2020A, of the City of Florence, South Carolina, to prescribe the purposes for which the proceeds shall be expended, to provide for the payment thereof, and other matters relating thereto.

Councilwoman Ervin made a motion to adopt Bill No. 2020-24 on second reading and Councilwoman Moore seconded the motion.

Council voted unanimously (7-0) to adopt Bill No. 2020-24.

Bill No. 2020-25 – Second Reading

An ordinance authorizing the Conditional Grant and Development Agreement with a Developer Team regarding downtown real estate and authorizing the conveyance of the real estate located in the City of Florence described more fully on Exhibit “A” to be attached to the Ordinance, said property to be developed and utilized pursuant to the terms and conditions set out in the Conditional Grant and Development Agreement attached hereto as Exhibit “B” and approved hereby.

Councilman Willis made a motion to adopt Bill No. 2020-25 on second reading and Councilwoman Ervin seconded the motion.

Council voted unanimously (7-0) to adopt Bill No. 2020-25.

INTRODUCTION OF ORDINANCES

Bill No. 2020-27 – First Reading

An ordinance to execute a lease agreement to lease the upstairs office suite and the downstairs conference room of the building located at 152 S. McQueen Street, Florence, South Carolina, a portion of Florence County Tax Map Parcel 90074-05-002 to Steven M. Calcutt.

Councilwoman Moore made a motion to pass Bill No. 2020-27 on first reading and Councilman Willis seconded the motion.

Mayor Wukela said this property is the former office of Judge Haigh Porter, now owned by the City. Attorney Steven Calcutt is seeking to lease the property at market rate rent.

Council voted unanimously (7-0) to pass Bill No. 2020-27.



REPORTS TO COUNCIL

Appointments to Boards and Commissions:

Accommodations Tax Advisory Committee

Pro tem Brand made a motion to reappoint Chad Patterson to the Accommodations Tax Advisory Committee. The motion carried unanimously.

Planning Commission

Councilman Jebaily made a motion to reappoint Dorothy Hines to the Planning Commission. The motion carried unanimously.

Councilwoman Williams-Blake made a motion to reappoint Robby Hill to the Planning Commission. The motion carried unanimously.

Board of Zoning Appeals

Councilman Willis made a motion to reappoint Randolph Hunter to the Board of Zoning Appeals. The motion carried unanimously.

Mayor Wukela made a motion to reappoint Ruben Chico to the Board of Zoning Appeals. The motion carried unanimously.

Councilwoman Ervin made a motion to appoint Shelanda Deas to the Board of Zoning Appeals. The motion carried unanimously.

Civic Center Commission

Councilwoman Moore made a motion to appoint Ann Scott to the Civic Center Commission. The motion carried unanimously.

Pro tem Brand deferred his appointment to the Civic Center Commission.

Councilman Jebaily made a motion to reappoint Keith Buckhouse to the Civic Center Commission. The motion carried unanimously.

Design Review Board

Councilwoman Williams-Blake made a motion to reappoint Scott Collins to the Design Review Board. The motion carried unanimously.

Councilman Willis made a motion to reappoint David Tedder to the Design Review Board. The motion carried unanimously.

Mayor Wukela deferred his appointment to the Design Review Board.

Councilwoman Ervin deferred her appointment to the Design Review Board.



FLORENCE CITY COUNCIL
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Housing Authority

Councilwoman Moore made a motion to reappoint Douglas Hawkins to the Housing Authority. The motion carried unanimously.

City-County Memorial Stadium Commission

Pro tem Brand made a motion to reappoint Chappel Jones to the Memorial Stadium Commission. The motion carried unanimously.

Parks and Beautification Commission

Councilman Jebaily made a motion to reappoint Thomasina Foster to the Parks and Beautification Commission. The motion carried unanimously.

Councilwoman Williams-Blake made a motion to reappoint Phillip Scott Murphy to the Parks and Beautification Commission. The motion carried unanimously.

Airport Authority

Councilman Willis made a motion to reappoint Kerstin Nemecek to the Airport Authority. The motion carried unanimously.

Veterans Park Committee

Mayor Wukela made a motion to reappoint Donnie Carter to the Veterans Park Committee. The motion carried unanimously.

ADDENDUMS TO THE AGENDA

Mayor Wukela stated there are several items that require a two-thirds vote of City Council so that they may be added to the August 1, 2020 agenda.

Councilwoman Ervin made a motion to add the items to the agenda and Councilwoman Moore seconded the motion. The following Resolutions and Executive Session items related to proposed economic developments were added to the August 10, 2020 City Council meeting by unanimous consent:

Resolution No. 2020-17

A resolution approving an amendment to the Conditional Grant and Development Agreement for Project Urban Square.

The Mayor stated this item will be discussed in Executive Session.

Resolution No. 2020-18

A resolution of City Council approving Downtown Redevelopment Grants for 1st Quarter, FY21.

The Mayor stated this item will be discussed in Executive Session.



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Resolution No. 2020-19

A resolution pursuant to Section 3 of Ordinance No. 2020-13 to extend the emergency term and the application of said ordinance by an additional sixty (60) days.

Councilwoman Moore made a motion to adopt Resolution No. 2020-19 and Councilman Jebaily seconded the motion.

Council voted unanimously (7-0) to adopt Resolution No. 2020-19.

EXECUTIVE SESSION

Without objection, Council entered into Executive Session at 1:40 p.m. for discussions of negotiations incident to matters relating to proposed Economic Developments.

Council returned to Open Session at 1:55 p.m.

Mayor Wukela stated one of the matters of discussion in Executive Session was the Sav-A-Lot project. Council previously became involved with an economic development project involving the Housing Authority and Sav-A-Lot grocery store. The Housing Authority proposed to construct a grocery store on North Dargan Street on property owned by the City and the City agreed to convey portions of the property to the Housing Authority in order to construct the grocery store. During the process, the contractor that was retained by the Housing Authority failed to execute on the contract and, after completing some work, ultimately defaulted on the contract. The City and the Housing Authority still desire to move forward with the contract and the Housing Authority has agreed to provide supplemental funds toward retaining a new contractor. The City proposes to operate as the project manager and retain FBI Construction as the new contractor to complete the project. This will cause the City to undertake additional expense in the form of a lien on the property to protect the additional investment.

Pro tem Brand stated retaining FBI Construction as the contractor will be positive for the community, as they are a quality contractor and will complete the project correctly, on time, and within the set budget.

Councilwoman Ervin stated this project is located within a Food Desert and its completion is necessary for the community.

Councilman Jebaily made a motion to authorize City staff to execute the arrangements that were made in Executive Session and Councilwoman Ervin seconded the motion. The motion carried unanimously (7-0).

Council also took action on the following items:

Resolution No. 2020-17

A resolution approving an amendment to the Conditional Grant and Development Agreement for Project Urban Square.

Mayor Wukela said Project Urban Square is a \$60 million investment located on the block of the former Florentine building. The City entered into a Conditional Grant and Development Agreement with the developer of the site. Before Council is an amendment to that Conditional Grant that addresses several matters. As planning for the Urban Square Project has progressed, the City has been able to realize significant savings on the planned construction of the parking structure through the full cooperation of the developer. The City and the developer have both agreed to a site plan that will supplement the parking



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deck with surface parking by relocating approximately 100 spaces to property the City has purchased, saving approximately \$2.5 million. Additionally, the developer has identified a hotelier for the hotel portion referenced in the Agreement. In order to facilitate the finalizing of plans between the developer and the hotelier for the project, \$425,000.00 (approximately \$141,000.00 per year for 3 years) of the savings realized by the City will be added to the granted funds.

Councilwoman Ervin made a motion to adopt Resolution No. 2020-17 and Councilwoman Moore seconded the motion.

Council voted unanimously (7-0) to adopt Resolution No. 2020-17.

Resolution No. 2020-18

A resolution of City Council approving Downtown Redevelopment Grants for 1st Quarter, FY21.

Mayor Wukela said this resolution is for the approval of a redevelopment grant for the property located at 236 West Evans Street.

Councilwoman Ervin made a motion to adopt Resolution No. 2020-18 and Councilwoman Moore seconded the motion.

Council voted unanimously (7-0) to adopt Resolution No. 2020-18.

ADJOURN

Without objection, the Regular meeting of City Council was adjourned at 2:07 p.m.

Dated this 14th day of September, 2020.

Amanda P. Pope, Municipal Clerk

Stephen J. Wukela, Mayor

FLORENCE CITY COUNCIL MEETING

DATE: September 14, 2020
AGENDA ITEM: Ordinance
DEPARTMENT/DIVISION: City Manager

I. ISSUE UNDER CONSIDERATION

An ordinance authorizing the City to lease the real estate described in Exhibit "A" attached hereto and designated as office space located in tax parcel 90074-05-002 to Steven M. Calcutt in order to utilize office space owned by the City and presently vacant.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

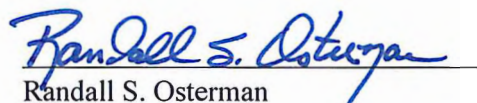
This is second reading by Council of this ordinance.

III. POINTS TO CONSIDER

- A. The property in consideration is owned by the City and currently vacant.
- B. The spaces to be leased are the upstairs office suite, the storage area located upstairs, and the conference room located downstairs.
- C. The rent proposed for the office spaces constitutes fair rental value.

IV. ATTACHMENTS

- Ordinance
- Exhibit "A" – Property Description
- Exhibit "B" – Lease Agreement


Randall S. Osterman
City Manager

ORDINANCE NO. 2020- 27

AN ORDINANCE AUTHORIZING THE CITY TO LEASE THE REAL ESTATE DESCRIBED IN EXHIBIT "A" HERETO AND DESIGNATED AS OFFICE SPACE LOCATED IN TAX PARCEL 90074-05-002 TO STEVEN M. CALCUTT IN ORDER TO UTILIZE OFFICE SPACE OWNED BY THE CITY AND PRESENTLY VACANT.

WHEREAS, after due consideration, the City has concluded that the office space described on Exhibit "A" attached hereto and incorporated herein by reference, which is owned by the City can be leased to generate revenue for the City pending long term decisions regarding the best use of said property;

WHEREAS, City Staff has analyzed the fair market value of the office space and determined that the rent proposed constitutes the fair rental value of said office space;

WHEREAS, it is hereby determined that it is in the best interest and to the benefit of the citizens of the City of Florence that said space be leased under the terms and conditions set forth in the Lease attached hereto as Exhibit "B";

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 the Code of Ordinances of the City of Florence, the City Manager of the City of Florence is hereby authorized to execute the Lease attached hereto as Exhibit "B" and such other documentation as may be necessary in order to accomplish the leasing of the property described on Exhibit "A" attached hereto to Steven M. Calcutt.

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 _____, 2020.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela
Mayor

Attest:

Amanda Pope
Municipal Clerk

EXHIBIT A
Property Description

The office suite located upstairs, the storage area located upstairs, and the conference room located downstairs (areas designated as Suites A, C, and D) on that certain piece, parcel and lot of land, together with improvements thereon, situate, lying and being in the City and County of Florence, State of South Carolina, fronting on the East side of South McQueen Street shown and designated as Lot No. 10 on the old City plat recorded in the office of the Clerk of Court for Florence County in Plat Book 4 at page 16, said lot measuring and fronting on South McQueen Street for a distance of 65 feet, more or less, and extending back therefrom for a distance of 218 feet, more or less. Reference is had to the above referenced Plat for a more complete and accurate description of said property.

In addition, the Tenant shall have the right to utilize the parking area on the above described property during the term of the Lease, said parking usage to be shared with the tenant occupying the downstairs office suite on the premises.

This being a portion of the property conveyed to the City of Florence by deed dated July 12, 2020 and recorded in the office of the Clerk of Court for Florence County in Deed Book B700 at page 898.

Portion of Tax Map No. 90074-05-002.

LANDLORD agrees that it will not unreasonably withhold its consent to requested alterations and improvements. The Premises shall be used by the TENANT exclusively to operate the **Steven M. Calcutt** law office.

5. Assignment and Subletting of Lease:

(a) The TENANT may not assign this Lease without the LANDLORD's consent; any contemplated assignment shall be negotiated between the parties and the LANDLORD shall have the sole authority for providing consent for such an agreement and the LANDLORD shall approve any agreement between the TENANT and its proposed assignee.

(b) No assignment shall be valid or effective until there is delivered to the LANDLORD a duplicate original of the written instrument of assignment, in recordable form, containing the name and address of the Assignee, and an assumption by the Assignee of the Lease and of all obligations under this Lease to be performed by the TENANT, although TENANT remains liable as herein set forth. Such assumption need relate only to obligations thereafter to be performed by the TENANT.

6. Entry to Premises by Landlord: LANDLORD reserves the right to enter the premises at reasonable time and with advanced notice for inspection.

7. Utilities: Utilities shall be the responsibility of the TENANT.

8. Taxes and Assessments: All ad valorem taxes, assessments, liens or charges on the land or improvements, that may be against or levied upon the demised premises, shall be the responsibility of the LANDLORD.

9. Insurance: TENANT shall at all times provide appropriate insurance through insurance carriers licensed to do business in South Carolina to include commercial general liability insurance and automobile liability insurance with minimum limits of \$1,000,000.00 covering its activities and for its protection relating to its use of the facility, and worker's compensation insurance coverage for its employees and agents with minimum coverage limits required by law, but in no event less than \$100,000.00 per accident for employers liability, and \$100,000.00/\$500,000.00 for disease coverage. TENANT shall name LANDLORD as an additional insured on said insurance policies and shall at all times provide LANDLORD with a current copy of said insurance policies. LANDLORD may, but is not required to, obtain any additional insurance it deems appropriate.

Compliance with Applicable Laws: The TENANT, at its sole expense, shall comply with all laws, orders, and regulations of Federal, State, and Municipal authorities, and with any direction of any public officer, pursuant to the law, which imposes any duty upon the TENANT with respect to the leased property. The TENANT, at its sole expense, shall obtain all licenses or permits which may be required by the conduct of its business within the terms of this Lease or for the making of repairs, alterations, improvements or additions. The TENANT shall comply

with the requirements of all policies of public liability, hazard, and all other types of insurance in force with respect to the buildings and other improvements on the leased property.

10. **Surrender of Premises:** The TENANT shall, on the last day of the term, peaceably and quietly surrender the leased property to the LANDLORD, including any improvements placed thereon by either LANDLORD or TENANT.

11. **Condemnation:** If the entire premises are condemned or taken in any manner for public or quasi-public use, including, but not limited to, a conveyance or assignment in lieu of a condemnation, this Lease shall automatically terminate on the earlier of the date when title vests or the TENANT is dispossessed by the condemnation or other taking. If a part of the premises is condemned or taken, this Lease shall automatically terminate as to that portion of the premises so taken. If such condemnation of a portion of the premises renders the remaining portion unusable for the business of the TENANT, the TENANT may, with ninety days written notice to the LANDLORD terminate the Lease on the remaining portion. Such termination shall be without prejudice to the rights of either the LANDLORD or the TENANT to recover compensation from the condemning authority of any loss or damage caused by such condemnation. Neither the LANDLORD nor the TENANT shall have any rights in any award made to the other by condemning authority.

12. **Destruction of Premises:** If all or any part of the leased property is damaged or destroyed by fire or other casualty so that the demised premises are unfit for use, the TENANT shall have the option within thirty (30) days after the date of such casualty to elect to terminate this lease or to repair and rebuild the damaged part.

13. **Default:** If TENANT shall be in default in the performance of any conditions hereof, and fail to correct and rectify any such default within thirty (30) days after TENANT receives written notice adequately identifying a default; and with receipt of a written registered notice, LANDLORD may repossess same as if this Lease had not been made, and shall thereupon have the right to cancel this Lease without prejudice. LANDLORD, waives all rights of distraint against the equipment, personal property, inventory, furniture, and fixtures of the TENANT.

14. **Performance of Landlord's Obligation:** If the LANDLORD shall breach any of the conditions required to be performed by it under the Lease, and shall fail to correct same within thirty (30) days of written registered notice to the LANDLORD of its intention to do so, in which event this lease shall terminate upon the date fixed in such notice, unless the LANDLORD shall meanwhile cure the default.

15. **Estoppel Certificate:** TENANT will, at any time, and from time to time, upon not less than ten (10) days prior request by LANDLORD, execute, acknowledge, and deliver to LANDLORD without additional consideration, a statement in writing executed by TENANT certifying that TENANT is in possession of the premises under the terms of this Lease; that the Lease is unmodified and in full effect; or if there have been modifications, that this Lease is in full effect as modified, and setting forth such modifications; and the dates to which rent has been paid, and either stating that to the knowledge of the TENANT, no default exists hereunder or

specifying each such default to which TENANT may have knowledge; and such other matters as may be reasonably requested by LANDLORD, it being intended that any such statement by TENANT be relied upon by any prospective purchaser or mortgagee of the property.

16. **Notices:** Any notice under this lease must be made in writing and must be sent by registered or certified mail to the last address of the party to whom the notice is given as designated by such party in writing.

The LANDLORD hereby designates its address as:

City of Florence
Attn: City Manager
324 West Evans Street
Florence, SC 29501

The TENANT hereby designates its address as:

Steven M. Calcutt, Esquire
P. O. Box 31
Florence, South Carolina 29503

17. **Waiver:** Failure of either party to insist upon strict performance of any covenant or condition of this Lease, in any or more instances, shall not be construed as a waiver for the future of any such covenant or condition, but, the same shall be and remain in full force and effect.

18. **Binding Effect:** The covenants, terms, conditions, provisions and undertakings in this Lease, or in any renewals thereof, shall extend to, and be binding upon, the heirs and executors administrators, and successors and assigns of the respective parties hereto, as if they were in every case named and expressed, and, shall be construed as covenants running with the land, and, whenever reference is made to either of the parties hereto, it shall be held to include and apply also to the heirs, executors, administrators, successors and assigns of such party, as if in each case so expressed.

19. **Warranty of Authority and Title:** Both parties, whose signatures are below inscribed, expressly warrant that they have full express authority to bind the respective parties on whose behalf they are signing, to the terms of this Agreement of Lease. LANDLORD warrants that it has good marketable title and that it will not interfere with the TENANT'S use of the Premises as described herein.

20. **Entire Agreement, Modification, and Severability:** This Lease contains the entire agreement between the parties, and shall not be modified in any manner except by an instrument in writing, executed by the parties. If any term or provision of this Lease, or the application thereof, to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Lease, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and

each term and provision of this Lease shall be valid and shall be enforced to the fullest extent permitted by law.

IN WITNESS WHEREOF, the LANDLORD and TENANT subscribed their names and affixed their seals the day and year first above written.

WITNESSES:

LANDLORD:

City of Florence, SC

By: _____
Randall Osterman, City Manager

TENANT:

Steven M. Calcutt

Calcutt Law Firm

By: _____
Steven M. Calcutt

[Signatures Continue on Next Page]

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

PROBATE
(City of Florence)

Before me, a notary public, personally appeared the undersigned witness, who, being duly sworn, deposed and said as follows: s/he is not a party or beneficiary of the transaction for which this instrument has been executed; s/he saw Randall Osterman as City Manager of the **City of Florence** who s/he personally knows or has identified through satisfactory evidence, sign, seal and deliver the foregoing **Lease** as the act and deed of the **City of Florence** that s/he together with the second subscribing witness witnessed the execution thereof.

Signature of Witness

SWORN TO and subscribed before me
this ____ day of _____, 2020

_____(SEAL)
Notary Public for South Carolina
My Commission Expires: _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

PROBATE
(Steven M. Calcutt and Calcutt Law Firm)

Before me, a notary public, personally appeared the undersigned witness, who, being duly sworn, deposed and said as follows: he/she is not a party or beneficiary of the transaction for which this instrument has been executed; he/she saw **Steven M. Calcutt** who he/she personally knows or has identified through satisfactory evidence, sign, seal and deliver the foregoing **Lease** as the act and deed of the himself individually and as authorized agent for Calcutt Law Firm, and he/she together with the second subscribing witness witnessed the execution thereof.

Signature of Witness

SWORN TO and subscribed before me
this ____ day of _____, 2020

_____(SEAL)
Notary Public for South Carolina
My Commission Expires: _____

EXHIBIT A
Property Description

The office suite located upstairs, the storage area located upstairs, and the conference room located downstairs (areas designated as Suites A, C, and D) on that certain piece, parcel and lot of land, together with improvements thereon, situate, lying and being in the City and County of Florence, State of South Carolina, fronting on the East side of South McQueen Street shown and designated as Lot No. 10 on the old City plat recorded in the office of the Clerk of Court for Florence County in Plat Book 4 at page 16, said lot measuring and fronting on South McQueen Street for a distance of 65 feet, more or less, and extending back therefrom for a distance of 218 feet, more or less. Reference is had to the above referenced Plat for a more complete and accurate description of said property.

In addition, the Tenant shall have the right to utilize the parking area on the above described property during the term of the Lease, said parking usage to be shared with the tenant occupying the downstairs office suite on the premises.

This being a portion of the property conveyed to the City of Florence by deed dated July 12, 2020 and recorded in the office of the Clerk of Court for Florence County in Deed Book B700 at page 898.

Portion of Tax Map No. 90074-05-002.

FLORENCE CITY COUNCIL MEETING

VI. a
Bill No. 2020-28
First and Final Reading

DATE: September 14, 2020

AGENDA ITEM: Ordinance

DEPARTMENT/DIVISION: City Administration

I. ISSUE UNDER CONSIDERATION

An Emergency Ordinance to extend emergency measures put in place previously by Emergency Ordinances No. 2020-20, 2020-12, and 2020-13 to include the requirement established that individuals wear face coverings in establishments open to the public and foodservice establishments, and other matters related in response to the COVID-19 emergency.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

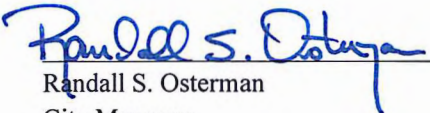
City Council previously established Emergency Ordinances No. 2020-20, 2020-12, and 2020-13 in response to the COVID-19 emergency. Ordinance 2020-13 has been previously extended in June and August by Resolution (2020-14 and 2020-19).

III. POINTS TO CONSIDER

- A. This Ordinance will combine previous Ordinances and Resolutions related to emergency measures associated with COVID-19.
- B. South Carolina Department of Health & Environmental Control has reported that the continuation of emergency measures to include face covering requirements is making a significant impact on slowing the spread of COVID-19 cases, and Ordinance No. 2020-20 requiring face coverings will expire on September 11, 2020.
- C. The extension of this Ordinance is required in order to allow remote meetings which are necessary to meet social distancing recommendations.
- D. Providing authority to the City Manager to cancel and revoke special event permits on city-owned property or rights-of-way for large social gatherings (over 50 people), or events requiring the use of City employees or equipment will promote social distancing efforts and protects the public and City employees.

E. ATTACHMENTS

Ordinance No. 2020 - 28


Randall S. Osterman
City Manager

EMERGENCY ORDINANCE NO. 2020- 28

AN EMERGENCY ORDINANCE TO EXTEND EMERGENCY MEASURES PUT IN PLACE PREVIOUSLY BY EMERGENCY ORDINANCES NO. 2020-20, 2020-12, AND 2020-13 TO INCLUDE THE REQUIREMENT ESTABLISHED THAT INDIVIDUALS WEAR FACE COVERINGS IN ESTABLISHMENTS OPEN TO THE PUBLIC AND FOODSERVICE ESTABLISHMENTS, AND OTHER MATTERS RELATED IN RESPONSE TO THE COVID-19 EMERGENCY.

WHEREAS, the 2019 Novel Coronavirus (“COVID-19”) is a respiratory disease that can result in serious illness or death by the SARS-CoV-2 virus, which is a new strain of coronavirus previously unidentified in humans and which can spread from person to person;

WHEREAS, the World Health Organization declared COVID-19 a Public Health Emergency of International Concern on January 30, 2020;

WHEREAS, the Centers for Disease Control and Prevention (the “CDC”) has warned of the high public health threat posed by COVID-19 globally and in the United States;

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency in the United States for COVID-19 under Section 391 of the Public Health Service Act;

WHEREAS, on March 13, 2020, the President of the United States declared that the COVID-19 outbreak in the United States constitutes a national emergency, which began on March 1, 2020;

WHEREAS, also on March 13, 2020, the Governor of the State of South Carolina (the “State”) issued Executive Order 2020-08, declaring a State of Emergency based on a determination that the COVID-19 poses an actual or imminent public health emergency for the State;

WHEREAS, the Governor of the State has subsequently declared a continued State of Emergency in Executive Orders 2020-15 (March 28, 2020), and it has been repeatedly extended with the latest being Executive Order 2020-56 issued on August 25, 2020;

WHEREAS, the State and the Florence area have continued to experience an increase in the number of identified new COVID-19 cases, and the South Carolina Department of Health and Environmental Control (“DHEC”) has reported that the continuation of emergency measures to include face covering requirements is making a significant impact on slowing the spread of COVID-19 cases;

WHEREAS, health authorities, including the CDC, the Surgeon General of the United States, and DHEC have recommended the use of face coverings as a means of preventing the spread of COVID-19;

WHEREAS, the South Carolina Attorney General, on June 25, 2020, issued a public statement that enacting local mask requirements is within the police power of municipalities and is not preempted by State law;

WHEREAS, the Florence City Council has previously unanimously adopted Emergency Ordinances designed to properly react to the emergency presented by the pandemic including, but not limited to Emergency Ordinance No. 2020-20, Emergency Ordinance 2020-13, and Emergency Ordinance 2020-12;

WHEREAS, it has been determined by the City Council that the extension of the Emergency Ordinances is in the best interest of the City of Florence and its citizens;

WHEREAS, S.C. Code § 5-7-250(d) provides that “[t]o meet public emergencies affecting life, health, safety or the property of the people, council may adopt emergency ordinances; but such ordinances shall not levy taxes, grant, renew or extend a franchise or impose or change a service rate. Every emergency ordinance shall be enacted by the affirmative vote of at least two-thirds of the members of council present. An emergency ordinance is effective immediately upon its enactment without regard to any reading, public hearing, publication requirements, or public notice requirements. Emergency ordinances shall expire automatically as of the sixty-first day following the date of enactment;” and

WHEREAS, this Ordinance has been approved by at least two-thirds of the Councilmembers present at the meeting in which it was considered;

NOW, THEREFORE, it is hereby ordained by the City Council of the City of Florence as follows:

I. Extension of Emergency Ordinance No. 2020-20

- (a) The City hereby declares that the emergency situation created by the 2019 Novel Coronavirus (COVID-19) pandemic situation continues to exist, and, therefore, all of the provisions contained in Emergency Ordinance No. 2020-020 previously adopted are hereby extended for an additional sixty (60) days as fully as if set forth verbatim herein.
- (b) This Ordinance shall expire automatically at Midnight on November 11, 2020 unless its Term is extended by City Council by resolution for one or more additional terms, each such term for no more than sixty days, provided that the aggregate term of the Emergency Term, including all such extensions, does not exceed six months.

II. Extension of Provisions in Emergency Ordinances No. 2020-12

- (a) The City hereby declares that the emergency situation created by the 2019 Novel Coronavirus (COVID-19) pandemic situation continues to exist, and, therefore, all of the provisions contained in Emergency Ordinance No. 2020-012 previously

adopted are hereby extended for an additional sixty (60) days as fully as if set forth verbatim herein.

- (b) This Ordinance shall expire automatically at Midnight on November 11, 2020 unless its Term is extended by City Council by resolution for one or more additional terms, each such term for no more than sixty days, provided that the aggregate term of the Emergency Term, including all such extensions, does not exceed six months.

III. Extension of Provisions in Emergency Ordinances No. 2020-13

- (a) The City hereby declares that the emergency situation created by the 2019 Novel Coronavirus (COVID-19) pandemic situation continues to exist, and, therefore, all of the provisions contained in Emergency Ordinance No. 2020-013 previously adopted are hereby extended for an additional sixty (60) days as fully as if set forth verbatim herein.
- (b) This Ordinance shall expire automatically at Midnight on November 11, 2020 unless its Term is extended by City Council by resolution for one or more additional terms, each such term for no more than sixty days, provided that the aggregate term of the Emergency Term, including all such extensions, does not exceed six months.

IV. Effective Date and Time. This Emergency Ordinance shall take immediately upon its adoption by at least two-thirds of the Councilmembers present.

ADOPTED THIS _____ day of September, 2020.

Approved as to form:

JAMES W. PETERSON, JR.
City Attorney

STEPHEN J. WUKELA
Mayor

Attest:

Amanda Pope
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: September 14, 2020
AGENDA ITEM: Ordinance - - First Reading
DEPARTMENT/DIVISION: Utilities/Stormwater

I. ISSUE UNDER CONSIDERATION

An ordinance submission approving the construction of capital improvement projects including the repair and retrofitting of the stormwater system to minimize damage to public and private property.

II. CURRENT STAFF/PREVIOUS ACTION TAKEN

- A. Staff investigated the volume and location of customer stormwater complaints during and after rainfall events that affected public and private properties.
- B. The City's stormwater system continues to face ongoing challenges with the increased volume of rainfall events such as hurricanes and intensified single event storms.
- C. At a budget work session held on April 29, 2020, City Council was provided with an updated listing of capital projects. The projects are provided as Exhibit A.

III. POINTS TO CONSIDER


- A. The adoption of this ordinance will allow improved operation of the stormwater system to minimize the impact of stormwater runoff damage to public and private property.

IV. STAFF RECOMMENDATION


Approval and adoption of the proposed ordinance of stormwater capital projects.

V. ATTACHMENT

A copy of the proposed projects are attached.



Michael Hemingway
Utilities Director



Randall S. Osterman
City Manager

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:

Stormwater Capital Projects

Culvert Projects

• Dargan & Elm Street	\$165,000
• Cheves Street Underpass	\$200,000
• Tarleton Estates	\$295,000
• Malden Drive	\$310,000
• Oakland Avenue	\$410,000
• Sandhurst	\$585,000

Outfall/Piping Projects

• Rebecca Street	\$240,000
• Cannon Street	\$400,000
• Thomas Road	\$485,000
• Pennsylvania	\$1,525,000

Water Quality Project

• Timrod Park	\$500,000
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Ditch Piping Projects

• St. Anthony's & College Park	<u>\$515,000</u>
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Total **\$5,630,000**

ORDINANCE NO. 2020-_____

AN ORDINANCE FOR STORMWATER MANAGEMENT SYSTEM CAPITAL PROJECTS

WHEREAS, continued use and operation of the Stormwater Management System of the City of Florence is important and necessary for the health, welfare, and public good of the citizens, and

WHEREAS, the City has determined that proper management of stormwater runoff will minimize damage to public and private property, ensure a functional drainage system, reduce effects of development on land and stream channel erosion, assist in the attainment and maintenance of water quality standards, enhance the local government associated with the drainage system, reduce local flooding, maintain as nearly as possible predevelopment runoff characteristics of the area, and facilitate economic development while mitigating associated flooding and drainage impacts; and

WHEREAS, the Stormwater Management System faces ongoing challenges related to capital improvement needs to ensure operation; and

WHEREAS, the capital projects of the Stormwater Management System of the City of Florence will improve the system as needed and required for the public good; and

WHEREAS, the Stormwater Management System is operated by the direction of Council; and

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Council of the City of Florence, South Carolina that the Stormwater Capital Improvement Projects included in "Exhibit A" are approved for the forthcoming Stormwater General Bond Ordinance in meeting duly assembled and by the authority thereof:

ADOPTED THIS _____ DAY OF _____, 2020

APPROVED as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela
Mayor

Attest:

Amanda P. Pope
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

VI. c
Bill No. 2020-30
First Reading

DATE: September 14, 2020
AGENDA ITEM: FY 2020-21 Budget Amendment Ordinance
DEPARTMENT/DIVISION: Finance

I. ISSUE UNDER CONSIDERATION

An amendment to the FY 2020-21 City of Florence Budget is presented to update the current year budget.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

No previous action has been taken on this ordinance.

III. POINTS TO CONSIDER

A. The objective of the proposed ordinance is to more closely align budgeted amounts with actual revenues and expenditures thereby eliminating or reducing significant variances between budgeted and actual amounts in both revenue and expenditure categories.

B. Funds are being re-appropriated from fiscal year 2019-20 to provide funding from Unappropriated Reserves for FY 2020-21 in the General Fund, the Water & Sewer Utilities Enterprise Fund, the Hospitality Fund, the Water & Sewer Equipment Replacement Fund, and the Stormwater Equipment Replacement Fund to complete projects and purchases which were not finalized at the end of fiscal year 2019-20.

IV. STAFF RECOMMENDATION

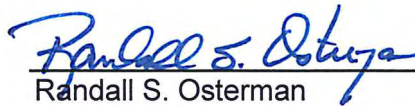
Approve and adopt the proposed ordinance.

V. ATTACHMENTS

A copy of the proposed ordinance is attached.



Kevin V. Yokim
Assistant City Manager



Randall S. Osterman
City Manager

ORDINANCE NO. 2020-30

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 TO REAPPROPRIATE FY2019/20 FUNDS FOR UNCOMPLETED PROJECTS AND PURCHASES

BE IT ORDAINED by the City Council of the City of Florence, South Carolina, in a meeting duly assembled and by the authority thereof that the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2020, and ending June 30, 2021, is hereby amended as follows:

Section 1. That the category of revenues of the General Fund in said budget is hereby amended by the additional appropriations as follows:

100375-435010 From Unappropriated Reserve is increased in the amount of \$3,050,000 from Assigned Fund Balance to re-appropriate monies for the completion of projects and purchases which were not finalized at the end of FY 2019-20.

Section 2. That the category of expenditures of the General Fund in said budget is hereby amended by the additional appropriations as follows:

1004130-580020 Office Furniture (City Manager's Office) is funded in the amount of \$4,000 to provide the replacement of a desk.

10042100-580040 Auto Equipment (Police) is increased in the amount of \$202,000 to provide for an SRO replacement SUV (\$40,000), and equipment for patrol vehicles (\$162,000).

10042200-580010 Building & Fixed Equipment (Fire) is increased in the amount of \$10,000 to provide concrete work needed at Fire Station 1.

10043020-580040 Auto Equipment (Beautification & Facilities) is increased in the amount of \$50,000 to provide for the replacement of pickup truck # 304 (\$25,000) and pickup truck # 937 (\$25,000).

10043020-580050 Facility Improvements (Beautification & Facilities) is funded in the amount of \$50,000 to provide for a new Public Utilities shed.

10043022-537000 Vehicle Repairs & Maintenance (Sanitation) is increased in the amount of \$45,000 to provide funding for the replacement of an engine in Sanitation Truck # 408.

10043022-580040 Auto Equipment (Sanitation) is increased in the amount of \$60,000 to provide for the replacement of recycling van # 429 (\$25,000) and recycling van # 428 (\$35,000).

10043022-580060 Other Equipment (Sanitation) is funded in the amount of \$7,000 to provide for the recycling trailer repairs.

10043023-580060 Office Equipment (Equipment Maintenance) is increased in the amount of \$3,000 to provide for the purchase of shop equipment.

10043024-580010 Building & Fixed Equipment (Recreation) is funded in the amount of \$51,600 to provide for a new storage building at Barnes St. (\$35,000), signage for recreation facilities (\$6,100), and Barnes

FY 2020-2021 Budget Amendment Ordinance (continued)

- St. signs and to resurface Levy Park (\$10,500).
- 10043024-580050 Facility Improvements (Recreation) is funded in the amount of \$23,000 for amenities at the Inclusive Playground.
- 10043024-580060 Other Equipment (Recreation) is funded in the amount of \$5,000 to provide for the purchase of gaming equipment.
- 10043024-890000 Miscellaneous Grants (Recreation) is increased in the amount of \$24,000 to provide the matching funds for PARD and SCFC grants.
- 10043025-560070 Marketing and Promotions (Athletic Programs) is increased in the amount of \$260,000 to provide for marketing related expenditures for Freedom Florence, the Tennis Center, the Pearl Moore Gymnasium, and the Soccer Complex.
- 10043025-574030 Tournament Expenditures (Athletic Programs) is increased in the amount of \$4,300 to provide for tournament All Star teams travel expenses.
- 10043025-574080 Athletic Expenses (Athletic Programs) is increased in the amount of \$10,000 to provide for refurbishing football helmets.
- 10043025-580010 Building & Fixed Equipment (Athletic Programs) is funded in the amount of \$10,000 to provide for the soccer cabin improvements.
- 10043025-580040 Auto Equipment (Athletic Programs) is funded in the amount of \$4,000 to provide for a trailer to be used for the Soccer Complex.
- 10043025-580050 Facility Improvements (Athletic Programs) is increased in the amount of \$89,000 for the Soccer Complex field irrigation, pond maintenance and turf program (\$39,000) and Timrod Park tennis courts resurfacing (\$50,000).
- 10043025-580060 Other Equipment (Athletic Programs) is increased in the amount of \$192,000 to provide for track and field complex equipment (\$45,000), Skate Park repair and deck replacement (\$76,000), replacement mower # 950 (\$20,000), a new tractor for the Soccer Complex (\$25,000), a new mower for the Soccer Complex (\$12,000), and two field strippers (\$14,000)
- 10046300-531000 Professional Services (Planning, Research & Development) is increased in the amount of \$50,000 to provide for professional services related to updating the City's Comprehensive Plan.
- 10049200-593125 COVID CARES Supplement (Community Programs) is funded in the amount of \$141,000 to provide carry-over funding to assist the community and downtown businesses as a supplement to the CARES Act.
- 10049300-594020 Contingency Fund (Non-Departmental) is increased in the

FY 2020-2021 Budget Amendment Ordinance (continued)

- amount of \$50,000 to provide for contingency funding for unanticipated General Fund projects, programs and/or other requirements in FY 2020-21.
- 10049300-594070 ERP Management System (Non-Departmental) is increased in the amount of \$8,500 to provide funding for Munis licensing.
- 10049300-594080 Special Projects (Non-Departmental) is increased in the amount of \$15,000 to provide for the General Fund portion of upgrades to the City's website.
- 10049300-594100 Animal Shelter Improvements (Non-Departmental) is funded in the amount of \$10,000 to provide funding for improvements to the animal shelter. These funds were donated to the City for this purpose.
- 10049300-594101 Recreation Facilities (Non-Departmental) is funded in the amount of \$22,000 to provide for existing recreation facilities improvements and upgrades.
- 10049300-594103 High Hill Creek Bike Trail (Non-Departmental) is funded in the amount of \$4,000 to provide for completion of the bike trail.
- 10049300-594130 IT Upgrade (Non-Departmental) is increased in the amount of \$17,100 to provide funds for IT upgrades in the General Fund related to IT system equipment replacement and upgrades.
- 10049300-594140 Rail to Trail (Non-Departmental) is funded in the amount of \$1,500 to provide for rail to trail maintenance.
- 10049300-594160 Property Acquisition (Non-Departmental) is funded in the amount of \$172,000 to provide for the acquisition of property located for Fire Station 6.
- 10049300-594165 Timrod Park Museum (Non-Departmental) is funded in the amount of \$984,000 to provide for renovations to the old Florence Museum building.
- 10049300-594158 Children's Museum (Non-Departmental) is funded in the amount of \$275,000 to provide for a children's museum.
- 10049300-598040 Downtown Promotions (Non-Departmental) is increased in the amount of \$16,000 to provide carry-over funding for the Downtown Promotion TV Campaign.
- 10049300-598130 Florence Center (Non-Departmental) is funded in the amount of \$180,000 to provide additional funding for additional Civic Center renovations capital expansion and improvement costs. The City and County are equally sharing a portion of the cost of these renovations.

Section 3. That the category of revenues of the Water and Sewer Enterprise Fund in said budget

FY 2020-2021 Budget Amendment Ordinance (continued)

is hereby amended by the additional appropriations as follows:

200375-435010 From Unappropriated Reserve is funded in the amount of \$406,000 from unrestricted net assets.

Section 4. That the category of expenses of the Water and Sewer Enterprise Fund in said budget is hereby amended as follows:

20044044-534070 Building Maintenance (Distribution Operations) is increased in the amount of \$20,000 to provide for Public Works building repairs and a new Public Utilities shed.

20049300-594020 Contingency Fund (Non-Departmental) is increased in the amount of \$100,000 to provide for contingency funding for unanticipated water and sewer facilities maintenance and improvements required in FY 2020-21.

20049300-594080 Special Projects (Non-Departmental) is increased in the amount of \$15,000 to provide for the Water and Sewer Enterprise Fund portion of upgrades to the City's website.

20049300-594125 Economic Development (Non-Departmental) is increased in the amount of \$250,000 to provide carry-over funding for economic development incentives.

20049300-594130 IT Upgrade (Non-Departmental) is increased in the amount of \$21,000 to provide funds for IT upgrades in the Water and Sewer Utilities Enterprise Fund related to IT system equipment replacement and upgrades.

Section 5. That the category of revenues of the Water and Sewer Equipment Replacement Fund in said budget is hereby amended by the additional appropriations as follows:

210375-435010 From Unappropriated Reserve is funded in the amount of \$252,000 from unrestricted net assets.

Section 6. That the category of expenses of the Water and Sewer Equipment Replacement Fund in said budget is hereby amended by the additional appropriations as follows:

21044040-580030 Office Equipment (Engineering Equipment Replacement) is funded in the amount of \$20,000 to provide funding for a large format copier/scanner.

21044040-580060 Other Equipment (Engineering Equipment Replacement) is funded in the amount of \$12,000 to provide funding for a survey station.

21044041-580040 Auto Equipment (Wastewater Equipment Replacement) is increased in the amount of \$75,000 to provide funding for the replacement of bucket truck # 652.

FY 2020-2021 Budget Amendment Ordinance (continued)

21044043-580060 Other Equipment (Ground Water Equipment Replacement) is increased in the amount of \$125,000 to provide for an emergency generator.

21044045-580060 Other Equipment (Collection Operations Equipment Replacement) is increased in the amount of \$20,000 to provide for the replacement of asphalt roller #696.

Section 7. That the category of revenues of the Stormwater Equipment Replacement Fund in said budget is hereby amended by the additional appropriations as follows:

310375-435010 From Unappropriated Reserve is funded in the amount of \$230,000 from unrestricted net assets.

Section 8. That the category of expenses of the Stormwater Equipment Replacement Fund in said budget is hereby amended by the additional appropriations as follows:

31044060-580040 Auto Equipment (Stormwater Operations Equipment Replacement) is funded in the amount of \$80,000 to provide for the replacement of flatbed truck # 831.

31044060-580060 Other Equipment (Stormwater Operations Equipment Replacement) is funded in the amount of \$150,000 to provide for the replacement of ditch excavator # 853.

Section 9. That the category of revenues of the Hospitality Fund in said budget is hereby amended by the additional appropriations as follows:

400375-435010 From Unappropriated Reserve is funded in the amount of \$3,000 from fund balance.

Section 10. That the category of expenditures of the Hospitality Fund in said budget is hereby amended by the additional appropriations as follows:

40049900-598049 Wayfinding Signage (Hospitality Fund General Expenditures) is funded in the amount of \$3,000 for the acquisition of wayfinding signage.

Section 11. That all ordinances or parts of ordinances in conflict or inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency or conflict.

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

Signature page follows.

FY 2020-2021 Budget Amendment Ordinance (continued)

ADOPTED THIS _____ DAY OF _____, 2020.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela
Mayor

Attest:

Amanda Pope
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

VI. d
Bill No. 2020-31
First Reading

DATE: September 14, 2020
AGENDA ITEM: FY 2020-21 Budget Amendment Ordinance
DEPARTMENT/DIVISION: Finance

I. ISSUE UNDER CONSIDERATION

An amendment to the FY 2020-21 City of Florence Budget is presented to update the current year budget.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

No previous action has been taken on this ordinance.

III. POINTS TO CONSIDER

A. The objective of the proposed ordinance is to more closely align budgeted amounts with actual revenues and expenditures thereby eliminating or reducing significant variances between budgeted and actual amounts in both revenue and expenditure categories.


B. Funds are being appropriated from fund balance in excess of 30% of the expenditures to provide funding from Unappropriated Reserves for FY 2020-21 in the General Fund for one-time purchases.

IV. STAFF RECOMMENDATION

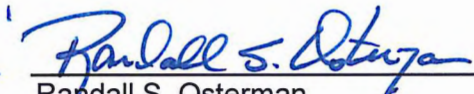
Approve and adopt the proposed ordinance.

V. ATTACHMENTS

A copy of the proposed ordinance is attached.



Kevin V. Yokim
Assistant City Manager



Randall S. Osterman
City Manager

ORDINANCE NO. 2020-31

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 TO APPROPRIATE FUNDS FROM EXCESS FUND BALANCE.

BE IT ORDAINED by the City Council of the City of Florence, South Carolina, in a meeting duly assembled and by the authority thereof that the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2020, and ending June 30, 2021, is hereby amended as follows:

Section 1. That the category of revenues of the General Fund in said budget is hereby amended by the additional appropriations as follows:

100375-435010 From Unappropriated Reserve is increased in the amount of \$3,808,900 from Unassigned Fund Balance to appropriate monies for one-time purchases from the excess of fund balance which is 30% of expenditures.

Section 2. That the category of expenditures of the General Fund in said budget is hereby amended by the additional appropriations as follows:

10042100-580040 Auto Equipment (Police) is increased in the amount of \$1,200,000 to provide for 25 police vehicles.

10043024-580050 Facility Improvements (Recreation) is funded in the amount of \$50,000 to provide for the Park at the Library project.

10043025-580050 Facility Improvements (Athletic Programs) is increased in the amount of \$600,000 to provide for the resurfacing of tennis court at the Florence Tennis Center and Timrod Park (\$150,000) and improvements to the Florence Soccer Center (\$450,000).

10046300-531000 Professional Services (Planning) is increased in the amount of \$125,000 to provide for professional services required to update the City's comprehensive plan.

10049300-594007 Neighborhood Redevelopment (Non-Departmental) is increased in the amount of \$200,000 to provide additional funding for neighborhood redevelopment projects.

10049300-594145 FMU Appropriations (Non-Departmental) is funded in the amount of \$1,530,000 to provide for the transfer of the old Circle Park building to Francis Marion University for medical education purposes.

10049300-594160 Property Acquisition (Non-Departmental) is funded in the amount of \$103,900 to provide for the purchase of property for a new fire station (\$53,900) and for the rail trail (\$50,000).

Section 3. That all ordinances or parts of ordinances in conflict or inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency or conflict.

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

Signature page follows.

FY 2020-2021 Budget Amendment Ordinance (continued)

ADOPTED THIS _____ DAY OF _____, 2020.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela
Mayor

Attest:

Amanda Pope
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: September 14, 2020

AGENDA ITEM: Proposed text amendments to the City of Florence Unified Development Ordinance to add breweries, brewpubs, distilleries, micro-breweries, and micro-distilleries as conditional uses in commercial and industrial zoning designations within the City of Florence.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Proposed text amendments to the City of Florence Unified Development Ordinance: Table 1-2.7.4, "Commercial Uses" and Section 1-2.8.4 "Commercial Use Standards" add brewpubs as a conditional use within the Commercial General (CG), Central Business District (CBD), Activity Center (AC), and Destination/Select Use (DS); to add micro-breweries as a conditional use in the CG, CBD, AC, DS, Light Industrial (IL), & Heavy Industrial (IH) zoning designations; and add micro-distilleries as a conditional use in the CG, CBD, AC, DS, IL, & IH zoning designations.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

- (1) On July 14, 2020 Planning Commission held the first public hearing on this matter and voted unanimously (9-0) to defer the matter, asking staff to research and further delineate the intensity of production allowed in each zoning district.
- (2) On August 11, 2020 Planning Commission held a public hearing on this matter and voted unanimously (6-0) to recommend the amendment to City Council.

III. POINTS TO CONSIDER:

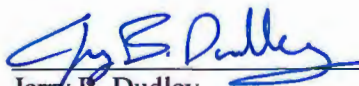
- 1) Request is being considered for first reading.
- 2) In conducting research, City Staff realized the necessity to be proactive and define other uses associated with the brewing and distilling of alcoholic beverages, namely breweries, distilleries, micro-breweries, and micro-distilleries. These uses are common in urban areas nationwide to include South Carolina communities such as Greenville, Charleston, Columbia, Greer, and Hartsville to name a few.
- 3) The text amendments have been prepared by the Planning, Research and Development Department in an effort to clarify the intent of the ordinance and allow for reasonable development within the City.
- 4) The proposed uses are delineated based on their anticipated intensity and production numbers: by the barrel (31 gallons) for breweries and by the case (9 liters or about 2.38 gallons) for distilleries:
 - **Breweries** – Heavy Industrial beer brewing without a limitation on barrel production
 - **Brewpubs** – Food service and on-site alcohol beverage sales with the ability to brew beer onsite up to 2,000 barrels annually
 - **Micro-breweries** – Beer brewery with limited production ability (up to 15,000 barrels) dependent on zoning designation. These establishment may have a tasting room per State regulations, which limits the amount of product that can be sold to an individual.
 - **CG, CBD, AC, and DS** would allow up to 3,000 barrels annually

- **IL** would allow up to 10,000 barrels annually
 - **IH** would allow up to 15,000 barrels annually
- **Distilleries** – Heavy Industrial liquor distilling without a limitation on case production
- **Micro-distilleries** – Liquor distillery with limited production (up to 125,000 cases) ability dependent on zoning designation. These establishments may have a tasting room per State regulations, which limits the amount of product that can be sold to an individual.
 - **CG, CGB, AC, and DS** would allow up to 5,000 cases annually
 - **IL** would allow up to 50,000 cases annually
 - **IH** would allow up to 125,000 cases annually
- 5) The proposed amendments to the Unified Development Ordinance are in alignment with State regulations and common industry definitions.
- 6) City staff recommends the proposed text amendments as they guide development in a manner consistent with the stated purpose of the Unified Development Ordinance. Brewpubs would be restricted to the same commercial zoning designations as the existing use of on-site alcohol consumption (bar), and production facilities would be allowed in commercial and industrial locations based upon their intensity and character.

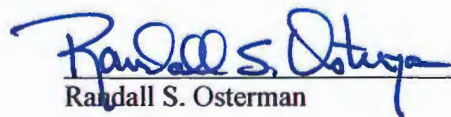
IV. PERSONAL NOTES:

V. ATTACHMENTS:

- A. Proposed additions to the *City of Florence Unified Development Ordinance*
- B. Ordinance



 Jerry B. Dudley
 Planning Director



 Randall S. Osterman
 City Manager

Attachment A: Proposed additions to the City of Florence Unified Development Ordinance

Sec. 1-2.7.4 Commercial Uses

Set out in Table 1-2.7.4, Commercial Uses is which commercial uses are allowed in each zoning district

Table 1-2.7.4 Commercial Uses															
Land Use	Zoning Districts														
	Residential					Business & Commercial			Mixed-Use			Industrial		Agricultural & Open Space	
	RE	RS	RG	RU	NC	CR	CA	CG	CBD	AC	DS	IL	IH	OSR	AR
Commercial Uses															
Brewpub	-	-	-	-	-	-	-	C	C	C	C	-	-	-	-
Micro-brewery	-	-	-	-	-	-	-	C	C	C	C	C	C	-	-
Micro-distillery	-	-	-	-	-	-	-	C	C	C	C	C	C		
RE (Estate Residential), RS (Suburban Residential), RG(General Residential), RU (Urban Residential), NC (Neighborhood Conservation), CR (Commercial Re-use), CA (Campus), CG (Commercial General), CBD (Central Business District), AC (Activity Center), DS (Destination / Select Use), IL (Light Industrial), IH (Heavy Industrial), OSR (Open Space & Recreation), AR (Agriculture / Rural), P (Permitted), C (Conditional), SE (Permitted Special Exception Use), - (Prohibited Use), B (subscript, Special site and Building Development Standards)															

Sec. 1-2.8.4 Commercial Use Standards

The standards of this Section apply to commercial uses that are specified in Table 1-2.7.4, Commercial Uses as conditional (C) or permitted special exception (SE).

G. Brewpubs are permitted if it is demonstrated that:

1. The use will be operated in accordance with all applicable laws to include SC Title 61, Chapter 4, Article 15, which regulates the construction and operation of breweries and wineries; and
2. A state permit as required by SC Title 61, Chapter 6, Article 11, shall be obtained prior to beginning operation; and
3. Alcoholic Beverage Sales (Onsite Consumption) conditions listed in Section 1-2.8.4A are met for the applicable Zoning District; and
4. Maximum annual production shall be limited to 2000 US beer barrels; and
5. All manufacturing operations contained within a fully enclosed building; and
6. Loading area must be located to the side or rear of the structure; and
7. Deliveries are limited to between the hours of 7:00 A.M. and 9:00 P.M. on any day; and
8. No outside storage is allowed; and
9. The use shall include a commercial kitchen which demonstrates that:
 - a. food sales constitute at least 30% of the regular source of business to the licensed establishment: and
 - b. Meals are served upon the demand of guests and patrons during normal meal times that occur when the licensed business establishment is open to the public; and

- c. An adequate supply of food is present on the licensed premises to meet the demand.

M. Micro-breweries are permitted if demonstrated that:

1. In the Activity Center (AC), Central Business District (CBD), Commercial General (CG), and Destination/Select Use (DS) districts:
 - a. The use will be operated in accordance with all applicable laws to include SC Title 61, Chapter 4, Article 15, which regulates the construction and operation of breweries and wineries; and
 - b. A state permit as required by SC Title 61, Chapter 6, Article 11, shall be obtained prior to beginning operation; and
 - c. Alcoholic Beverage Sales (Onsite Consumption) conditions listed in Section 1-2.8.4(A) are met for the applicable Zoning District; and
 - d. Maximum annual production shall be limited to 3,000 US beer barrels and;
 - e. All manufacturing operations contained within a fully enclosed building; and
 - f. Loading area must be located to the side or rear of the structure; and
 - g. Deliveries are limited to between the hours of 7:00 A.M. and 9:00 P.M. on any day; and
 - h. No outside storage is allowed.
2. In the Light Industrial (IL) District:
 - a. The use will be operated in accordance with all applicable laws to include SC Title 61, Chapter 4, Article 15, which regulates the construction and operation of breweries and wineries; and
 - b. A state permit as required by SC Title 61, Chapter 6, Article 11, shall be obtained prior to beginning operation; and
 - c. Industrial conditions listed in Section 1-2.8.5(E) are met for the applicable zoning district; and
 - d. Maximum annual production shall be limited to 10,000 US beer barrels; and
 - e. All manufacturing operations contained within a fully enclosed building; and
 - f. Loading area must be located to the side or rear of the structure; and
 - g. If alcoholic beverages are sold on-site:
 1. The use shall be located a minimum distance of 500 feet from another alcoholic beverage sales business with onsite consumption; and
 2. Patron seating is indoor only; or
 3. Outdoor patron seating is located a minimum of 700 feet from the nearest property line of a residential unit and is not visible from any single family property.

3. In the Heavy Industrial (IH) District:
 - a. The use will be operated in accordance with all applicable laws to include SC Title 61, Chapter 4, Article 15, which regulates the construction and operation of breweries and wineries; and
 - b. A state permit as required by SC Title 61, Chapter 6, Article 11, shall be obtained prior to beginning operation; and
 - c. Industrial conditions listed in Section 1-2.8.5(B) are met for the applicable zoning district; and
 - d. Maximum annual production shall be limited to 15,000 US beer barrels; and
 - e. If alcoholic beverages are sold on-site:
 1. The use shall be located a minimum distance of 500 feet from another alcoholic beverage sales business with onsite consumption; and
 2. Patron seating is indoor only; or
 3. Outdoor patron seating is located a minimum of 700 feet from the nearest property line of a residential unit and is not visible from any single family property.

O. Micro-distilleries are permitted if it is demonstrated that:

1. In the Activity Center (AC), Central Business District (CBD), Commercial General (CG), and Destination/Select Use (DS) districts:
 - a. The use will be operated in accordance with all applicable laws to include SC Title 61, Chapter 6, Subarticle 11, which regulates the construction and operation of micro-distilleries; and
 - b. A state permit as required by SC Title 61, Chapter 6, Subarticle 11, shall be obtained prior to beginning operation; and
 - c. Alcoholic Beverage Sales (Onsite Consumption) conditions listed in Section 1-2.8.4A are met for the applicable Zoning District; and
 - d. Maximum annual production shall be limited to 5,000 cases; and
 - e. All manufacturing operations contained within a fully enclosed building; and
 - f. Loading area must be located to the side or rear of the structure; and
 - g. Deliveries are limited to between the hours of 7:00 A.M. and 9:00 P.M. on any day; and
 - h. No outside storage is allowed.
2. In the Light Industrial (IL) District:
 - a. The use will be operated in accordance with all applicable laws to include SC Title 61, Chapter 6, Subarticle 11, which regulates the construction and operation of micro-distilleries; and
 - b. A state permit as required by SC Title 61, Chapter 6, Subarticle 11, shall be obtained prior to beginning operation; and
 - c. Industrial conditions listed in Section 1-2.8.5(E) are met for the applicable zoning district; and
 - d. Maximum annual production shall be limited to 50,000 cases; and

- e. All manufacturing operations contained within a fully enclosed building; and
 - f. Loading area must be located to the side or rear of the structure; and
 - g. If alcoholic beverages are sold on-site:
 - 1. The use shall be located a minimum distance of 500 feet from another alcoholic beverage sales business with onsite consumption; and
 - 2. Patron seating is indoor only; or
 - 3. Outdoor patron seating is located a minimum of 700 feet from the nearest property line of a residential unit and is not visible from any single family property.
3. In the Heavy Industrial (IH) District:
- a. The use will be operated in accordance with all applicable laws to include SC Title 61, Chapter 6, Subarticle 11, which regulates the construction and operation of micro-distilleries; and
 - b. A state permit as required by SC Title 61, Chapter 6, Subarticle 11, shall be obtained prior to beginning operation; and
 - c. Industrial conditions listed in Section 1-2.8.5(B) are met for the applicable zoning district; and
 - d. Maximum annual production shall be limited to 125,000 cases; and
 - e. All manufacturing operations contained within a fully enclosed building; and
 - f. Loading area must be located to the side or rear of the structure.
 - g. If alcoholic beverages are sold on-site:
 - 1. The use shall be located a minimum distance of 500 feet from another alcoholic beverage sales business with onsite consumption; and
 - 2. Patron seating is indoor only; or
 - 3. Outdoor patron seating is located a minimum of 700 feet from the nearest property line of a residential unit and is not visible from any single family property.

Division 7-25.2 Definitions

(B)

Brewery – for the purposes of this ordinance, a brewery is considered a heavy industrial use which produces over 15,000 US barrels (465,000 gallons) of beer annually and is compliant with SC Code of Laws Title 61.

Brewpub (see also Alcoholic Beverage Sales, Onsite Consumption) – A tavern, public house, restaurant or hotel which produces on the permitted premises a maximum of two thousand barrels (62,000 gallons) a year of beer for sale on the premises and is compliant with SC Code of Laws Title 61.

(D)

Distillery – for the purposes of this Ordinance, a distillery is considered a heavy industrial use which distills, blends, and bottles alcoholic liquors on the licensed premises in this State with an alcohol content greater than seventeen percent and which produces a quantity of greater than 125,000 cases (297,500 gallons) per year at the licensed premises and is compliant with SC Code of Laws Title 61.

(M)

Micro-brewery - a manufacturer which produces beer with an annual maximum production capacity of fifteen thousand barrels (465,000 gallons) per year at the licensed premises primarily engaged in production and off-site sales and is compliant with SC Code of Laws Title 61.

Micro-distillery - a manufacturer which distills, blends, and bottles alcoholic liquors with an alcohol content greater than seventeen percent and which produces a maximum quantity of 125,000 cases (297,500 gallons) per year at the licensed premises and is compliant with SC Code of Laws Title 61.

ORDINANCE NO. 2020- 32

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TO ADD CONDITIONS FOR AND DEFINE BREWERIES, BREWPUBS, DISTILLERIES, MICRO-BREWERIES, AND MICRO-DISTILLERIES.

WHEREAS, the purpose of the Unified Development Ordinance is to implement the Comprehensive Plan adopted February 14 2011 and updated May 8. 2017, guide development in accordance with existing and future needs, and promote the public health, safety, convenience, order, appearance, prosperity, and general welfare, as well as providing for the orderly development of land within the territorial jurisdiction of the City of Florence;

WHEREAS, the text amendments have been prepared by the Planning, Research, and Development Department in an effort to clarify the intent of the ordinance and allow for reasonable development within the City;

WHEREAS, the Planning Commission and City Staff recommend the proposed text amendments as they guide development in a manner consistent with the stated purpose of the Unified Development Ordinance.

THEREFORE, Table 1-2.7.4 of the *City of Florence Unified Development Ordinance*, shall add the following uses:

Table 1-2.7.4 Commercial Uses																
Land Use	Zoning Districts															
	Residential					Business & Commercial			Mixed-Use			Industrial		Agricultural & Open Space		
	RE	RS	RG	RU	NC	CR	CA	CG	CBD	AC	DS	IL	IH	OSR	AR	
Commercial Uses																
Brewpub	-	-	-	-	-	-	-	C	C	C	C	-	-	-	-	
Micro-brewery	-	-	-	-	-	-	-	C	C	C	C	C	C	-	-	
Micro-distillery	-	-	-	-	-	-	-	C	C	C	C	C	C			

RE (Estate Residential), RS (Suburban Residential), RG (General Residential), RU (Urban Residential), NC (Neighborhood Conservation), CR (Commercial Re-use), CA (Campus), CG (Commercial General), CBD (Central Business District), AC (Activity Center), DS (Destination / Select Use), IL (Light Industrial), IH (Heavy Industrial), OSR (Open Space & Recreation), AR (Agriculture / Rural), P (Permitted), C (Conditional), SE (Permitted Special Exception Use), - (Prohibited Use), B (subscript, Special site and Building Development Standards)

THEREFORE, Section 1-2.8.4 of the City of Florence Unified Development Ordinance, shall read as follows:

Sec. 1-2.8.4 Commercial Use Standards

The standards of this Section apply to commercial uses that are specified in Table 1-2.7.4, Commercial Uses as conditional (C) or permitted special exception (SE).

G. Brewpubs are permitted if it is demonstrated that:

1. The use will be operated in accordance with all applicable laws to include SC Title 61, Chapter 4, Article 15, which regulates the construction and operation of breweries and wineries; and
2. A state permit as required by SC Title 61, Chapter 6, Article 11, shall be obtained prior to beginning operation; and
3. Alcoholic Beverage Sales (Onsite Consumption) conditions listed in Section 1-2.8.4A are met for the applicable Zoning District; and
4. Maximum annual production shall be limited to 2000 US beer barrels; and
5. All manufacturing operations contained within a fully enclosed building; and
6. Loading area must be located to the side or rear of the structure; and
7. Deliveries are limited to between the hours of 7:00 A.M. and 9:00 P.M. on any day; and
8. No outside storage is allowed; and
9. The use shall include a commercial kitchen which demonstrates that:
 - a. food sales constitute at least 30% of the regular source of business to the licensed establishment; and
 - b. Meals are served upon the demand of guests and patrons during normal meal times that occur when the licensed business establishment is open to the public; and
 - c. An adequate supply of food is present on the licensed premises to meet the demand.

M. Micro-breweries are permitted if demonstrated that:

1. In the Activity Center (AC), Central Business District (CBD), Commercial General (CG), and Destination/Select Use (DS) districts:
 - a. The use will be operated in accordance with all applicable laws to include SC Title 61, Chapter 4, Article 15, which regulates the construction and operation of breweries and wineries; and
 - b. A state permit as required by SC Title 61, Chapter 6, Article 11, shall be obtained prior to beginning operation; and
 - c. Alcoholic Beverage Sales (Onsite Consumption) conditions listed in Section 1-2.8.4(A) are met for the applicable Zoning District; and
 - d. Maximum annual production shall be limited to 3,000 US beer barrels and;
 - e. All manufacturing operations contained within a fully enclosed building; and
 - f. Loading area must be located to the side or rear of the structure; and
 - g. Deliveries are limited to between the hours of 7:00 A.M. and 9:00 P.M. on any day; and

h. No outside storage is allowed.

2. In the Light Industrial (IL) District:

- a. The use will be operated in accordance with all applicable laws to include SC Title 61, Chapter 4, Article 15, which regulates the construction and operation of breweries and wineries; and
- b. A state permit as required by SC Title 61, Chapter 6, Article 11, shall be obtained prior to beginning operation; and
- c. Industrial conditions listed in Section 1-2.8.5(E) are met for the applicable zoning district; and
- d. Maximum annual production shall be limited to 10,000 US beer barrels; and
- e. All manufacturing operations contained within a fully enclosed building; and
- f. Loading area must be located to the side or rear of the structure; and
- g. If alcoholic beverages are sold on-site:
 - 1. The use shall be located a minimum distance of 500 feet from another alcoholic beverage sales business with onsite consumption; and
 - 2. Patron seating is indoor only; or
 - 3. Outdoor patron seating is located a minimum of 700 feet from the nearest property line of a residential unit and is not visible from any single family property.

3. In the Heavy Industrial (IH) District:

- a. The use will be operated in accordance with all applicable laws to include SC Title 61, Chapter 4, Article 15, which regulates the construction and operation of breweries and wineries; and
- b. A state permit as required by SC Title 61, Chapter 6, Article 11, shall be obtained prior to beginning operation; and
- c. Industrial conditions listed in Section 1-2.8.5(B) are met for the applicable zoning district; and
- d. Maximum annual production shall be limited to 15,000 US beer barrels; and
- e. If alcoholic beverages are sold on-site:
 - 1. The use shall be located a minimum distance of 500 feet from another alcoholic beverage sales business with onsite consumption; and
 - 2. Patron seating is indoor only; or
 - 3. Outdoor patron seating is located a minimum of 700 feet from the nearest property line of a residential unit and is not visible from any single family property.

O. Micro-distilleries are permitted if it is demonstrated that:

- 1. In the Activity Center (AC), Central Business District (CBD), Commercial General (CG), and Destination/Select Use (DS) districts:

- a. The use will be operated in accordance with all applicable laws to include SC Title 61, Chapter 6, Subarticle 11, which regulates the construction and operation of micro-distilleries; and
 - b. A state permit as required by SC Title 61, Chapter 6, Subarticle 11, shall be obtained prior to beginning operation; and
 - c. Alcoholic Beverage Sales (Onsite Consumption) conditions listed in Section 1-2.8.4A are met for the applicable Zoning District; and
 - d. Maximum annual production shall be limited to 5,000 cases; and
 - e. All manufacturing operations contained within a fully enclosed building; and
 - f. Loading area must be located to the side or rear of the structure; and
 - g. Deliveries are limited to between the hours of 7:00 A.M. and 9:00 P.M. on any day; and
 - h. No outside storage is allowed.
2. In the Light Industrial (IL) District:
- a. The use will be operated in accordance with all applicable laws to include SC Title 61, Chapter 6, Subarticle 11, which regulates the construction and operation of micro-distilleries; and
 - b. A state permit as required by SC Title 61, Chapter 6, Subarticle 11, shall be obtained prior to beginning operation; and
 - c. Industrial conditions listed in Section 1-2.8.5(E) are met for the applicable zoning district; and
 - d. Maximum annual production shall be limited to 50,000 cases; and
 - e. All manufacturing operations contained within a fully enclosed building; and
 - f. Loading area must be located to the side or rear of the structure; and
 - g. If alcoholic beverages are sold on-site:
 1. The use shall be located a minimum distance of 500 feet from another alcoholic beverage sales business with onsite consumption; and
 2. Patron seating is indoor only; or
 3. Outdoor patron seating is located a minimum of 700 feet from the nearest property line of a residential unit and is not visible from any single family property.
3. In the Heavy Industrial (IH) District:
- a. The use will be operated in accordance with all applicable laws to include SC Title 61, Chapter 6, Subarticle 11, which regulates the construction and operation of micro-distilleries; and
 - b. A state permit as required by SC Title 61, Chapter 6, Subarticle 11, shall be obtained prior to beginning operation; and
 - c. Industrial conditions listed in Section 1-2.8.5(B) are met for the applicable zoning district; and
 - d. Maximum annual production shall be limited to 125,000 cases; and
 - e. All manufacturing operations contained within a fully enclosed building; and
 - f. Loading area must be located to the side or rear of the structure.
 - g. If alcoholic beverages are sold on-site:

1. The use shall be located a minimum distance of 500 feet from another alcoholic beverage sales business with onsite consumption; and
2. Patron seating is indoor only; or
3. Outdoor patron seating is located a minimum of 700 feet from the nearest property line of a residential unit and is not visible from any single family property.

THEREFORE, Section 7-25.2 of the City of Florence Unified Development Ordinance, shall read as follows:

Division 7-25.2 Definitions

(B)

Brewery – for the purposes of this ordinance, a brewery is considered a heavy industrial use which produces over 15,000 US barrels (465,000 gallons) of beer annually and is compliant with SC Code of Laws Title 61.

Brewpub (see also Alcoholic Beverage Sales, Onsite Consumption) – A tavern, public house, restaurant or hotel which produces on the permitted premises a maximum of two thousand barrels (62,000 gallons) a year of beer for sale on the premises and is compliant with SC Code of Laws Title 61.

(D)

Distillery – for the purposes of this Ordinance, a distillery is considered a heavy industrial use which distills, blends, and bottles alcoholic liquors on the licensed premises in this State with an alcohol content greater than seventeen percent and which produces a quantity of greater than 125,000 cases (297,500 gallons) per year at the licensed premises and is compliant with SC Code of Laws Title 61.

(M)

Micro-brewery - a manufacturer which produces beer with an annual maximum production capacity of fifteen thousand barrels (465,000 gallons) per year at the licensed premises primarily engaged in production and off-site sales and is compliant with SC Code of Laws Title 61.

Micro-distillery - a manufacturer which distills, blends, and bottles alcoholic liquors with an alcohol content greater than seventeen percent and which produces a maximum quantity of 125,000 cases (297,500 gallons) per year at the licensed premises and is compliant with SC Code of Laws Title 61.

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 Unified Development Ordinance as shown above.
2. That this Ordinance shall become effective immediately.

ADOPTED THIS _____ DAY OF _____, 2020

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela
Mayor

Attest:

Amanda P. Pope
Municipal Clerk

CITY OF FLORENCE COUNCIL MEETING

DATE: September 14, 2020

AGENDA ITEM: Ordinance to Annex and Zone property owned by Palmetto Corporation of Conway, located on Freedom Boulevard at Gilbert Drive; TMN 00179-01-014.

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

I. ISSUE UNDER CONSIDERATION:

Request to annex a parcel consisting of 88.4 acres located on Freedom Boulevard at Gilbert Drive, Tax Map Number 00179-01-014, into the City of Florence and zone 84.3 acres Residential General-3 (RG-3) and 4.1 acres Commercial General (CG).

II. CURRENT STATUS AND PREVIOUS ACTION TAKEN:

1. On August 11, 2020, the City of Florence Planning Commission held a public hearing on this matter.
2. The Planning Commission voted 6-0 to recommend the zoning designations of General Residential-3 (RG-3) and Commercial General (CG) pending annexation approval.

III. POINTS TO CONSIDER:

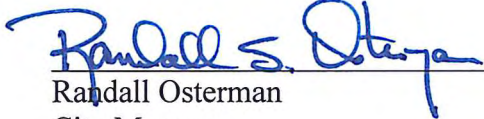
1. This request is being considered for first reading.
2. The properties seeking annexation are in the County and are unzoned.
3. The proposed zoning, pending annexation, is General Residential-3 (RG-3) for 84.3 acres and Commercial General (CG) for the 4.1 acre section at the intersection of Freedom Boulevard and Gilbert Drive.
4. A sketch plan has been submitted to the Planning Commission for a 142 lot single family residential subdivision for the portion of the parcel to be zoned RG-3.
5. City water and sewer services are currently unavailable, and the estimated cost to extend services to the development is approximately \$446,760. Based upon the feasibility analysis, the City's level of participation will be approximately \$313,488, with the developer responsible for any additional costs.
6. City staff recommends the annexation and concurs with Planning Commission's recommendation to zone the parcel General Residential-3 (RG-3) and Commercial General (CG).

IV. PERSONAL NOTES:

V. ATTACHMENTS:

- A) Ordinance
- B) Vicinity Map
- C) Location Map
- D) Proposed Zoning Map
- E) Annexation Petition


Jerry B. Dudley
Planning Director


Randall Osterman
City Manager

ORDINANCE NO. 2020 - 33

AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY PALMETTO CORPORATION OF CONWAY LOCATED ON FREEDOM BOULEVARD AT GILBERT DRIVE; TMN 00179-01-014.

WHEREAS, a Public Hearing was held via Zoom Remote Conferencing and in the Council Chambers on August 11, 2020 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, application by Wade Kennard on behalf of Palmetto Corp of Conway, owners of TMN 00179-01-014, to be zoned RG-3 and CG, 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 add the zoning district classifications of General Residential-3 (RG-3) and Commercial General (CG).

The property requesting annexation is shown more specifically as Florence County Tax Map 00179, block 01, parcel 014 (88.407468 acres).

Any portions of public rights-of-way abutting the above described property will also be 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 classification.
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 _____, 2020

Approved as to form:

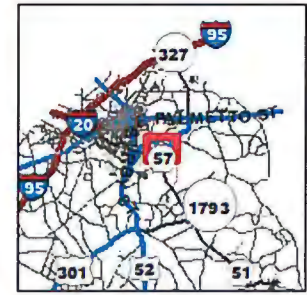
James W. Peterson, Jr.
City Attorney

Stephen J. Wukela,
Mayor

Attest:

Amanda P. Pope
Municipal Clerk

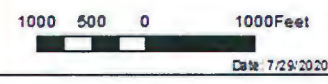
City Council Vicinity Map - Freedom Boulevard



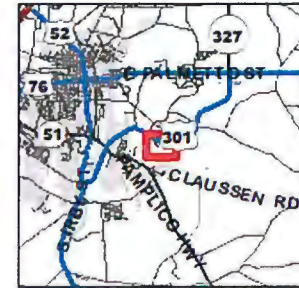
- Legend**
- City Limits
 - Parcels




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.



City Council Location Map - Freedom Boulevard



Legend

-  City Limits
-  Parcels



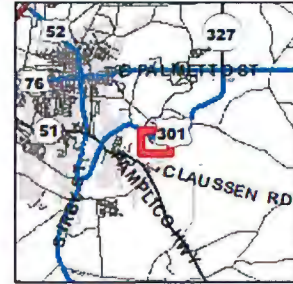
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1000 500 0 1000 Feet



Date: 7/29/2020

City Council Proposed Zoning Map - Freedom Boulevard

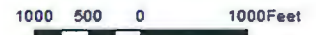


Legend

- City Limits
- Parcels



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Date: 7/29/2020

Attachment E: Annexation Petition

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: 00179-01-014
3. Annexation is being sought for the following purposes: Single Family Subdivision
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 Race
 Total 18 and Over Total Registered to Vote

APPLICANT (S) (Please print or type):


Name(s): Palmetto Corp of Conway

Address: PO Box 346, Conway SC 29528

Telephone Numbers: 843-365-2156 [work] 843-458-6748 [home]

Email Address: WKennard@palmettocorp.com

Signature  Date 6-23-10

Certification as to ownership on the date of petition:	FOR OFFICAL USE ONLY
Date <u>6/23/2020</u>	<u></u>

FLORENCE CITY COUNCIL MEETING

DATE: September 14, 2020
AGENDA ITEM: Resolution
DEPARTMENT/DIVISION: City Council

I. ISSUE UNDER CONSIDERATION

A Resolution to honor Flotown Yoga's contributions to the efforts to revitalize Downtown Florence.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

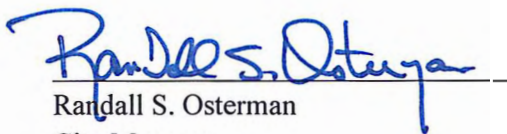
Every quarter, with recommendation from the Greater Florence Chamber of Commerce, Florence City Council recognizes a business that has made contributions to the development of downtown.

III. POINTS TO CONSIDER

- A. The investment by Flotown Yoga in Florence is playing a role in the continued development of Florence's Downtown Business District.
- B. The owners are contributors to the community's wellness through their community service and yoga classes which they have pivoted during the COVID-19 pandemic.

IV. ATTACHMENTS

Resolution



Randall S. Osterman
City Manager

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

RESOLUTION NO. 2020-20

**A RESOLUTION HONORING FLOW TOWN YOGA’S CONTRIBUTIONS TO THE EFFORTS
TO REVITALIZE DOWNTOWN FLORENCE**

- WHEREAS,** the owners and associates of Flow Town Yoga have established a Yoga Studio in Downtown Florence and are small business owners and pillars of the community who are active in wellness of our community; and
- WHEREAS,** the investment by Flow Town Yoga is welcomed and is playing a role in the continued development of Florence’s Downtown Business District; and
- WHEREAS,** the owners are contributors to the community’s wellness through their community service and yoga classes which they have pivoted during the COVID-19 pandemic; and
- WHEREAS,** the Greater Florence Chamber of Commerce has requested that the City recognize the business efforts of Flow Town Yoga and its contributions to our community; and

NOW, THEREFORE, BE IT RESOLVED:

THAT, upon the petition of the Greater Florence Chamber of Commerce and in recognition of Flow Town Yoga’s contributions to the continued efforts to revitalize downtown Florence, the City Council of the City of Florence hereby declare the months of July through September, the Flow Town Yoga quarter.

AND IT IS SO RESOLVED, this 14th day of September, 2020.

STEPHEN J. WUKELA, MAYOR

FRANK J. BRAND, II, MAYOR PRO TEM

TERESA MYERS ERVIN, DISTRICT 1

PAT GIBSON-HYE MOORE, DISTRICT 2

GEORGE D. JEBAILY, AT-LARGE

ATTEST:

OCTAVIA WILLIAMS-BLAKE, AT-LARGE

AMANDA P. POPE, MUNICIPAL CLERK

GLYNN F. WILLIS, AT-LARGE

APPROVED AS TO FORM:

JAMES W. PETERSON, JR., CITY ATTORNEY

FLORENCE CITY COUNCIL MEETING

DATE: September 14, 2020
AGENDA ITEM: Report to Council
DEPARTMENT/DIVISION: City Council

I. ISSUE UNDER CONSIDERATION

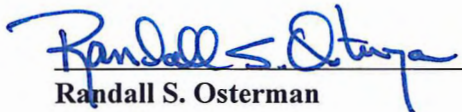
Council will consider nominations for City Boards and/or Commissions.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

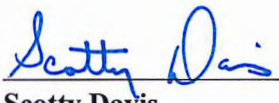
A. There are three (3) Boards or Commissions that have vacancies.

III. ATTACHMENTS

- A. Spreadsheet of Council Nominations to Boards and Commissions.
- B. Applications received.



Randall S. Osterman
City Manager



Scotty Davis
Deputy City Manager

SCHEDULE OF COUNCIL NOMINATIONS TO BOARDS AND COMMISSIONS - SEPTEMBER 2020

	District 1	District 2	District 3	At-Large 1	At-Large 2	At-Large-3	Mayor
	Ervin	Moore	Brand	Jebaily	Wms-Blake	Wims	Wukela
Civic Center Commission			x				
City of Florence Design Review Board	x						x
Construction & Maintenance Board							x

CIVIC CENTER COMMISSION

I. NOMINATIONS:

There is one (1) vacancy* on the Civic Center Commission.

* Mr. Woody Jones passed away.

II. COUNCILMEMBER(S) TO MAKE NOMINATION:

- Pro tem Brand

III. NEW APPLICANTS:

- Lillian Walker

IV. ATTACHMENTS:

- Applications received.



APPLICATION FOR BOARDS AND COMMISSIONS
CITY OF FLORENCE
SOUTH CAROLINA

Board or Commission for which you are applying: City - County Civic Center Commission			
Your Name (Last, First, Middle) Walker Lillian Lynn	County Florence	Council District City-3 County-8	
Residential Address 2013 2nd Loop Road D16	City Florence	State South Carolina	Zip Code 29501
Mailing Address 2013 2nd Loop Road D16	City Florence	State South Carolina	Zip Code 29501
Your Occupation- Title Special Services Specialist	Business Phone 843-309-3192	Residence Phone 843-610-8959	
Employer Name PDCAP Head Start/EHS	E-mail Address lynn29560@gmail.com		
Employer Address 2327 Prosperity Way Suite 10	City Florence	State South Carolina	Zip Code 2502

General Qualifications

Are you a resident of the City? Yes^X No How Long? 10

Why would you like to serve?

I have resided in the City of Florence for 10 years . I have decided that this will be my retirement residence.

I would also like to be more involved in bringing more revenue to our city with quality entertainment for everyone.

Do you presently serve on any Commissions/ Boards of the City/ County/ State? If so, please list:

No

Have you formerly served on any Commissions/ Boards of the City/ County/ State? If so, please list:

No

Are you currently in a position of responsibility with an organization or board that has received or is seeking funding from the City of Florence? If so, list the position and date:

No

Are you involved in any Community Activities? If so, please list:

Not at this time. Now that I finished working on some of my career goals, I would like to start being a part of the community and this board would be the beginning of that.

What are your goals and objectives if appointed to the Commission/Board?

To be a committed team member and provide resources that will assist in effective decisions to ensure that we provide our city with quality entertainment for all that will increase revenue for our city .

I certify that the information above is true and correct. LLW Initial 06/10/2020 Date

Information on this form will be considered public. LLW Initial 06/10/2020 Date

RETURN COMPLETED FORM TO:

Office of the City Clerk
City of Florence, City Center
324 West Evans Street
Florence, SC 29501
Phone: 843-665-3113 Fax: 843-665-3110
E-mail: ccmoore@cityofflorence.com

FOR OFFICE USE ONLY

Received:	<i>LLW</i> 6-10-2020
Appointed to:	
Date:	

DESIGN REVIEW BOARD

I. NOMINATIONS:

There are two (2) vacancies* on the Design Review Board.

* Mr. Cary Andrews has completed three full terms and is not eligible for reappointment. Mr. Andrews fulfilled the requirement of a Resident, Professional Structural Engineer.

* Mr. Tom Kalias has indicated that he would not like to be considered for reappointment. Mr. Kalias fulfilled the requirement of a person specifically qualified by reason of education, training, or experience in landscape design.

II. APPOINTMENT REQUIREMENTS:

- A person specifically qualified by reason of education, training, or experience in landscape design.
- Professional Structural Engineer.

III. COUNCILMEMBER(S) TO MAKE NOMINATION:

- Mayor Wukela
- Councilwoman Ervin

IV. NEW APPLICANTS:

V. ATTACHMENTS:

- Section of City Code – Appointment requirements.
- Applications received.

Sec. 16-31. - Membership.

The City of Florence Design Review Board shall consist of ten (10) members appointed by the Mayor and City Council of Florence, South Carolina. All members of the board shall have an interest in historic preservation. Membership on the board shall be composed as follows: One (1) professional architect; one (1) historian, knowledgeable in local history; one (1) person either specifically qualified by reason of education, training, or experience in the financing of commercial and residential real property or in the area of real estate; one (1) person actively engaged in business, commerce, or industry; one (1) commercial general contractor duly licensed by the State of South Carolina; one (1) professional structural engineer; one (1) person specifically qualified by reason of education, training, or experience in landscape design; and one (1) at large resident of the City of Florence; and two (2) persons actively engaged in business, commerce, or industry within the Downtown Central District as established by Section 2.9, et seq., of the Zoning Ordinance. At all times, at least six (6) members of the Design Review Board shall be residents of the City of Florence.

(Ord. No. 2005-16, § 1, 6-13-2005; Ord. No. 2005-23, § 1, 8-8-2005; Ord. No. 2011-05, § 1, 1-31-2011)

Sec. 16-32. - Terms and rules of membership.

- (a) The members of the Florence Design Review Board appointed by city council, giving consideration to the recommendations of the board. Upon appointment the members shall serve four-year terms, or until successors are appointed, whichever is later. Provided, however, the terms of initial appointees shall be staggered so that two (2) of the appointees shall serve initial terms of two (2) years, four (4) of the appointees shall serve initial terms of four (4) years, and four (4) of the appointees shall serve initial terms of three (3) years. After completion of the initial terms, all members of the design review board appointed by city council shall serve four-year terms.
- (b) Members appointed by city council may be appointed to succeed themselves up to a maximum of three (3) full terms. Thereafter, such members may be appointed only after they have been off of the design review board for at least one (1) year.
- (c) The mayor and council may remove any member appointed by city council by majority vote of the council for cause, including repeated failure to attend meetings of the board or for any other cause deemed sufficient by the city council. If any place on the board becomes vacant due to resignation, removal, or for any reason, the city council shall appoint a replacement within sixty (60) days for the remainder of the unexpired term.
- (d) As required by S.C. Code § 6-29-870(C), no members shall hold any other municipal office or hold any position in the city, and all members shall serve without pay. Members may be reimbursed by the City of Florence for actual expenses incurred in the performance of their duties from available funds approved in advance.
- (e) *Conflicts of interest.* Any member of the board who has a personal or financial interest, either directly or indirectly, in any property which is the subject of, or affected by, a decision of the board shall be disqualified from participating in the decision of the board concerning the property.
- (f) *Liability of members.* Any member of the board acting within powers granted by the ordinance shall be relieved from personal liability for any damage and held harmless by the City of Florence. Any suit brought against any member of the board shall be defended by a legal representative furnished by the city until the termination of the proceedings.

(Ord. No. 2005-16, § 1, 6-13-2005; Ord. No. 2005-23, § 1, 8-8-2005; Ord. No. 2011-05, § 1, 1-31-2011)

CONSTRUCTION & MAINTENACE BOARD OF
ADJUSTMENTS & APPEALS

I. NOMINATIONS:

There is one (1) vacancy* on the Construction and Maintenance Board of Adjustments and Appeals.

* Ms. Ann Scott has resigned her position on this Board. Ms. Scott fulfilled the requirement of a Layperson.

II. COUNCILMEMBER(S) TO MAKE NOMINATION:

- Councilwoman Ervin

III. NEW APPLICANTS:

IV. ATTACHMENTS:

- Board requirements.
- Applications received.

Sec. 4-32. - Membership; compensation of members; removal of members; conflicts of interest.

The construction and maintenance board of adjustments and appeals shall consist of nine (9) members as follows: one architect, one engineer, one electrical contractor, one general contractor, one mechanical contractor, one plumbing contractor and three (3) laypersons who are residents of the city, provided, however, at all times at least four (4) of the members will be residents of the Community Development Block Grant (CDBG) area of the city. With the exception of the laypersons, all of the members of the board shall be licensed by the state in their respective professions and shall have done a significant amount of business with the city in their respective professions so as to be familiar with the city's code practices. Substantiation of having done a significant amount of business in the city will be established at the time of appointment by the prior issuance of business licenses to such individuals, or the businesses with which they are associated, in three (3) of the last five (5) calendar years. The members of the board shall be appointed by the mayor with the approval of the city council. They shall serve without compensation. Members shall be removed for cause by the mayor and city council upon written charges and a public hearing. A board member shall not participate in any case in which he has a personal or implied interest, and all members should avoid the appearance of impropriety. Continued absence of any member from meetings of the board shall at the discretion of the city council result in his removal from office.

(Ord. No. 2017-06, § 3(Exh. A), 3-13-2017)