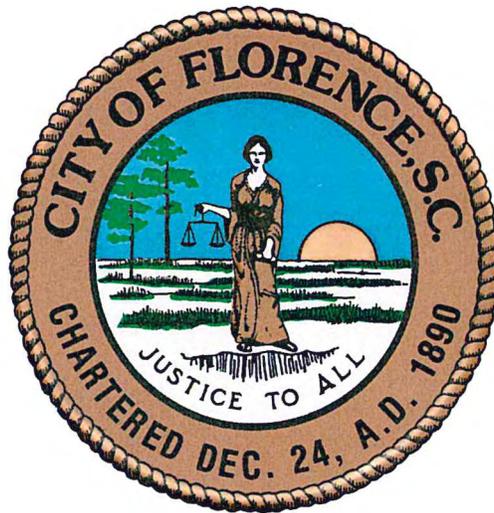


REGULAR MEETING  
OF  
FLORENCE CITY COUNCIL



COUNCIL CHAMBERS  
324 W. EVANS STREET  
FLORENCE, SOUTH CAROLINA

MONDAY  
JANUARY 13, 2014  
1:00 P.M.

**REGULAR MEETING OF FLORENCE CITY COUNCIL**

**MONDAY, JANUARY 13, 2014 - 1:00 P.M.**

**CITY CENTER – COUNCIL CHAMBERS**

**324 W. EVANS STREET**

**FLORENCE, SOUTH CAROLINA**

**AGENDA**

**I. CALL TO ORDER**

**II. INVOCATION**

*Pledge of Allegiance*

**III. APPROVAL OF MINUTES**

*December 9, 2013 – Regular Meeting*

*December 20, 2013 – Special Meeting*

**IV. HONORS AND RECOGNITIONS**

**Educational Recognition**

*Terry McFadden – Has obtained his “D” Water Distribution Operator Certification*

**Service Recognitions**

*Linda Maleckar – 20 years – Utility Finance*

*Anthony Judkins – 20 years – Police*

*Wes Miller – 20 years – Engineering*

*Lanier Henneghan-Rowell – 10 years - Planning, Research and Development*

*Kurt Poston – 10 years - Fire*

**V. ORDINANCES IN POSITION**

- a. **Bill No. 2013-27 – Second Reading**  
*An Ordinance to declare as surplus a parcel containing approximately 0.13 acres and designated as Tax Map Number 90055-07-002 in the records of the Florence County Tax Assessor.*
- b. **Bill No. 2013-28 – Second Reading**  
*An Ordinance to amend Planned Development District Ordinance 2008-02 permitted uses and site plan.*
- c. **Bill No. 2013-29 – Second Reading**  
*An Ordinance to amend the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2013, and ending June 30, 2014.*

**VI. INTRODUCTI ON OF ORDINANCES**

- a. **Bill No. 2013-20 – First Reading**  
*An Ordinance to regulate businesses by enacting a new chapter in the City of Florence Code of Ordinances to establish provision and requirements for the screening of criminal records by employers within the City of Florence.*
- b. **Bill No. 2014-01 – First Reading**  
*An Ordinance to abandon a portion of right-of-way on Brogdon Street.*
- c. **Bill No. 2014-02 – First Reading**  
*An Ordinance to annex and zone property owned by Audrey Kirven, Betty Sellers and Frances Diggs.*

**VII. REPORT TO COUNCIL**

- a. **Appointments to Boards and Commissions**

**VIII. ADJOURN**

**REGULAR MEETING OF FLORENCE CITY COUNCIL  
MONDAY, DECEMBER 9, 2013 – 1:00 P.M.  
CITY CENTER, COUNCIL CHAMBERS  
FLORENCE, SOUTH CAROLINA**

**MEMBERS PRESENT:** Mayor Pro tem Frank J. Brand called the regular meeting to order at 1:00 p.m. with the following members present: Councilman Robby L. Hill; Councilwoman Teresa Myers Ervin; Councilman Ed Robinson; and Councilman Glynn F. Willis.

**MEMBERS ABSENT:** Mayor Stephen Wukela and Councilwoman Octavia Williams-Blake.

**ALSO PRESENT:** Mr. Drew Griffin, City Manager; Mrs. Dianne M. Rowan, Municipal Clerk; Mr. James W. Peterson, Jr., City Attorney; Mr. Phillip Lookadoo, Director of Planning, Research and Development; Interim Police Chief Allen Heidler, Florence Police Department; Mr. Scotty Davis, Director of General Services; Mr. Chuck Pope, Director of Public Works; Mr. Michael Hemingway, Director of Utilities; Mr. Thomas Chandler, Director of Finance; Chief Randy Osterman, Florence Fire Department; and Mr. Ray Reich, Downtown Development Manager.

Notices of this regularly scheduled meeting were sent to the media informing them of the date, time and location of the meeting.

Mr. Gavin Jackson of the Morning News and Ms. Tonya Brown of WPDE-TV 15 were present for the meeting.

**INVOCATION**

Councilwoman Ervin gave the invocation for the meeting. The Pledge of Allegiance to the American Flag followed.

**APPROVAL OF MINUTES**

Councilman Willis made a motion to adopt the minutes of the November 5, 2013 Special Meeting and the minutes of the November 13, 2013 Regular Meeting. Councilwoman Ervin seconded the motion, which carried unanimously.

**APPROVAL TO ADD AN ITEM TO THE AGENDA**

**RESOLUTION NO. 2013-29**

**A RESOLUTION APPROVING AND AUTHORIZING THE ACCEPTANCE OF THE CONVEYANCE OF THE TIMMONSVILLE UTILITY AND THE EXECUTION OF THE BANK RESOLUTION WITH FIRST CITIZENS BANK AND TRUST.**

Councilman Willis made a motion to add Resolution No. 2013-29 to the agenda. Councilman Hill seconded the motion, which carried unanimously.

Councilman Willis made a motion to adopt Resolution No. 2013-29. Councilwoman Ervin seconded the motion, which carried unanimously.

**HONORS AND RECOGNITIONS**

**Service Recognition**

Mayor Pro tem Brand presented a service recognition certificate to Cpl. Brian Barley of the Florence Police Department. Cpl. Barley has completed 10 years of service with the City.

**APPEARANCES BEFORE COUNCIL**

**MR. RICHARD MOSES AND MR. WES SANDIFER – THE BENEFIT BANK OF SOUTH CAROLINA**

Mr. Richard Moses, Regional Coordinator for the Pee Dee Area Benefit Bank of South Carolina appeared before Council and gave a brief overview of the services they offer.

Benefit Bank of South Carolina is a non-profit organization where low and moderate income families and individuals can ask for help in completing applications for Medicaid, food stamps, TANF (Temporary Assistance for Needy Families), Voter Registration, and filing federal and state tax returns.

Mr. Wes Sandifer added that TBBSC is also working with technical colleges throughout the state and helping with filling out FAFSA applications.

The goal of TBBSC is to take individuals and families from a crisis situation to self-sustainability.

**MRS. BECKY ELLIOTT AND MR. STEPHEN GUYTON**

Mr. Stephen Guyton and Mrs. Becky Elliott presented the official City of Florence Christmas Ornament to Mayor Pro tem Brand. The 2013 ornament depicts the Florence County Museum and is the 20<sup>th</sup> and final ornament in the series.

**PRESENTATION OF THE CITY OF FLORENCE, SC COMPREHENSIVE ANNUAL FINANCIAL REPORT AND AUDITED FINANCIAL STATEMENTS BY THE INDEPENDENT CERTIFIED PUBLIC ACCOUNTING FIRM OF WEBSTER ROGERS LLP**

Mr. Gregory Ackerman with Webster Rogers LLP gave an overview of the annual financial report and the audited financial statements for the year ending June 30, 2013. They have issued an unqualified opinion on the financial statements as a whole. An unqualified opinion is the highest level of assurance that a CPA firm can provide. It basically means it is a clean opinion and no instances were found of items that needed to be reported, any misstatements that were considered to be material or any items that needed to be brought to the attention of those charged with governance (Council).

The following information highlights the most significant changes in the City's financial position over the last year.

- The assets of the City of Florence exceeded its liabilities at the close of the most recent fiscal year by \$154,233,070 (net position). Of this amount, \$36,523,016 (unrestricted net position) may be used to meet the government's ongoing obligations to citizens and creditors.
- The government's total net position increased by \$11,845,173 during the fiscal year ended June 30, 2013, with a \$2,432,751 increase resulting from governmental activities and a 9,412,422 increase resulting from business-type activities.

**REGULAR MEETING OF FLORENCE CITY COUNCIL  
DECEMBER 9, 2013 – PAGE 3**

- As of the close of the current fiscal year, the City of Florence's governmental funds reported a combined ending fund balances of \$14,062,746, an increase of \$1,334,351 in comparison with the prior year. Approximately 60.0 percent of this total amount, \$8,415,209 is available for spending at the government's discretion (unassigned fund balance).
- At the end of the current fiscal year, unassigned fund balance for the general fund was \$8,415,209, or 24 percent of the total general fund expenditures.
- The City of Florence had \$136.7 million in bonds and notes outstanding versus \$140.6 million last year, a decrease of 2.8 percent.

The main significant action in the General Fund for the current year vs. other years was the capital lease for the City Center building. The City administration offices moved from the City County Complex to the City Center building. That transaction included the funding that was provided by the Drs. Bruce and Lee Foundation for the renovations.

Mayor Pro tem Brand thanked Mr. Ackerman for his report.

**ORDINANCES IN POSITION**

**BILL NO. 2013-25 – SECOND READING**

**AN ORDINANCE TO AMEND THE BUDGET FOR THE CITY OF FLORENCE, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2013, AND ENDING JUNE 30, 2014.**

An Ordinance to amend the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2013, and ending June 30, 2014 was adopted on second reading.

Councilman Willis made a motion to adopt Bill No. 2013-25 on second reading. Councilwoman Ervin seconded the motion, which carried unanimously.

**BILL NO. 2013-26 – SECOND READING**

**AN ORDINANCE TO DECLARE AS SURPLUS PARCELS CONTAINING APPROXIMATELY 10 ACRES AND DESIGNATED AS TAX MAP NUMBERS: 90085-10-001, 90085-11-003, 90085-11-002, 90085-10-004, 90085-10-002, 90085-10-005, 90085-09-001, 99086-04-010, 90086-04-012, 90086-04-008, 90086-04-011, 90086-04-015, 90085-10-003, AND 90085-09-002 IN THE RECORDS OF THE FLORENCE COUNTY TAX ASSESSOR AND AUTHORIZE THE TRANSFER OF SAME PARCELS.**

An Ordinance to declare as surplus parcels containing approximately 10 acres and designated as Tax Map numbers: 90085-10-001, 90085-11-003, 90085-11-002, 90085-10-004, 90085-10-002, 90085-10-005, 90085-09-001, 99086-04-010, 90086-04-012, 90086-04-008, 90086-04-011, 90086-04-015, 90085-10-003, and 90085-09-002 in the records of the Florence County Tax Assessor and authorize the transfer of same parcels was adopted on second reading.

Councilman Hill made a motion to adopt Bill No. 2013-26 on second reading. Councilwoman Ervin seconded the motion, which carried unanimously.

**INTRODUCTION OF ORDINANCES**

**BILL NO. 2013-20 – FIRST READING**

**AN ORDINANCE TO REGULATE BUSINESSES BY ENACTING A NEW CHAPTER IN THE CITY OF FLORENCE CODE OF ORDINANCES TO ESTABLISH PROVISION AND REQUIREMENTS FOR THE SCREENING OF CRIMINAL RECORDS BY EMPLOYERS WITHIN THE CITY OF FLORENCE.**

This item has been deferred until the January 13, 2014 City Council meeting.

**BILL NO. 2013-27 – FIRST READING**

**AN ORDINANCE TO DECLARE AS SURPLUS A PARCEL CONTAINING APPROXIMATELY 0.13 ACRES AND DESIGNATED AS TAX MAP NUMBER 90055-07-002 IN THE RECORDS OF THE FLORENCE COUNTY TAX ASSESSOR.**

An Ordinance to declare as surplus a parcel containing approximately 0.13 acres and designated as Tax Map Number 90055-07-002 in the records of the Florence County Tax Assessor was passed on first reading.

Mr. Phillip Lookadoo, Director of Planning, Research and Development reported this parcel was acquired a number of years ago with the City's purchase of the Brookgreen Water System. The parcel is of limited use to the City of Florence, therefore staff is recommending the adoption of the proposed Ordinance that would declare the parcel as surplus. This action would make the parcel available for transfer to the adjoining land owner who is interested in purchasing the parcel.

For clarification, Mr. Drew Griffin, City Manager added that the Ordinance states that the parcel would be sold at tax book value. This eliminates the cost of having an appraisal conducted and other activities associated with selling the parcel.

Councilman Willis made a motion to adopt Bill No. 2013-27 on second reading. Councilwoman Ervin seconded the motion, which carried unanimously.

**BILL NO. 2013-28 – FIRST READING**

**AN ORDINANCE TO AMEND PLANNED DEVELOPMENT DISTRICT ORDINANCE 2008-02 PERMITTED USES AND SITE PLAN.**

An Ordinance to amend Planned Development District Ordinance 2008-02 Permitted Uses and Site Plan was passed on first reading.

Mr. Phillip Lookadoo, Director of Planning, Research and Development reported that in January 2008, City Council adopted an Ordinance that rezoned lots owned by New Ebenezer Baptist Church from B-3, General Commercial District and R-4, Multi-Family Residential Limited District to Planned Development District (PDD). The only permitted uses within the Ordinance were a church and a daycare. In January 2013, a zoning permit was issued for a recreational center on the lot to the East of the church. The church would like to amend PDD Ordinance 2008-02 to allow a school that serves kindergarten through fourth grade within the recreational center. The request is to also amend the Ordinance site plan adding a circular driveway and 35' x 35' canopy for the recreational center.

Councilman Willis made a motion to pass Bill No. 2013-28 on first reading. Councilwoman Ervin seconded the motion, which carried unanimously.

**REGULAR MEETING OF FLORENCE CITY COUNCIL  
DECEMBER 9, 2013 – PAGE 5**

**BILL NO. 2013-29 – FIRST READING**

**AN ORDINANCE TO AMEND THE BUDGET FOR THE CITY OF FLORENCE, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2013, AND ENDING JUNE 30, 2014.**

An Ordinance to amend the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2013, and ending June 30, 2014 was passed on first reading.

Mr. Thomas Chandler, Director of Finance reported that the proposed Ordinance provides for funds to be re-appropriated from fiscal year 2012-13 to 2013-14 in the General Fund, the Water and Sewer 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 2012-13.

Funds are also being re-appropriated from fiscal year 2012-13 to 2013-14 in the General Fund and the Water and Sewer Enterprise Fund to provide for remaining costs related to moving City administrative and operational departments into the City Center facility located at 324 W. Evans Street to serve as City Hall.

Additionally, the General Fund budget is being amended to provide for insurance proceeds received for a sanitation truck that was destroyed by fire and for proceeds anticipated to be received from the sale of a fire department mini-pumper. Proceeds from this sale will be used to upgrade an existing heavy duty pickup truck.

Councilman Willis made a motion to pass Bill No. 2013-29 on first reading. Councilwoman Ervin seconded the motion, which carried unanimously.

**INTRODUCTION OF RESOLUTIONS**

**RESOLUTION NO. 2013-28**

**A RESOLUTION IN SUPPORT OF THE START SMART READINESS INITIATIVE.**

A Resolution in support of the Start Smart Readiness Initiative was adopted by Council.

Mrs. Debbie Hylar of the School Foundation and Dr. Floyd Creech, Director of School Readiness, appeared before Council and gave a report on the Start Smart Initiative. The goal of the program is to have all children in Florence County to be ready for Kindergarten. The research is very clear that if children enter Kindergarten at the appropriate level of readiness then they are more likely to succeed in third grade, which means they will be more likely to graduate from high school and become productive citizens.

Councilman Willis made a motion to adopt Resolution No. 2013-28. Councilwoman Ervin seconded the motion, which carried unanimously.

**REPORT TO COUNCIL**

**APPOINTMENTS TO BOARDS AND COMMISSIONS**

This item was deferred.

**REGULAR MEETING OF FLORENCE CITY COUNCIL  
DECEMBER 9, 2013 – PAGE 6**

**ADDITIONAL THIRD CHRISTMAS HOLIDAY FOR CITY EMPLOYEES**

Councilman Robinson made a motion to add a third Christmas holiday for City employees; more specifically Monday, December 23<sup>rd</sup>. Councilman Willis seconded the motion, which carried unanimously.

The official Christmas holidays for City employees will be Monday, December 23<sup>rd</sup>; Tuesday, December 24<sup>th</sup>; and Wednesday, December 25<sup>th</sup>.

**ADJOURN**

Without objection, the meeting was adjourned at 2:20 p.m.

Dated this 13th day of January, 2014.

\_\_\_\_\_  
Dianne M. Rowan, Municipal Clerk

\_\_\_\_\_  
Stephen J. Wukela, Mayor

**SPECIAL MEETING OF FLORENCE CITY COUNCIL  
FRIDAY, DECEMBER 20, 2013 – 9:00 A.M.  
CITY CENTER, COUNCIL CHAMBERS  
FLORENCE, SOUTH CAROLINA**

**MEMBERS PRESENT:** Mayor Wukela called the special meeting to order at 9:00 a.m. with the following members present: Mayor Pro tem Brand; Councilwoman Octavia Williams-Blake; Councilman Ed Robinson; and Councilman Glynn F. Willis.

**ALSO PRESENT:** Mr. Drew Griffin, City Manager; Mrs. Dianne M. Rowan, Municipal Clerk; Mr. James W. Peterson, Jr., City Attorney; Mr. Thomas Chandler, Director of Finance and Mr. Phillip Lookadoo, Director of Planning, Research and Development

Notice of the date, time and location of the meeting was provided to the media and those individuals requesting copies of the City Council agenda.

Mr. Ken Baker from WMBF and Mr. Gavin Jackson from the Morning News were present for the meeting.

**INVOCATION**

Councilman Willis gave the invocation for the meeting. The Pledge of Allegiance to the American Flag followed.

**INTRODUCTION OF RESOLUTION**

**RESOLUTION NO. 2013-30**

**A RESOLUTION WAIVING THE APPEAL TO CITY COUNCIL FROM THE DESIGN REVIEW BOARD REQUIRED BY SECTION 2.9-10(A) OF THE ZONING ORDINANCE FOR DRB MATTER NUMBER 2013-33 WHICH RELATES TO THE APPLICATION BY THE CITY FOR A CERTIFICATE OF APPROPRIATENESS TO ALLOW DEMOLITION OF THE TRUST BUILDING BECAUSE OF THE OBVIOUS CONFLICT OF INTEREST CREATED BY CITY COUNCIL SERVING AS AN APPELLATE BODY FOR ITS OWN APPLICATION.**

A Resolution waiving the appeal to City Council from the Design Review Board required by Section 2.9-10(A) of the Zoning Ordinance for DRB Matter Number 2013-33 which relates to the application by the City for a Certificate of Appropriateness to allow demolition of the Trust Building because of the obvious conflict of interest created by City Council serving as an appellate body for its own application was adopted by Council.

Mayor Wukela stated that in September, 2013 this Council voted to move forward with the project of obtaining the parcels including and immediately surrounding the Trust Building,

**SPECIAL MEETING OF FLORENCE CITY COUNCIL  
DECEMBER 20, 2013 – PAGE 2**

demolishing those parcels and conveying them to Francis Marion University for the purposes of the construction of a health sciences facility downtown. That action was followed by the Historical Commission Stay of Demolition permit for 60 days. That was at the end of October, so that stay is either up or about up. That was followed by, as required by our ordinance, an application by the City to the City's Design Review Board for a Certificate of Appropriateness for demolition. That board conducted a hearing on December 11, 2013 and received voluminous testimony and information, including two engineering reports provided by the City indicating that the building was not feasible for repurpose economically. Also there was the testimony of different developers who have tried to accomplish that goal unsuccessfully, as well as cost estimates. At the conclusion of that meeting the Design Review Board voted 6-1 to issue a Certificate of Appropriateness and that was followed by an order. Under the City Ordinance the next appeal would be 30 days by any party that had standing to this City Council. Our Counsel has advised us, as well as independent Counsel that was hired from the Municipal Association to represent the Design Review Board at that meeting, that there is a clear conflict of interest in the City sitting as a judge in its own cause in an appeal. A recommendation has been made for the City to waive that appeal and instead direct anyone that has standing to appeal directly to the Circuit Court. It is not appropriate for the City Council to stand in judgment of its own cause. Resolution No. 2013-30 would waive the appeal to City Council and direct anyone that has standing to appeal directly to the Circuit Court within 30 days of the Design Review Board's decision.

Mayor Pro tem Brand made a motion to adopt Resolution No. 2013-30. Councilman Willis seconded the motion.

Mr. Jim Peterson, City Attorney, explained in order to file an appeal to Circuit Court; the individual would file the appeal action with the County Clerk of Court at the County Complex.

Following a discussion, Councilman Robinson stated he would like to file an objection based on the fact that the entire Council was not involved in authorizing City Staff to obtain a contract on the Trust Building and stated he feels the contract is not legal.

Councilman Robinson also protested the meeting when Council approved the contract for the Trust Building stating that the meeting time was changed without the full involvement of City Council.

Councilman Robinson's last protest relates to the Design Review Board's public hearing that was held on December 11, 2013. Councilman Robinson stated that a member of the board was denied due process during that meeting.

Voting aye to adopt Resolution No. 2013-30 was Mayor Wukela, Mayor Pro tem Brand, Councilman Willis and Councilwoman Williams-Blake.

Voting no was Councilman Robinson.

Following a brief discussion, it was determined that any appeal in DRB Matter Number 2013-33 must be filed within 30 days after a person with substantial interest in the decision of

**SPECIAL MEETING OF FLORENCE CITY COUNCIL  
DECEMBER 20, 2013 – PAGE 3**

the Design Review Board receives actual notice of the decision of the Design Review Board. In addition, the 30 day period will begin to run no sooner than the date of Resolution Number 2013-30 which is December 20, 2013.

Councilman Robinson made a motion to amend Resolution No. 2013-30 to state that a person will have within 30 days to file an appeal after they receive actual notice of the decision of the Design Review Board. Councilwoman Williams-Blake seconded the motion, which carried unanimously.

**RESOLUTION OF APPRECIATION – BISHOP CHARLES O. MCDOWELL**

A Resolution of Appreciation for Bishop Charles O. McDowell was adopted by Council.

Councilwoman Williams-Blake stated this is a Resolution of Appreciation to express condolences on the death of Bishop Charles McDowell. Bishop McDowell served as a pastor in a church that was located in the City of Florence for over 30 years.

Mayor Pro tem Brand made a motion to approve the Resolution. Councilman Willis seconded the motion, which carried unanimously.

**ADJOURN**

Councilman Willis made a motion to adjourn the meeting. There was no objection.

The meeting was adjourned at 11:02 a.m.

Dated this 13<sup>th</sup> day of January, 2014.

\_\_\_\_\_  
Dianne M. Rowan, Municipal Clerk

\_\_\_\_\_  
Stephen J. Wukela, Mayor

**CITY OF FLORENCE COUNCIL MEETING**

**DATE:** December 9, 2013

**AGENDA ITEM:** Ordinance – First Reading

**DEPARTMENT/DIVISION:** Utility Department/Groundwater

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**I. ISSUE UNDER CONSIDERATION:**

An Ordinance to declare as surplus a parcel containing approximately 0.13 acres and designated as Tax Map Number 90055-07-002 in the records of the Florence County Tax Assessor.

**II. CURRENT STATUS/PREVIOUS ACTION TAKEN:**

As part of the City's purchase of the former Brookgreen Water System, the City acquired this parcel as part of the purchase.

**III. POINTS TO CONSIDER:**

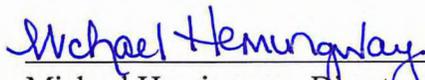
The land is of limited if any value to the City.

**IV. STAFF RECOMMENDATION:**

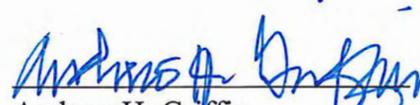
Staff recommends that City Council adopt the proposed Ordinance authorizing the City Manager to execute the sale of parcel 90055-07-002.

**V. ATTACHMENTS:**

1. Proposed Ordinance
2. Attachment A

  
\_\_\_\_\_  
Michael Hemingway, Director

**Utility Department**

  
\_\_\_\_\_  
Andrew H. Griffin

**City Manager**

**ORDINANCE NO. 2013-\_\_\_\_\_**

**AN ORDINANCE TO DECLARE AS SURPLUS OF PARCEL CONTAINING APPROXIMATELY 0.13 ACRES AND DESIGNATED AS TAX MAP NUMBER 90055-07-002 IN THE RECORDS OF THE FLORENCE COUNTY TAX ASSESSOR.**

**WHEREAS**, after due consideration, the City has concluded that the approximately 0.13 acres of land more particularly shown on Exhibit "A" attached hereto and incorporated herein by reference, is surplus land to the City and is property that should be sold; and

**WHEREAS**, the City acknowledges that the property has little or no useful value to the City and it also acknowledges that the property, due to its location only has useful value to the adjacent property owner; and

**WHEREAS**, the City also, due to the limited value of the property and costs, agrees to sell the property at the current tax value (\$3,400); and

**WHEREAS**, it is hereby determined that the conveyance of said property is in the best interest and benefit of the citizens of the City of Florence.

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

1. That, pursuant to §5-7-260(6) of the South Carolina Code of Laws, as amended, and §2-26(8) of the Code of Ordinances of the City of Florence, the City Manager of the City of Florence is hereby authorized to execute the necessary agreements and documentation in order to convey title of the property known as 90055-07-002 Brookgreen Community for value equal to the appraised value as determined by the appraisal.

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 \_\_\_\_\_, 2014.**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
James W. Peterson, Jr.  
**City Attorney**

\_\_\_\_\_  
Stephen J. Wukela  
**Mayor**

**ATTEST:**

\_\_\_\_\_  
Dianne M. Rowan  
**Municipal Clerk**



FLORENCE CITY COUNCIL MEETING

**DATE:** December 9, 2013

**AGENDA ITEM:** First Reading, Ordinance to Amend PDD Ordinance 2008-02

**DEPARTMENT/DIVISION:** Planning, Research & Development

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**I. ISSUE UNDER CONSIDERATION**

Request to amend Planned Development District Ordinance 2008-02 permitted uses and site plan.

**II. CURRENT STATUS/PREVIOUS ACTION TAKEN:**

On November 12, 2013, Planning Commission held a public hearing on this matter. The Planning Commissioners voted unanimously, 8-0, to approve the request.

**III. POINTS TO CONSIDER**

1. In January 2008, City Council adopted an ordinance that rezoned lots owned by New Ebenezer Baptist Church from B-3, General Commercial District and R-4, Multi-Family Residential Limited District to Planned Development District (PDD).
2. The only permitted uses within the Ordinance were a church and a daycare.
3. In January 2013, a zoning permit was issued for a recreational center on the lot to the East of the church.
4. The church would like to amend PDD Ordinance 2008-02 to allow a school that serves kindergarten through fourth grade within the recreational center.
5. The request is to also amend the Ordinance site plan adding a circular driveway and 35 foot by 35 foot canopy for the recreational center.

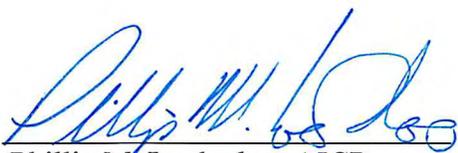
**IV. OPTIONS**

City Council may:

1. Approve the request as presented based on the information submitted.
2. Defer the request should additional information be needed.
3. Suggest other alternatives
4. Deny the request.

**IV. ATTACHMENTS**

1. Ordinance



Phillip M. Lookadoo, AICP  
Planning, Research & Development Director



Andrew H. Griffin  
City Manager

**ORDINANCE NO. 2013-\_\_\_\_\_**

**AN ORDINANCE TO AMEND PLANNED DEVELOPMENT DISTRICT ORDINANCE 2008-02 PERMITTED USES AND SITE PLAN:**

**WHEREAS**, a Public Hearing was held in City Council Chambers on November 12, 2013 at 6:30 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

**WHEREAS**, Robert Davis Engineering, LLC made application to amend Planned Development District Ordinance 2008-02 to permit a school that serves kindergarten through fourth grade, and add a circular driveway and a 35 feet by 35 feet canopy to the site plan;

**WHEREAS**, the request was made for further expansion of New Ebenezer Baptist Church;

**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 Planned Development District Ordinance 2008-02 to add a kindergarten through fourth grade school to the list of uses and add a circular driveway and a 35 feet by 35 feet canopy to the site plan.

2. That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence and posting of this amendment in the official Zoning Atlas.

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013

**Approved as to form:**

\_\_\_\_\_  
James W. Peterson, Jr.  
**City Attorney**

\_\_\_\_\_  
Stephen J. Wukela,  
**Mayor**

**Attest:**

\_\_\_\_\_  
Dianne M. Rowan  
**Municipal Clerk**



**NEW EBENEZER  
 BAPTIST**

NEW EBENEZER  
 SIGNATURE  
 LANDSCAPING

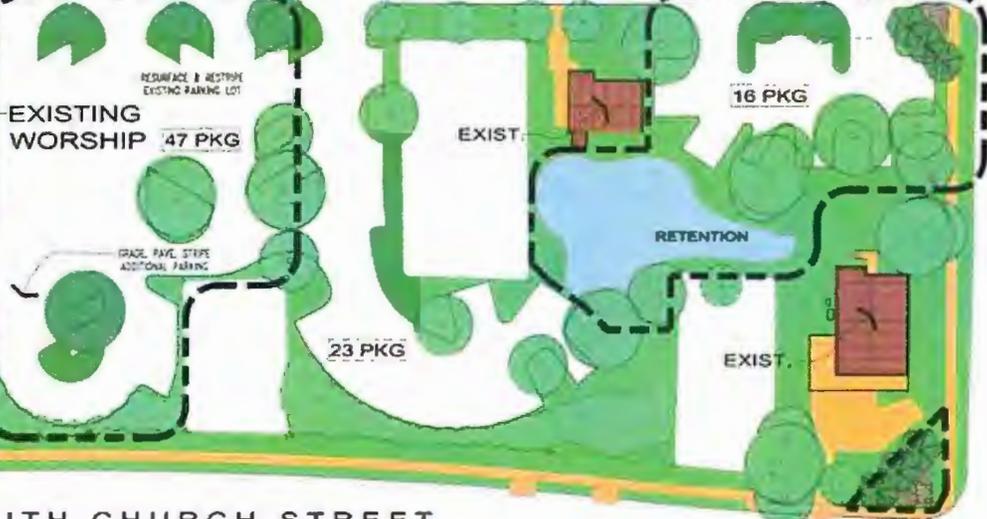
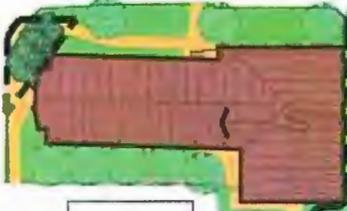
EAST PALMETTO STREET

BROWN STREET

SERVICE



RAVENEL STREET



SOUTH CHURCH STREET

EAST PINE STREET

10' PARKING SPACE  
 15' PARKING SPACE  
 15' PARKING SPACE  
 15' PARKING SPACE

- EXISTING TREE
- SIGNATURE TREE (EVERGREEN)
- NEW TREE
- NEW ACCENT TREE
- SOFTSCAPE
- - - EXTENT OF PHASE 1 CONSTRUCTION

**SITE**

Scale: 1"=50'  
 Job #: 07-5120  
 Date: October 29, 2007  
 By: TC2





FLORENCE CITY COUNCIL MEETING

DATE: December 9, 2013  
AGENDA ITEM: Ordinance – First Reading  
DEPARTMENT/DIVISION: Finance

**I. ISSUE UNDER CONSIDERATION**

Second amendment to the FY 2013-14 City of Florence Budget.

**II. CURRENT STATUS/PREVIOUS ACTION TAKEN**

No previous action has been taken on this ordinance.

**III. POINTS TO CONSIDER**

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. Funds are being re-appropriated from fiscal year 2012-13 to 2013-14 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 2012-13.

Funds are also being re-appropriated from fiscal year 2012-13 to 2013-14 in the General Fund and Water and Sewer Enterprise Fund to provide for remaining costs related to moving City administrative and operational departments into the City Center facility located at 324 W. Evans Street to serve as City Hall. These costs are being paid for from remaining grant funding in the General Fund and from unappropriated reserves of both the General Fund and the Water and Sewer Enterprise Fund.

Additionally, the General Fund budget is being amended to provide for insurance proceeds received for a sanitation truck that was destroyed by fire, and for proceeds anticipated to be received from the sale of a fire department mini-pumper. Proceeds from the sale of the mini-pumper will be used to upgrade an existing heavy duty pickup truck for use as a brush truck to fight grass and brush fires.

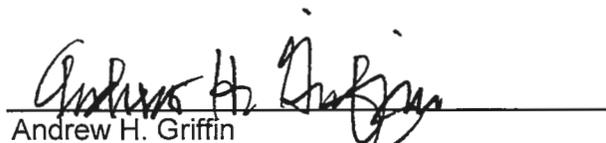
**IV. STAFF RECOMMENDATION**

Approval and adoption of the proposed ordinance.

**V. ATTACHMENTS**

Copy of the proposed ordinance.

  
Thomas W. Chandler  
Finance Director

  
Andrew H. Griffin  
City Manager

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND THE BUDGET FOR THE CITY OF FLORENCE, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2013, AND ENDING JUNE 30, 2014.**

**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, 2013, and ending June 30, 2014, 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:

- 100325-430000      Miscellaneous Revenue is increased in the amount of \$8,000 to provide for proceeds anticipated to be received from the sale of a Fire Department mini-pumper.
- 100375-435010      From Unappropriated Reserve is increased in the amount of \$1,555,800 from fund balance.
- 100375-425040      Insurance Claims Revenue is funded in the amount of \$136,900 to provide for proceeds received from an insurance claim for a sanitation truck completely destroyed by fire.

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

- 10042100-580030      Office Equipment (Police) is funded in the amount of \$20,000 to provide for the crime scene computer hardware and software.
- 10042100-572011      Adult Housing (Police) is increased in the amount of \$90,000 to provide for increased rates imposed by Florence County in October 2013 for inmate housing at the Florence County Detention Center.
- 10042100-580060      Other Equipment (Police) is funded in the amount of \$22,000 to provide for four in-car camera systems.
- 10042200-580040      Auto Equipment (Fire) is increased in the amount of \$8,000 to provide for the upgrade an existing heavy duty pickup truck for use as a brush truck to fight grass and brush fires.
- 10043020-534070      Building Maintenance (Beautification & Facilities) is increased in the amount of \$8,900 to provide for the repairs to the Parks Lot.
- 10043020-550560      Sign Shop Supplies (Beautification & Facilities) is increased in the amount of \$3,000 to provide for the downtown signage.
- 10043020-580040      Auto Equipment (Beautification & Facilities) is funded in the amount of \$50,000 to provide for the replacement of

**FY 2013-2014 Budget Amendment Ordinance (continued)**

- pickup truck # 300 (\$25,000) and for the replacement of pickup truck # 361 (\$25,000).
- 10043020-580060 Other Equipment (Beautification & Facilities) is funded in the amount of \$33,000 to provide for the replacement of stump grinder # 381.
- 10043022-580040 Auto Equipment (Sanitation) is funded in the amount of \$136,900 to provide for the replacement of a sanitation truck destroyed by fire.
- 10043024-580010 Buildings & Fixed Equipment (Recreation) is increased in the amount of \$7,800 to provide for HVAC replacement at the Jeffers Center.
- 10043024-580040 Auto Equipment (Recreation) is funded in the amount of \$50,000 to provide for the replacement of van # 923 (\$25,000) and van # 925 (\$25,000).
- 10043024-580050 Facility Improvements (Recreation) is funded in the amount of \$26,900 for Timrod Park improvements (\$25,000) and Freedom Florence improvements (\$1,900).
- 10043025-560070 Marketing and Promotions (Athletic Programs) is increased in the amount of \$27,000 to provide for Freedom Florence and Tennis Center marketing.
- 10043025-580040 Auto Equipment (Athletic Programs) is funded in the amount of \$48,000 to provide for the replacement of pickup truck # 936 (\$24,000) and pickup truck # 940 (\$24,000).
- 10043025-580060 Other Equipment (Athletic Programs) is funded in the amount of \$26,400 to provide for the replacement of compact utility vehicle # 980 (\$12,000); field machine # 994 (\$12,000); and trailer # 971 (\$2,400).
- 10049300-594005 Lot Clearing and Demolition (Non-Departmental) is funded in the amount of \$91,500 to provide for the clearing and demolition of lots and abandoned structures within the city limits.
- 10049300-594007 Neighborhood Redevelopment (Non-Departmental) is funded in the amount of \$100,000 to provide funding for neighborhood redevelopment projects.
- 10049300-594015 City Center (Non-Departmental) is increased in the amount of \$750,000 to provide for the General Fund portion of the completion of the City Center renovations required for moving City staff from the City County Complex offices, 218 West Evans Street offices, and the Palmetto Street Fire Department administrative offices.

**FY 2013-2014 Budget Amendment Ordinance (continued)**

- 10049300-594020 Contingency Fund (Non-Departmental) is increased in the amount of \$50,000 to provide for contingency funding for unanticipated General Fund projects or programs required in FY 2013-14.
- 10049300-594070 Management System Software (Non-Departmental) is increased in the amount of \$36,000 to provide funds for the General Fund portion of the Financial and HR management software conversion and implementation.
- 10049300-594105 McLeod Park Improvements (Non-Departmental) is funded in the amount of \$91,000 to provide for the completion of McLeod Park improvements.
- 10049300-594130 IT Upgrades (Non-Departmental) is funded in the amount of \$10,000 to provide funds for IT upgrades in the General Fund related to management system software implementation and development.
- 10049300-594140 Rail Trail – DHEC (Non-Departmental) is funded in the amount of \$14,300 to provide for DHEC grant-funded trail system improvements.

**Section 3.** That the category of revenues of the Water and Sewer Enterprise Fund in said budget is hereby amended by the additional appropriations as follows:

- 200375-435010 From Unappropriated Reserve is funded in the amount of \$1,550,000 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:

- 20041506-550510 Meters, Parts & Supplies (Utility Finance) is increased in the amount of \$25,000 to provide for radio read equipment.
- 20041506-580020 Office Furniture (Utility Finance) is funded in the amount of \$20,000 to provide for the purchase of replacement filing cabinets.
- 20044041-580050 Facility Improvements (Wastewater) is increased in the amount of \$210,000 to provide for upgrades to the Calvin Circle Pump Station.
- 20044042-580050 Facility Improvements (Surface Water) is increased in the amount of \$270,000 to provide for upgrades to the Surface Water Plant electronic operating system.
- 20044043-538040 Well Maintenance & Repairs (Ground Water) is increased in the amount of \$30,000 to provide for Santiago well chemicals.

**FY 2013-2014 Budget Amendment Ordinance (continued)**

- 20044043-580050 Facility Improvements (Ground Water) is increased in the amount of \$100,000 to provide for Boatwright water treatment plant filter media replacement.
- 20049300-594015 City Center (Non-Departmental) is increased in the amount of \$750,000 to provide for the W/S Utilities Enterprise Fund portion of the completion of the City Center renovations required for moving City staff from the City County Complex offices, 218 West Evans Street offices, and the Palmetto Street Fire Department administrative offices.
- 20049300-594020 Contingency Fund (Non-Departmental) is increased in the amount of \$50,000 to provide for contingency funding for unanticipated water and sewer facilities maintenance and improvements required in FY 2013-14.
- 20049300-594070 Management System Software (Non-Departmental) is increased in the amount of \$85,000 to provide funds for the W/S Utilities Enterprise Fund portion of the Financial and HR management software conversion and implementation.
- 20049300-594130 IT Upgrades (Non-Departmental) is funded in the amount of \$10,000 to provide funds for IT upgrades in the W/S Utilities Enterprise Fund related to management system software implementation and development.

**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 \$382,700 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:

- 21041506-580060 Other Equipment (Utility Finance Equipment Replacement) is increased in the amount of \$15,200 to provide funding for the purchase of hand held meter reading equipment.
- 21041506-580070 Data Processing Equipment (Utility Finance Equipment Replacement) is funded in the amount of \$20,000 to provide funding for the purchase of utility billing computer hardware.
- 21044040-580040 Auto Equipment (Engineering Equipment Replacement) is increased in the amount of \$70,000 to provide funding for the replacement of utility vehicle # 100 (\$25,000); the replacement of utility vehicle # 511 (\$25,000); and the replacement of pickup truck # 513 (\$20,000).

**FY 2013-2014 Budget Amendment Ordinance (continued)**

- 21044040-580060 Other Equipment (Engineering Equipment Replacement) is funded in the amount of \$12,000 to provide funding for the replacement of GPS equipment.
- 21044041-580040 Auto Equipment (Wastewater Treatment Equipment Replacement) is increased in the amount of \$155,000 to provide funding for the replacement of knuckleboom truck # 759.
- 21044041-580060 Other Equipment (Wastewater Treatment Equipment Replacement) is funded in the amount of \$18,000 to provide funding for the replacement of backhoe # 766.
- 21044044-580010 Buildings and Fixed Equipment (Distribution Operations Equipment Replacement) is funded in the amount of \$7,500 to provide funding for the purchase of a heat pump replacement.
- 21044044-580060 Other Equipment (Distribution Operations Equipment Replacement) is increased in the amount of \$85,000 to provide funding for the purchase of a replacement trailer mounted 4" pump (\$20,000); a replacement 6" trash pump (\$20,000); and a replacement 8" trash pump (\$45,000).

**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 increased in the amount of \$40,000 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:

- 31044060-580060 Other Equipment (Stormwater Operations Equipment Replacement) is increased in the amount of \$40,000 to provide funding for the replacement of pickup truck # 811.

**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 \$175,000 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:

- 40049900-598040 Florence Downtown Promotions (Hospitality Fund General Expenditures) is increased in the amount of \$5,000 for the development of a City/Downtown promotion and information application for electronic communications devices.

**FY 2013-2014 Budget Amendment Ordinance (continued)**

40049900-598045 Downtown Improvements (Hospitality Fund General Expenditures) is funded in the amount of \$70,000 for holiday decorations (\$16,500); underground utilities (\$8,000); and downtown streets beautification and improvements (\$45,500).

40049900-598135 Downtown Incubator (Hospitality Fund General Expenditures) is funded in the amount of \$100,000 to provide for the development of a downtown incubator.

**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.

**ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2013.**

**Approved as to form:**

\_\_\_\_\_  
James W. Peterson, Jr.  
**City Attorney**

\_\_\_\_\_  
Stephen J. Wukela  
**Mayor**

**Attest:**

\_\_\_\_\_  
Diane Rowan  
**Municipal Clerk**

**FLORENCE CITY COUNCIL MEETING**

**DATE:** June 3, 2013

**AGENDA ITEM:** Bill No. 2013-013 - An ordinance to regulate businesses by enacting a new chapter in the city of Florence Code of Ordinances to establish provisions and requirements for the screening of criminal records by employers within the City of Florence

**DEPARTMENT/DIVISION:** Councilman Robinson

**I. ISSUE UNDER CONSIDERATION**

This Ordinance, which is patterned after an Ordinance enacted by the City of Philadelphia, PA, would result in the City establishing regulations which limit the obtaining and use of information regarding arrests and convictions in the employment process in an effort to make sure that such information is not improperly used by the City or employers within the City to accomplish the following goals:

- a. To assist the successful reintegration of formerly-incarcerated people back into the community by removing barriers to gainful employment after their release from jail/prison;
- b. To enhance the health and security of the community by assisting people with criminal/arrest records to provide for their families and themselves; and
- c. To ensure that, within the City of Florence, just and fair measures are implemented and practiced when screening and identifying persons who may or may not have criminal records.

## **II. CURRENT STATUS/PREVIOUS ACTION TAKEN:**

a. Councilman Robinson previously provided Council with information regarding this proposal, including language for a proposed ordinance, and Council discussed this during a Report to Council at the Meeting on May 13, 2013.

b. The attached Ordinance contains the same language previously discussed, is based upon the Philadelphia Ordinance, and has been altered only to the extent needed to place it into the proper format for our ordinances.

c. This Ordinance is being presented by Councilman Robinson for First Reading.

## **III. OPTIONS**

- a. Approve the Ordinance on First Reading
- b. Defer the request should additional information be needed.
- c. Suggest other alternatives to accomplish the same goals.
- d. Defeat the Ordinance on First Reading.

## **IV. ATTACHMENTS**

- a. Proposed Ordinance

ORDINANCE NO. 2013-\_\_\_\_\_

**AN ORDINANCE TO REGULATE BUSINESSES BY ENACTING A NEW CHAPTER IN THE CITY OF FLORENCE CODE OF ORDINANCES TO ESTABLISH PROVISIONS AND REQUIREMENTS FOR THE SCREENING OF CRIMINAL RECORDS BY EMPLOYERS WITHIN THE CITY OF FLORENCE.**

**WHEREAS**, the Council of the City of Florence, South Carolina, hereby finds and determines:

- a. Persons with criminal records suffer from pervasive discrimination in many areas of life-employment housing, education, and eligibility for many forms of social benefits: and
- b. As of 2000, more than 70 million people nationwide had criminal records and are reported to experience lifelong discrimination because of their past convictions, and Florence has a high corrections population because of their past convictions; and
- c. As of 2000 there have been approximately 35,000 arrest within the city of Florence of which approximately 60% are because recidivism: and
- d. The percentage of people of color arrested and convicted both local and nationwide exceed the percentage of their representation in the population as a whole, which disproportionately impacts their lives, families and communities; and
- e. Criminal background checks by employers have increased at a record rate, with a vast majority of employers in the U.S. now screening their workers for criminal records; and
- f. Formerly-incarcerated people represents a group of job-seekers, ready to contribute and add to the work force; and
- g. Lack of employment is a significant cause of recidivism; people who employed are significantly less likely to be re-arrested; and
- h. Obstacles to employment for people with criminal records and other barriers to re-entry are creating permanent members of an underclass that threatens the health of the community and undermines public safety.

- i. This Legislation concerns a sensitive and highly controversial subject, and should not be construed to require an employer to hire someone with a criminal record, nor to limit an employer's ability to choose the most qualified and appropriate application for the employment opportunity at hand.
- j. This legislation is intended to give the individual with a criminal/arrest record an opportunity to be judged on his or her own merit during the submission of the application and at least until the completion of one interview.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED, AND BY THE AUTHORITY THEREOF THAT CHAPTER 13 OF THE CITY CODE IS HEREBY AMENDED TO ADD A NEW ARTICLE IX WHICH SHALL READ IN ITS ENTIRETY AS FOLLOWS:**

**Article IX        Limitations on Inquiry Concerning Criminal Record During The Employment Process**

**Sec. 13-140        It is the intent and purpose of this Chapter:**

- a. To assist the successful reintegration of formerly-incarcerated people back into the community by removing barriers to gainful employment after their release from jail/prison;
- b. To enhance the health and security of the community by assisting people with criminal/arrest records to provide for their families and themselves; and
- c. To ensure that, within the City of Florence, just and fair measures are implemented and practiced when screening and identifying persons who may or may not have criminal records.

**Sec. 13-141        Definitions.**

As used in this Chapter this Chapter the following terms have the following meanings:

- a. "Applicant" means any person considered or who requests to be considered for employment by an employer

b. "City agency" means the city, or any City department, agency, board or commission.

c. "Conviction" shall mean any sentence arising from a verdict or plea of guilty or nolo contendere, including a sentence of incarceration, a suspended sentence, a sentence of probation or a sentence of unconditional discharge.

d. "Employment" means any occupation, vocation, job, work for pay or employment, including temporary or seasonal work, contracted work, contingent work and work through the services of a temporary or other employment agency; or any form of vocational or educational training with or without pay. "Employment" shall not, for the purpose of this Chapter, include membership in any law enforcement agency.

e. "Inquiry" means any direct or indirect conduct intended to gather information, using any mode of communication.

f. "Interview" means any direct contact by the employer with the applicant, whether in person or by telephone, to discuss the employment being sought or the applicant's qualifications.

g. "Criminal Justice Agency" means any, court including the minor judiciary, with criminal jurisdiction or any other governmental agency, or subunit thereof, created by statute or by the state or Federal constitutions, specifically authorized to perform as its principal function the administration of criminal justice, and which allocates a substantial portion of its annual budget to such function; and agencies whose principal function relates to the administration of criminal justice, including but not limited to organized State and municipal police departments, local detention facilities, correctional facilities, probation agencies, district or prosecuting attorneys, parole boards, pardon boards and public agencies that provide care, guidance and control to adjudicated delinquents.

h. "License" means any certificate, license, permit, authorization or grant of permission required by the City as a condition for the lawful practice of any occupation, employment, trade, vocation, business, or profession. "License" shall not for the purpose of this Chapter, include any license, authorization or permit to own, possess, carry, or fire any explosive, pistol, handgun, rifle, shotgun, or other firearm.

i. "Private employer" means any person, company, corporation, labor organization or association which employs ten or more persons within the City of Florence. It includes job placement and referral agencies and other employment agencies.

**Sec. 13-142 Prohibition Against Unfair Discrimination Against Persons Previously Arrested For One Or More Criminal Offenses.**

a. In connection with the licensing or employment of any person, it shall be an unlawful discriminatory practice of a City agency or private employer to knowingly and intentionally make any inquiry about or to take any adverse action against any person on the basis of any arrest or criminal accusation made against such person, which is not then pending against that person and which did not result in a conviction. It shall further be an unlawful discriminatory practice for a City agency or private employer to require any person to disclose or reveal any arrest or criminal accusation made against such person which is not then pending against that person and which did not result in a conviction.

**Sec.13-143 Prohibition Against Unfair Discrimination Against Persons Previously Convicted For One Or More Criminal Offenses.**

a. In connection with licensing or employment of any person, it shall be an unlawful discriminatory practice for a City agency or private employer to make any inquiry regarding or to require any person to disclose or reveal any criminal convictions during the application process. The application process shall begin when the applicant inquires about

the employment bent sought and shall end when an employer has accepted an employment application.

b. It shall further be an unlawful discriminatory practice for a City agency or private employer to make any inquiry regarding, or to require any person to disclose or reveal any criminal convictions against such person before and during the first interview. If an employer does not conduct an interview, that employer is prohibited from making any inquires or gathering any information regarding the applicant's criminal convictions. If the applicant voluntarily discloses any information regarding his or her criminal conviction at the interview, the employer may discuss the criminal conviction disclosed by the applicant.

**Sec. 13-144 Exemptions.**

a. The prohibitions of this Chapter shall not apply if the inquires or adverse actions prohibited herein are specifically authorized by any other applicable law.

b. The prohibitions of this Chapter shall not apply to a Criminal Justice Agency as defined herein.

c. Nothing in this Chapter shall modify or waive the requirements and limitations on the use of criminal records in Florence.

**Sec. 13-145 Enforcement.**

a. The City Manager shall designate the appropriate city department to administer and enforce this Chapter.

b. Each violation of this Chapter shall constitute a "Class III" offense and any person who violates this Chapter shall be subject to a fine as set forth under "Class III" offenses.

**Sec. 13-146 Fair Criminal Record Screening Advisory Screening Advisory Committee.**

a. Establishment. The City Council hereby calls upon the City Manager to establish a nine (9) person committee entitled the "The Criminal Record Screening Advisory Committee" the purpose of which shall be to review the implementation and effectiveness of this Chapter and to make recommendations to the City Council regarding this Chapter.

b. Members. The Committee shall be composed of nine (9) members, one (1) each by each Council member, one (1) by the City Manager, and of the eight shall appoint one (1) other to be Chairperson. The appointees shall consist of: two (2) that have arrest/criminal records, two (2) from the business community, two (2) from general public, one (1) minister, and the other two, shall be the committee appointee and City Manager's appointee, no restrictions

c. Meetings: The committee shall meet at least quarterly. All meetings shall be open to the public and will allow for public testimony on policies or conduct relating to this Chapter.

**Sec. 13-147 Severability.**

If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this Ordinance, or the application of such provision to any person or circumstance, is for any reason held to be unconstitutional or invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance, or the application of such provision to persons or circumstances other than those as to which it is held invalid. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause, or phrase of this Ordinance irrespective of the unconstitutionality of invalidity of any section, subsection, subdivision, paragraph, sentence, clause or phrase.

**Sec. 13-148 Effective Date.**

After its approval and adoption on by City Council with two readings, this Ordinance shall become effective on January 1, 2014.

**ADOPTED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2013.**

Approved as to form:

\_\_\_\_\_  
James W. Peterson, Jr.  
City Attorney

\_\_\_\_\_  
Stephen J. Wukela  
Mayor

Attest:

\_\_\_\_\_  
Dianne M. Rowan  
Municipal Clerk

**CITY OF FLORENCE COUNCIL MEETING**

**DATE:** January 13, 2014

**AGENDA ITEM:** Ordinance  
First Reading

**DEPARTMENT/DIVISION:** Department of Planning, Research & Development

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**I. ISSUE UNDER CONSIDERATION:**

The applicant requests the City of Florence abandon its interest in a ten foot right-of-way originally serving as an alley connecting the 400 block of Poplar Street with the 400 block of Spruce Street. (See Attachment 1).

**II. POINTS TO CONSIDER:**

- (1) Notifications, which included information regarding the consideration of abandonment as well as location maps of the right-of-way, were sent to each of the property owners as well as the current residents of each dwelling unit adjacent to the alley.
- (2) Notice was given in the Morning News on December 23, 24, and 25, 2013 as required by Section 2-28 of the City of Florence Code of Ordinances.
- (3) The following City of Florence departments were contacted regarding the abandonment of the right-of-way: Fire; Police; Public Works; Utilities; Engineering; and Planning, Research, and Development. None of the aforementioned departments found any reason to maintain the City's interest in this alley.
- (4) During staff's investigation, it was found that the property owner of 416 Spruce Street uses the right-of-way as access to the rear of their property (Attachment 2)
- (5) It was also found that the portion of the right-of-way running behind the houses on Spruce and Poplar Streets (alley running parallel to Spruce and Poplar Streets) is cluttered with various fences, buildings, and vegetation, making it impassible.
- (6) The portion of the right-of-way leading off of Poplar Street is obstructed by trees and other vegetation (Attachment 3).
- (7) Based on an actual road-course simulating the 90 degree turn on the 10 ft right-of-way, it is not feasible to navigate a modern vehicle through the entirety of the alley (Attachment 4).
- (8) Planning Commission unanimously recommended abandonment of a portion of the aforementioned right-of-way (See Attachment 5 identifying recommended abandonment.)
- (9) If City Council approves the abandonment of interest in this right-of-way, homeowners adjacent to the right-of-way may, through the completion of a

the plat approval process and recording of a quitclaim deed, add an additional five feet of the adjacent right-of way, running the distance of their property boundaries, onto their property (Attachment 5).

**III. CURRENT STATUS/PREVIOUS ACTION TAKEN:**

Planning Commission held a public hearing on November 12, 2013 regarding this matter. The Planning Commission voted unanimously to recommend abandonment of a portion of the 10 foot right-of-way that runs between Poplar Street and Spruce Street (See Attachment 5). Since 416 Spruce Street continues to utilize the alley for access to the rear of their property, Planning Commission recommended that the City not abandon its interest in the portion leading perpendicularly off of Spruce Street which runs to the rear of tax map parcel 90076-02-017 (416 Spruce St.). (See Attachment 5 identifying recommended abandonment.)

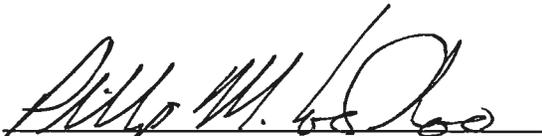
**IV. OPTIONS**

City Council may:

- (1) Approve the request as presented based on the information submitted.
- (2) Defer the request should additional information be needed.
- (3) Suggest other alternatives.
- (4) Deny the request.

**V. ATTACHMENTS:**

- (1) Map showing the location of the property (Attachments 1)
- (2) Photographs (Attachments 2-5)

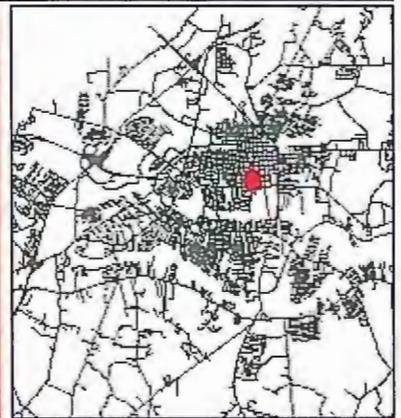


Phillip M. Lookadoo, AICP  
Planning, Research, & Development Director



Andrew H. Griffin  
City Manager

# Location Map



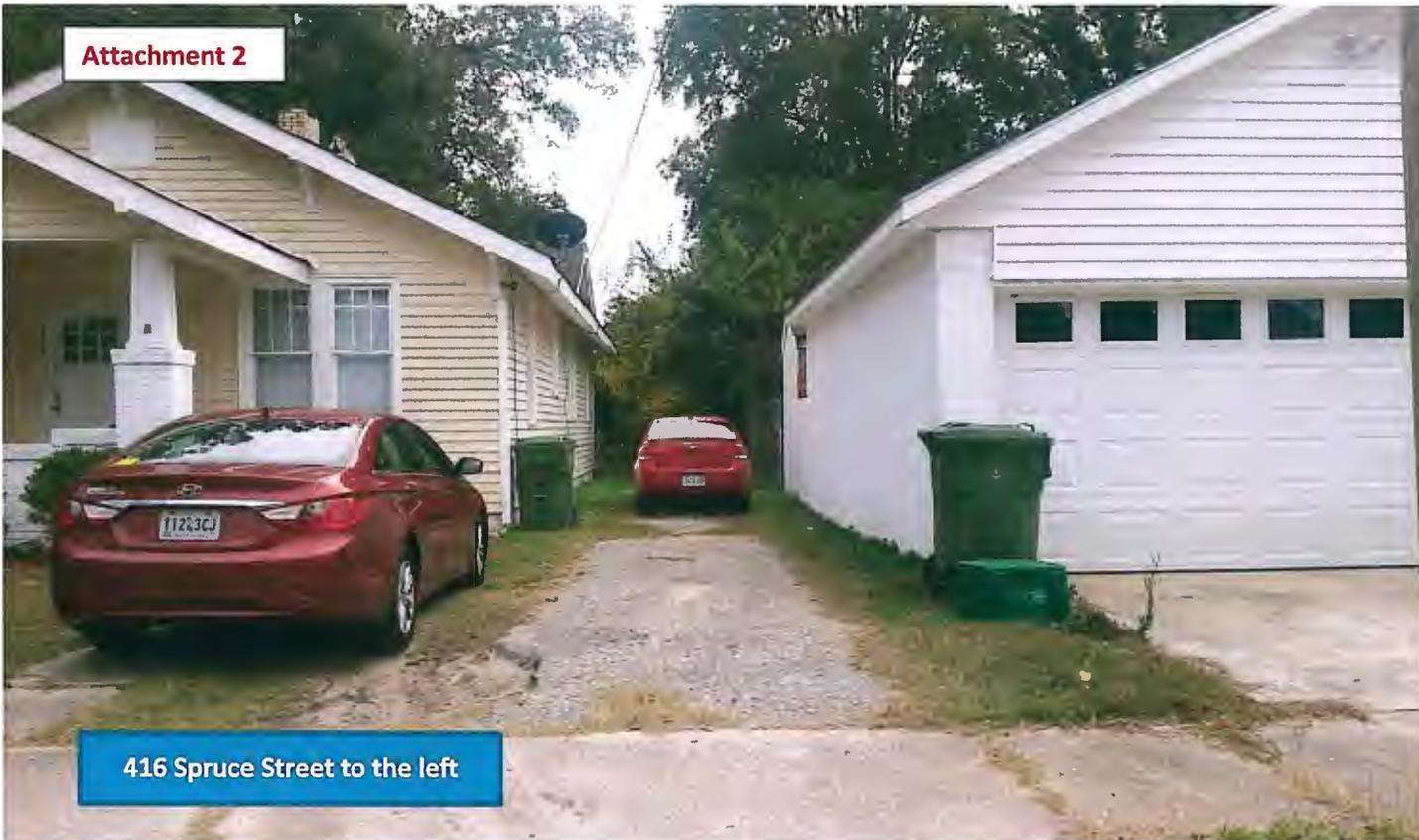
**Legend**

- RoadSegment
- Parcels



**DISCLAIMER:**  
The City of Florence Urban Planning and Development Department 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.

**Attachment 2**



416 Spruce Street to the left

**Attachment 3**

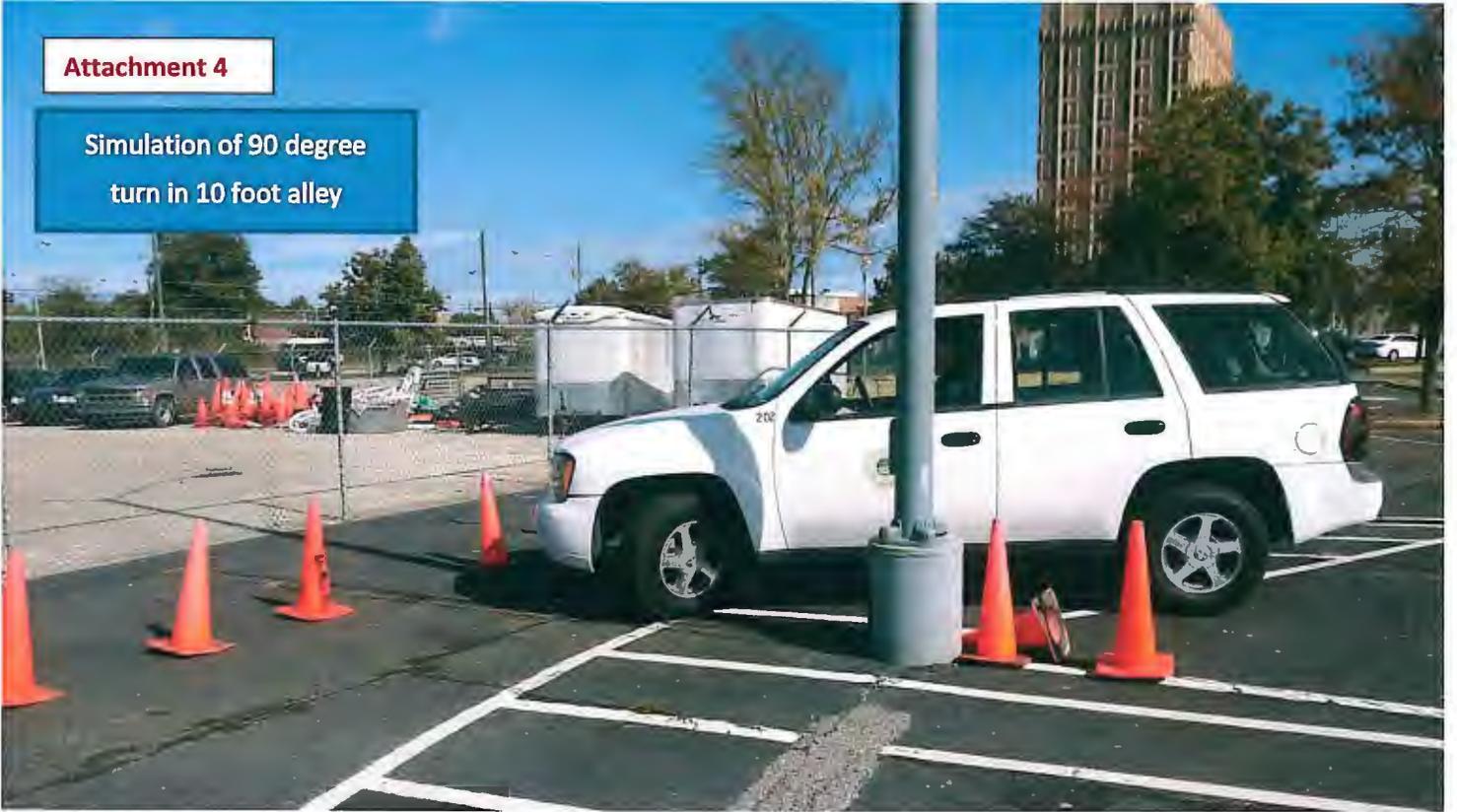
407 Poplar St. to the Left



Flags marking entrance to right-of-way off of Poplar Street

**Attachment 4**

Simulation of 90 degree  
turn in 10 foot alley



**Attachment 5**

Recommended not  
to abandon

Recommended for  
abandonment



**ORDINANCE NO. 2014 \_\_\_\_\_**

**AN ORDINANCE TO ABANDON A PORTION OF RIGHT-OF-WAY ON BROGDON STREET.**

**WHEREAS**, a request has been made for the City to abandon its interest in a portion of the 10 foot right-of-way connecting the 400 block of Poplar Street with the 400 block of Spruce Street, more specifically the portion perpendicular to and connecting to Poplar Street and the portion running parallel to Poplar and Spruce Streets, and;

**WHEREAS**, a public notice was published three times in the Morning News prior to the January 13, 2014 City Council meeting as required by City Code Section 2-28(b) and adjacent property owners and utility providers were notified.

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

1. That the City of Florence abandons its interest a portion of the right-of-way which will then revert to the abutting property owners after the necessary legal documents have been completed.
2. That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence.

**ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2009**

**Approved as to form:**

\_\_\_\_\_  
James W. Peterson, Jr.  
City Attorney

\_\_\_\_\_  
Stephen J. Wukela, Mayor

**Attest:**

\_\_\_\_\_  
Dianne Rowan  
Municipal Clerk

CITY OF FLORENCE COUNCIL MEETING

**DATE:** January 13, 2014

**AGENDA ITEM:** Ordinance  
First Reading

**DEPARTMENT/DIVISION:** Department of Planning, Research & Development

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**I. ISSUE UNDER CONSIDERATION:**

Request to annex three properties located in the Spaulding Heights Subdivision (Tax Map Numbers 90096-05-006, 90113-01-049, and 90096-03-007) into the City of Florence and zone said properties R-3, Single-Family Residential District. The request is being made by the property owners, Audrey Kirven, Betty Sellers, and Frances Diggs.

**II. POINTS TO CONSIDER:**

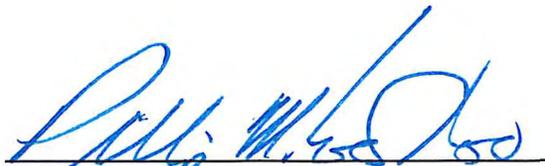
- (1) This request is being considered for first reading.
- (2) City water and sewer services are currently available; there is no cost to extend utility services.
- (3) A Public Hearing for zoning was held at the December 10, 2013 Planning Commission meeting. No one was present to voice concerns or support the request.
- (4) Planning Commission members voted 8-0 to recommend the zoning request of R-3, Single-Family Residential District.
- (5) City Staff recommends annexation, as it is in compliance with the comprehensive plan, and concurs with Planning Commission's recommendation to zone the property R-3, Single-Family Residential District, upon annexation.

**III. CURRENT STATUS/PREVIOUS ACTION TAKEN:**

- (1) No previous action has been taken by City Council on this request.

**IV. ATTACHMENTS:**

- (1) Ordinance and map showing the location of the property.

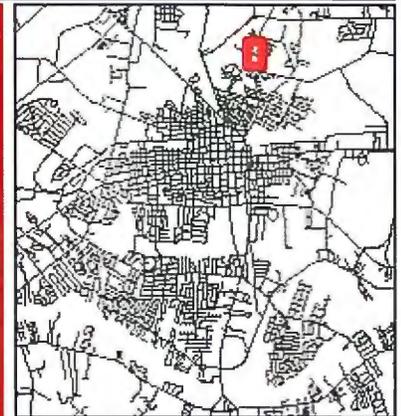
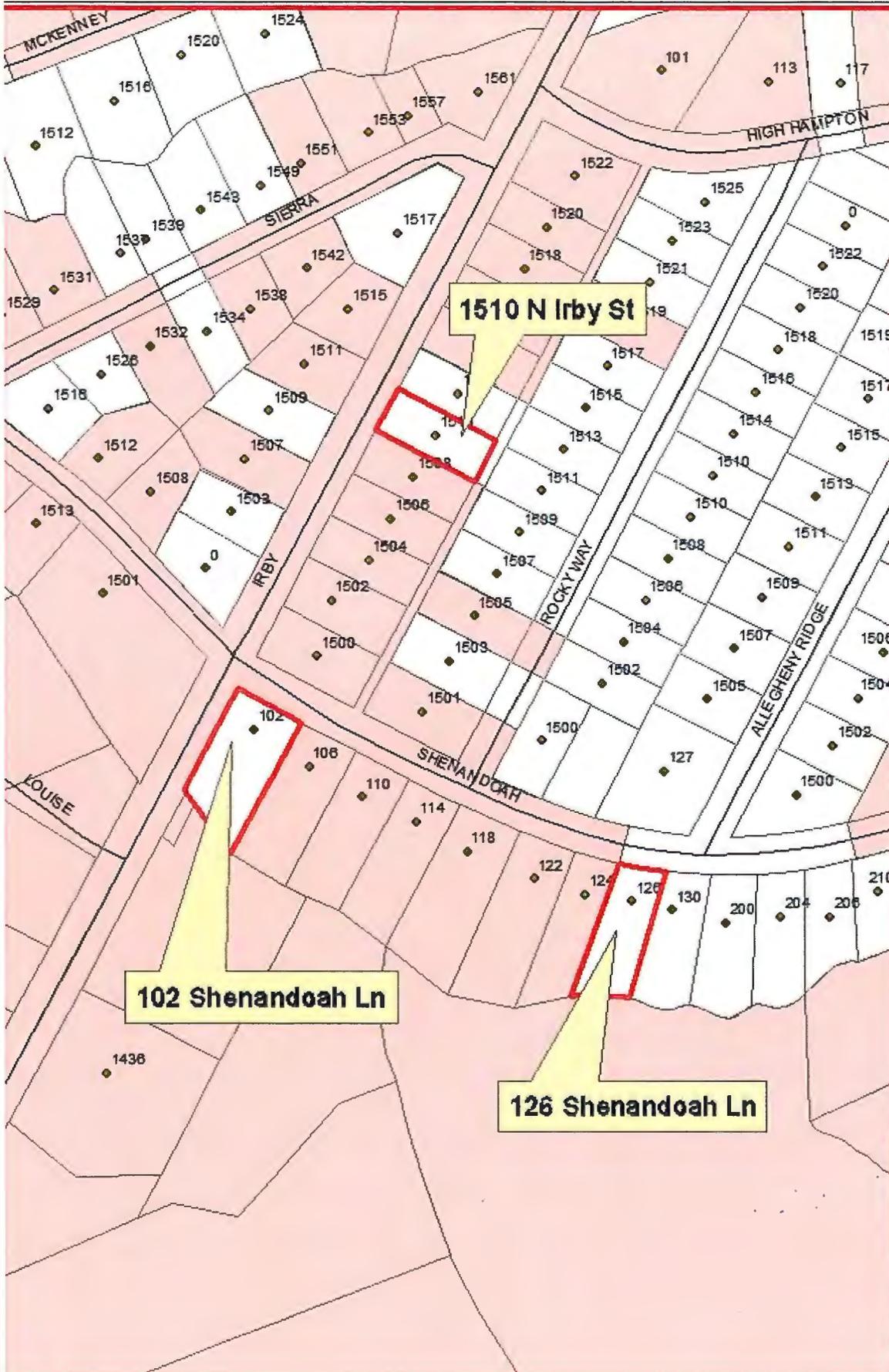


Phillip M. Lookadoo, AICP  
Planning, Research, & Development Director



Andrew H. Griffin  
City Manager

# Attachment A Location Map



**Legend**

- Parcels
- RoadSegment
- Address
- City Limits



**DISCLAIMER:**  
The City of Florence Urban Planning and Development Department 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.

**ORDINANCE NO. 2014\_\_\_\_\_**

**AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY AUDREY KIRVEN, BETTY SELLERS, AND FRANCES DIGGS.**

**WHEREAS**, a Public Hearing was held in the Council Chambers on December 10, 2013 at 6:30 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

**WHEREAS**, applications by Audrey Kirven, owner of TMN 90096-05-006; Betty Sellers, owner of TMN 90113-01-049; and Frances Diggs, owner of TMN 90096-03-007 were presented requesting an amendment to the City of Florence **Zoning Atlas** that the aforesaid properties be incorporated in 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 adding the zoning district classification of R-3, Single-Family Residential District:

**The properties requesting annexation are shown more specifically on Florence County Tax Map 90096, block 05, parcel 006. (0.54 Acres); Florence County Tax Map 90113, block 01, parcel 049. (0.40 Acres); and Florence County Tax Map 90096, block 03, parcel 007. (0.30 Acres).**

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

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

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

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

**ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2014**

**Ordinance No. 2014 - \_\_\_\_\_**

Page 2 – January, 2014

Approved as to form:

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James W. Peterson, Jr.  
**City Attorney**

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Stephen J. Wukela,  
**Mayor**

**Attest:**

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Dianne Rowan  
**Municipal Clerk**

**VII. a.  
Appointments to Boards  
And Commissions**

**FLORENCE CITY COUNCIL MEETING**

**DATE:** January 13, 2013

**AGENDA ITEM:** Report To Council / Boards & Commissions

**DEPARTMENT/DIVISION:** City Council

**I. ISSUE UNDER CONSIDERATION:**

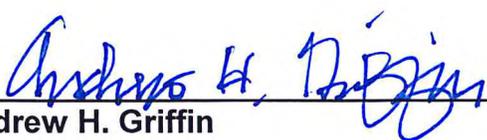
Council will consider nominations for City Boards and/or Commissions.

**II. CURRENT STATUS/PREVIOUS ACTION TAKEN:**

There is one Boards/Commissions that has an expired term.

**III. ATTACHMENTS**

Spreadsheet of Council Nominations to Boards and Commissions  
Applications received to date

  
\_\_\_\_\_  
Andrew H. Griffin  
City Manager





**APPLICATION FOR BOARDS AND COMMISSIONS**  
**CITY OF FLORENCE**  
**SOUTH CAROLINA**

<b>Board or Commission for which you are applying:</b> <i>Parks, Beautification and Leisure Services Commission</i>			
<b>Your Name (Last, First, Middle)</b> <i>Miller, John W</i>		<b>County</b> <i>Florence</i>	<b>Council District</b> <i>1 (one)</i>
<b>Residential Address</b> <i>1501 N. Carnaby Circle</i>		<b>City</b> <i>Florence</i>	<b>State</b> <i>South Carolina</i>
			<b>Zip Code</b> <i>29506</i>
<b>Mailing Address</b> <i>1501 N. Carnaby Circle</i>		<b>City</b> <i>Florence</i>	<b>State</b> <i>South Carolina</i>
			<b>Zip Code</b> <i>29506</i>
<b>Your Occupation - Title</b> <i>Retired Grants Administrator</i>		<b>Business Phone</b> <i>N/A</i>	<b>Residence Phone</b> <i>843 669-6006</i>
<b>Employer Name</b> <i>SC Employment Commission</i>		<b>E-Mail Address</b> <i>jmillar70@sc.rr.com</i>	
<b>Employer Address</b> <i>1550 Gadsden St.</i>		<b>City</b> <i>Columbia</i>	<b>State</b> <i>South Carolina</i>
			<b>Zip Code</b> <i>29202</i>

**General Qualifications**

Are you a resident of the City?  Yes  No How Long? *67 yrs.*

Why would you like to serve? *See attached sheet*

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

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

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:  
*See attached sheet*

Are you involved in any Community Activities? If so, please list:  
*See attached sheet*

What are your goals and objectives if appointed to the Commission/Board?  
*see attached sheet*

I certify that the information above is true and correct. **Information on this form will be considered public information.**

Signature \_\_\_\_\_

Date \_\_\_\_\_

**RETURN COMPLETED FORM TO:**  
 Office of the City Clerk  
 City of Florence, City County Complex AA,  
 180 N. Irby Street, Florence, SC 29501  
 Fax: 843-665-3110

**FOR OFFICE USE ONLY**

Received:	<i>8-6-2013</i>
Appointed to:	
Date:	

## APPLICATION FOR BOARDS AND COMMISSIONS

John W. Miller

### **Why would you like to serve?**

It can be said that a city is judged by its appearance and the quality of recreation it provides for its citizens. As a lifelong resident of the City Florence it has always been my goal to contribute to my community in every positive way that I can to enhance the lives of all citizens of this great city.

### **Do you presently serve on any Commissions/County/State?**

Presently I serve as Vice-President of the Senior Citizens Association.

### **Have you formerly served on any Commissions/Boards of the City/County/State?**

I am a past Chairman of the Florence County Senior Center Commission (2007-2009), and served on the Senior Center Commission from 2005 to 2010

Former President of the Florence Athletic Hall of Fame Board of Directors

Former member of the Boys and Girls Club of the Pee Dee Board of Directors

### **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?**

The Senior Citizens' Association

### **Are you involved in Community Activities?**

Wilson High School Alumni Association

North Vista Elementary School Advisory Committee

Greater Wilson Heights Neighborhood Crime Watch

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

It is my intent to:(a) provide input in the ongoing gateway beautification effort presently underway;(b) advocate for more and improved recreational facilities; and (c) ensure that the services provided to our citizens are of comparable quality to services provided anywhere in the state.



APPLICATION FOR BOARDS AND COMMISSIONS  
CITY OF FLORENCE  
SOUTH CAROLINA

Board or Commission for which you are applying: <u>Parks Beautification and Liaison Services Commission</u>			
Your Name (Last, First, Middle) <u>POSTON NATHANIEL ROWELL</u>		County <u>Florence</u>	Council District
Residential Address <u>1401 Woods Road</u>		City <u>Florence</u>	State <u>South Carolina</u>
Mailing Address <u>PO Box 1585</u>		City <u>FLORENCE</u>	Zip Code <u>29501</u>
Your Occupation - Title <u>REAL Estate Agent</u>		Business Phone <u>843.615.2678</u>	Residence Phone <u>- SAME -</u>
Employer Name <u>William Stafford Poston</u>		E-Mail Address <u>NPOSTON@POSTONRealty.com</u>	
Employer Address <u>1407 West Evans Street</u>		City <u>Florence</u>	Zip Code <u>29501</u>

**General Qualifications**

Are you a resident of the City?  Yes  No How Long? 2 1/2 yrs

Why would you like to serve?

Florence has great potential and location to attract entrepreneurs, visitors, corporations and locals to live and prosper; which I virtuously foster and promote.

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

Advisory Sub-Committee for UDD for Florence

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

- NONE PRESENTLY -

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:

From May 14, 2011 to August 31, 2011, Diligently and persistently, without monetary compensation/commission from either agreeing parties, formed an common ground that allowed the existence of the meanwhile DOWNTOWN Project of which Enclave Junction continues to thrive.

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

- NONE PRESENTLY -

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

Obtain and foster distinctive and marketable aspects of Florence, while planning for growth through innovation and satisfaction of ever changing social needs

I certify that the information above is true and correct. **Information on this form will be considered public information.**

Signature

[Handwritten Signature]

Date

10/02/2012

**RETURN COMPLETED FORM TO:**

Office of the City Clerk  
City of Florence, City County Complex AA,  
180 N. Irby Street, Florence, SC 29501  
Fax: 843-665-3110

**FOR OFFICE USE ONLY**

Received:	<u>12-7-2012</u>
Appointed to:	
Date:	