



**REGULAR MEETING OF FLORENCE CITY COUNCIL  
MONDAY, FEBRUARY 13, 2023 – 1:00 P.M.  
CITY CENTER – COUNCIL CHAMBERS  
324 WEST EVANS STREET  
FLORENCE, SOUTH CAROLINA**

**MEMBERS PRESENT**

Mayor Teresa Myers Ervin, Mayor Pro Tempore George Jebaily, Councilwoman Lethonia Barnes, Councilman Chaquez T. McCall, Councilman Bryan A. Braddock, Councilwoman LaShonda NeSmith-Jackson and Councilman J. Lawrence Smith, II

**ALSO PRESENT**

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

**MEDIA PRESENT**

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

**CALL TO ORDER**

Mayor Ervin called the February 13, 2023 regular meeting of Florence City Council to order at 1:00 p.m.

**INVOCATION**

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

**APPROVAL OF MINUTES**

Councilman Jebaily made a motion to adopt the minutes of the January 9, 2023 regular meeting and Councilman Smith seconded the motion. The minutes were unanimously adopted.



**APPEARANCES BEFORE COUNCIL**

**Mr. Brad Hanna**

Mr. Brad Hanna appeared before Council to speak on a water concern. He spoke of an elderly water customer that went without water for approximately a month due to a broken water main in front of her home. Over the course of several weeks, she received multiple door hangers from the City with the last one indicating she had a leak on her side of the meter. The resident then contacted Mr. Hanna and his technicians responded and they were unable to locate any connection to the meter. After further investigation, the technicians concluded the meter was never reconnected to the City's line after repairs were made to the broken water main. Mr. Hanna said Randy Osterman, City Manager, did contact the resident and took full responsibility for the incident and offered the resident no charges to her water bill for three months. Mr. Hanna offered some closing statements expressing his displeasure in how the situation was handled.

**Ms. Linda Johnson, Executive Director – Senior Citizens Association**

Ms. Linda Johnson appeared before Council to request funding for the Meals on Wheels program. She said the Senior Citizens Association is a non-profit, independent organization. They are not receiving enough funds to take care of senior citizens in Florence County. Meals on Wheels is a program that provides meals to seniors Monday through Friday at the average cost of eight dollars per meal. She said there are currently 125 people on their waiting list and she requested that Council consider increasing funding for this program.

Pro tem Jebailly thanked Ms. Johnson for the work and services they provide to the community. He asked if she is requesting one-time funding or if it would be ongoing. Ms. Johnson replied it would be ongoing.

Councilwoman NeSmith-Jackson asked if they have reached out to any churches for help. Ms. Johnson replied that they do work with the churches they help them deliver the meals.

Councilman McCall asked if she knew how many people on the waiting list live in the City. Ms. Johnson said she would provide that information to Council as soon as possible.

Councilman Smith asked how many meals they provide, and Ms. Johnson replied they provide approximately 200 meals per days and another 150 frozen meals that are sent out.

**ORDINANCES IN POSITION**

**Bill No. 2022-38 – Second Reading**

**An Ordinance to annex and zone Commercial General three parcels located at 401, 409, and 411 Pamplico Highway, identified as Florence County Tax Map Parcels 90109-01-002, 90109-01-003, and a portion of 90108-05-001.**

Mayor Ervin said the applicants have requested that this item be deferred. Without objection, this item was deferred.

**Bill No. 2023-01 – Second Reading**

**An Ordinance to annex and zone NC-6.1 the parcel at 925 West Sumter Street, Florence County Tax Map Parcel 90060-07-002.**



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Councilwoman NeSmith-Jackson made a motion to adopt Bill No. 2023-01 on second reading and Councilwoman Barnes seconded the motion.

Council voted unanimously (7-0) in favor of the motion. Bill No. 2023-01 was adopted on second reading.

**Bill No. 2023-02 – Second Reading**

**An Ordinance to annex and zone DS the lot at 825 South Church Street, Florence County Tax Map Parcel 90105-01-007.**

Councilman Smith made a motion to adopt Bill No. 2023-02 on second reading and Councilwoman NeSmith-Jackson seconded the motion.

Council voted unanimously (7-0) in favor of the motion. Bill No. 2023-02 was adopted on second reading.

**Bill No. 2023-03 – Second Reading**

**An Ordinance to annex and zone OSR the lot at 833 South Church Street, Florence County Tax Map Parcel 90105-01-018.**

Councilwoman NeSmith-Jackson made a motion to adopt Bill No. 2023-03 on second reading and Councilwoman Barnes seconded the motion.

Council voted unanimously (7-0) in favor of the motion. Bill No. 2023-03 was adopted on second reading.

**Bill No. 2023-04 – Second Reading**

**An Ordinance to abandon a sewer line and easement located on South Cashua Drive, Florence County Tax Map Parcel 00100-01-159.**

Councilwoman Barnes made a motion to adopt Bill No. 2023-04 on second reading and Councilwoman NeSmith-Jackson seconded the motion.

Council voted unanimously (7-0) in favor of the motion. Bill No. 2023-04 was adopted on second reading.

**Bill No. 2023-05 – Second Reading**

**An Ordinance to abandon the City of Florence interest in right-of-way located on Power Street on the north side of Florence County Tax Map Parcel 00147-01-072.**

Councilwoman Barnes made a motion to adopt Bill No. 2023-05 on second reading and Councilwoman NeSmith-Jackson seconded the motion

Council voted unanimously (7-0) in favor of the motion. Bill No. 2023-05 was adopted on second reading.

**INTRODUCTION OF ORDINANCES**





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**Bill No. 2023-06 – First Reading**

**An Ordinance to annex and zone NC-6.3 the parcels located 707 and 709 South Church Street, Florence County Tax Map Parcel Numbers 90104-02-015 and 90104-02-030.**

Councilman Smith made a motion to pass Bill No. 2023-06 on first reading and Councilman McCall seconded the motion.

Mr. Clint Moore, Assistant City Manager of Development, reported water and sewer services are currently available.

Planning Commission held a public hearing on the matter and voted to recommend the zoning designation of NC-6.3.

Council voted unanimously (7-0) in favor of the motion. Bill No. 2023-06 was passed on first reading.

**INTRODUCTION OF RESOLUTIONS**

**Resolution No. 2023-04**

**A Resolution of City Council approving Downtown Redevelopment Grants for Third Quarter, FY23.**

Mayor Ervin said this item is to be discussed in Executive Session. Without objection, this item will be discussed in Executive Session.

**Resolution No. 2023-05**

**A Resolution to adopt the South Carolina Municipal Association 2023 Advocacy Initiatives.**

Councilman McCall made a motion to adopt Resolution No. 2023-05 and Councilman Smith seconded the motion.

Councilman McCall highlighted several of the initiatives that are beneficial to the City of Florence. Enclave annexation will address how to better handle the doughnut holes across the City. He also spoke of the Municipal penny sales tax initiative. This would be similar to the County's and would give the City the ability to fund capital projects in the city.

Council voted unanimously in favor of the motion. Resolution No. 2023-05 was adopted.

**Resolution No. 2023-06**

**A Resolution approving an investment policy for the City of Florence.**

Councilman McCall made a motion to adopt Resolution No. 2023-06 and Pro tem Jebaily seconded the motion.

Mr. Kevin Yokim, Assistant City Manager of Finance/Administration, reported it is best practice to adopt a formal investment policy that will serve as a guide for the City's future investments and also enhance the City's bond rating.

Council voted unanimously in favor of the motion. Resolution No. 2023-06 was adopted.

**REPORTS TO COUNCIL**



### **Appointments to Boards and Commissions**

Mr. Davis presented the packet of appointments to Boards and Commissions to Council.

#### **City-County Memorial Stadium Commission**

Councilman McCall deferred his nomination for the Commission.

#### **Public Safety Citizen's Review Board**

Mayor Ervin made a motion to appoint David Jones. Without objection, David Jones was appointed to the Public Safety Citizen's Review Board for a term to begin immediately and expire on June 30, 2024.

#### **Board of Zoning Appeals**

Councilman Smith made a motion to appoint Michael Valrie. Without objection, Michael Valrie was appointed to the Board of Zoning Appeals with a term to begin immediately and expire on June 30, 2025.

#### **Design Review Board**

Councilman Braddock made a motion to appoint David Lowe in the role of a person specifically qualified by reason of education, training, or experience in landscape design. Without objection, David Lowe was appointed to the Design Review Board for a term to begin immediately and expire on June 30, 2024.

Being no applicants, Pro tem Jebaily deferred his nomination for the Board.

### **Comprehensive Financial Report and Audited Financial Statements**

Mr. Tracy Huggins of Burch, Oxner, Seale Company, CPA's, PA reported for the fiscal year ending June 30, 2022. The City had budgeted revenues of \$36,216,300 and actual revenues of \$44,750,975 in the General Fund. This resulted in a positive variance of \$8,534,675. Budgeted expenditures were (\$46,703,040). Actual expenditures were (\$59,199,871) leaving a negative variance of (\$12,496,831). Budgeted operating deficiency in the general fund of revenues over expenditures was (\$10,486,740). Actual operating deficiency of revenues over expenditures was (\$14,448,896), leaving a negative budget variance of (\$3,962,156). 48% of general fund revenue came from property tax credits, business licenses and franchise fees.

Governmental Funds: The unassigned fund balance in the General Fund is \$12,140,735, a decrease of \$3,887,969 from prior year.

Enterprise Funds: Operating revenues last year were \$43,541,712; operating expenses were (\$29,018,449); net non-operating expenses were (\$9,344,585); total transfers in were \$1,515,086; leaving a net income of \$6,683,764.

Council thanked Mr. Huggins for his report.

### **MAYORAL REPORT**





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Mayor Ervin thanked Councilman McCall for the update from Hometown Legislative Action Day and thanked Council for attending. Mayor Ervin acknowledged Councilman McCall's graduation from the advanced institute and congratulated him. Mayor Ervin also thanked staff for setting up the off-site work retreat session.

**COMMITTEE REPORTS**

**Business Development Committee, Chaired by Pro tem Jebaily**

Pro tem Jebaily said the Committee discussed a review of the "Downtown Loop" which will be available on the City's website soon. Various development projects were also discussed, to include Urban Square, the Nofal Building, and Carolina Theater. The Committee continued discussions on corridor enhancements.

**Community Development Committee, Chaired by Councilwoman Barnes**

Councilwoman Barnes said the Committee discussed home demolitions. There are currently 30 homes on the list to be demolished. The Committee also discussed the new Weatherization program to be offered. This program will provide grants to weatherize homes for qualifying low-income residents to provide better living conditions. Councilwoman Barnes also spoke of the Reclaiming Our Communities initiative, a pro-active approach to engage and inform the community.

**Marketing and Public Relations Committee, Chaired by Councilwoman NeSmith-Jackson**

Councilwoman NeSmith-Jackson reported the Committee continues to research platforms to increase public engagement. The Committee received a presentation from Citibot at their last meeting and Councilwoman NeSmith-Jackson briefly described some of their services that may be beneficial to the City.

**Finance, Audit and Budget Committee, Chaired by Councilman McCall**

Councilman McCall said he was unable to attend the meeting and asked Councilman Braddock to make the report. Councilman Braddock reported the Committee received an update on the opioid settlement and an advisory committee has been formed to review applications. The Investment Policy adopted by Resolution at today's Council meeting was also discussed. The Committee also discussed the potential for a developer's agreement to reduce water and sewer tap fees for certain developments not currently located in the City.

**EXECUTIVE SESSION**

Mayor Ervin said Council will be entering into Executive Session for a discussion related to a proposed economic development project, to receive an update on legal matters, a personnel matter and for a discussion of legal matters.

Without objection, Council entered into Executive Session at 2:00 p.m.

Council resumed open session at 4:20 p.m. and took action on the following items:



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**Resolution No. 2023-04**

**A Resolution of City Council approving Downtown Redevelopment Grants for Third Quarter, FY23.**

Councilwoman NeSmith-Jackson made a motion to adopt Resolution No. 2023-04 and Pro tem Jebaily seconded the motion.

Mayor Ervin recused herself from the vote due to a conflict of interest. (A copy of the recusal statement is attached to and made part of these minutes.)

Council voted 6-0 in favor of the motion. Resolution No. 2023-04 was adopted.

Councilwoman Barnes made a motion to instruct city staff and the city attorney to have further communication with the commissioners or representative of the Housing Authority and advise council on this communication, and to expand the evaluation to the entire Housing Authority Board of Commissioners. Councilman Braddock seconded the motion.

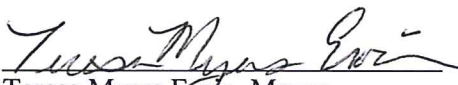
The motion carried unanimously (7-0).

**ADJOURN**

Without objection, the February 13, 2023 Regular meeting of City Council was adjourned at 4:23 p.m.

Dated this 13<sup>th</sup> day of March 2023.

  
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Casey C. Moore, Municipal Clerk

  
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Teresa Myers Ervin, Mayor

# RECUSAL STATEMENT

Member Name: TERESA MYERS ERVIN

Meeting Date: 2-13-2023

Agenda Item: Section Resolution Number: 2023-04

Topic: A Resolution of City Council approving Downtown Redevelopment Grants for 30th, F123

*The Ethics Act, SC Code §8-13-700, provides that no public official may knowingly use his office to obtain an economic interest for himself, a family member of his immediate family, an individual with whom he is associated, or a business with which he is associated. No public official may make, participate in making, or influence a governmental decision in which he or any such person or business has an economic interest. Failure to recuse oneself from an issue in which there is or may be conflict of interest is the sole responsibility of the council member (1991 Op. Atty. Gen. No. 91-37.) A written statement describing the matter requiring action and the nature of the potential conflict of interest is required.*

### Justification to Recuse:

Professionally employed by or under contract with principal

Owns or has vested interest in principal or property

Other: I am related to one of the Grants recipient, G. THOMAS

Date: 2/13/2023 Teresa Myers Ervin  
Member

Approved by Parliamentarian: [Signature]