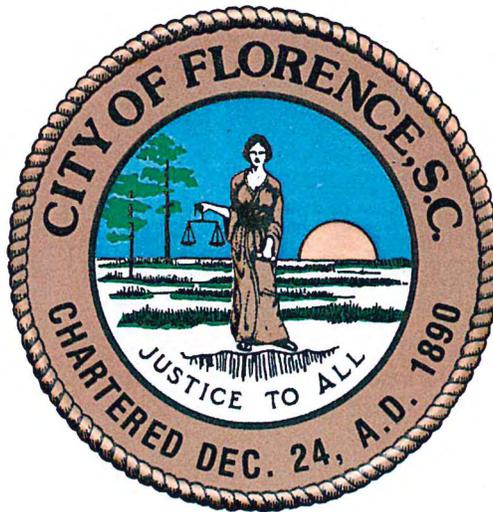


REGULAR MEETING
OF
FLORENCE CITY COUNCIL



COUNCIL CHAMBERS
324 W. EVANS STREET
FLORENCE, SOUTH CAROLINA

MONDAY
MAY 14, 2018
1:00 P.M.

REGULAR MEETING OF FLORENCE CITY COUNCIL

MONDAY, MAY 14, 2018 – 1:00 P.M.

CITY CENTER – COUNCIL CHAMBERS

324 WEST EVANS STREET

FLORENCE, SOUTH CAROLINA

I. CALL TO ORDER

II. INVOCATION

Pledge of Allegiance to the American Flag

III. APPROVAL OF MINUTES

April 9, 2018 – Regular Meeting

IV. HONORS AND RECOGNITIONS

SERVICE RECOGNITIONS

Kenneth “Tony” Nesmith – 10 years – Athletic Programs

Samuel Cooper – 15 years – Distribution Operations

Stewart Johnson – 30 years – Police

V. PUBLIC HEARING

- a. A Public Hearing will be held to receive input on the City of Florence Fiscal Year Budget 2018-2019.*

VI. APPEARANCE BEFORE COUNCIL

- a. Trinity-Byrnes Collegiate School Girls Basketball Team – SCISA 2A State Champions*

VII. ORDINANCES IN POSITION

- a. **Bill No. 2018-08 – Second Reading**
An Ordinance authorizing the transfer of land to Brandon Granger, specifically a portion of tax parcel 00150-01-029.
- b. **Bill No. 2018-09 – Second Reading**
An Ordinance to amend the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2017 and ending June 30, 2018.
- c. **Bill No. 2018-10 – Second Reading**
An Ordinance to annex the property located at 2519 W. Palmetto Street, said property being specifically designated in the Florence County Tax Records as Tax Map Parcel 00100-01-137 and a portion of Tax Map Parcel 00100-01-002.

VIII. INTRODUCTION OF ORDINANCES

- a. **Bill No. 2018-11 – First Reading**
A Series Ordinance making provision for the terms and conditions of Combined Waterworks and Sewerage System Revenue borrowing of the City of Florence, South Carolina, authorized by a Bond Ordinance of the City of Florence adopted October 24, 1989, as amended; approving the financing of system improvements through the borrowing of not exceeding \$2,260,938 plus capitalized interest, if any, from the State Drinking Water Revolving Loan Fund by agreement with the South Carolina Water Quality Revolving Fund Authority pursuant to Title 48, Chapter 5, Code of Laws of South Carolina, 1976, as amended; providing for the agreement to make and to accept the loan, the execution and delivery of a loan agreement between the City of Florence and the South Carolina Water Quality Revolving Fund Authority, the execution and delivery of a promissory note from the City of Florence to the South Carolina Water Quality Revolving Fund Authority; and other matters relating thereto.
- b. **Bill No. 2018-12 – First Reading**
A Series Ordinance making provision for the terms and conditions of Combined Waterworks and Sewerage System Revenue borrowing of the City of Florence, South Carolina, authorized by a bond ordinance of the City of Florence adopted October 24, 1989, as amended; approving the financing of system improvements through the borrowing of not exceeding \$5,730,149 plus capitalized interest, if any, from the State Water Pollution Control Revolving Fund by agreement with the South Carolina Water Quality Revolving Fund Authority pursuant to Title 48, Chapter 5, Code of Laws of South Carolina, 1976, as amended; providing for the agreement to make and to accept the loan, the execution and delivery of a loan agreement between the City of Florence and the South Carolina Water Quality Revolving Fund Authority, the execution and delivery of a promissory note from the City of Florence to the South Carolina Water Quality Revolving Fund Authority; and other matters relating thereto.

- c. **Bill No. 2018-13 – First Reading**
An Ordinance declaring as surplus and authorizing the conveyance of real estate parcels to the Florence Affordable Housing Corporation for the purposes of neighborhood stabilization as part of the South Carolina State Housing Finance and Development Authority’s Neighborhood Stabilization Program (NSP).
- d. **Bill No. 2018-14 – First Reading**
An Ordinance authorizing the City to extend the lease on the real estate known as 228 West Darlington Street and designated as Tax Parcel 90086-02-004 in the records of the Florence County Tax Assessor to Pee Dee Regional Transportation Authority under the terms and conditions set out in the written lease attached as Exhibit A to this Ordinance.
- e. **Bill No. 2018-15 – First Reading**
An Ordinance authorizing the conveyance of the real estate known as 142 North Dargan Street.
- f. **Bill No. 2018-16 – First Reading**
An Ordinance to annex the property located at 1715 Hazel Dr., said property being specifically designated in the Florence County Tax Records as Tax Map Parcel 01011-01-008.
- g. **Bill No. 2018-17 – First Reading**
An Ordinance to annex the property located at 2491 Rainford Rd., said property being specifically designated in the Florence County Tax Records as Tax Map Parcel 01221-01-159.
- h. **Bill No. 2018-18 – First Reading**
Ordinance to Rezone Property Tax Map Number 90103-14-009, property located at 501 Prince Street, from NC-6.3 Neighborhood Conservation District, to CR Commercial Reuse Business District.

IX. INTRODUCTION OF RESOLUTION

- a. **Resolution No. 2018-06**
*A Resolution by the City Council of the City of Florence, South Carolina, approving Redevelopment Grants in the Downtown H1 Overlay District
(NOTE: To be discussed in Executive Session)*
- b. **Resolution No. 2018-07**
A Resolution of Recognition for PDRTA

X. INTRODUCTION OF PROCLAMATION

- a. **Proclamation**
A Proclamation of Unity in Diversity

XI. EXECUTIVE SESSION

- a. Discussion of negotiations incident to matters relating to a proposed Economic Development [30-4-70(a)(5)].**
- b. Discussion of negotiations incident to proposed Contractual arrangements [30-4-70(a)(2)].**

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

XII. ADJOURN

**REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, APRIL 9, 2018 – 1:00 P.M.
CITY CENTER – COUNCIL CHAMBERS
324 WEST EVANS STREET
FLORENCE, SOUTH CAROLINA**

MEMBERS PRESENT: Mayor Stephen J. Wukela called the regular City Council meeting of April 9, 2018 to order at 1:00 p.m. with the following members present: Mayor Pro tem Frank J. Brand; Councilman George Jebaily; Councilwoman Teresa Ervin; Councilwoman Octavia Williams-Blake; Councilman Glynn Willis and Councilwoman Pat Gibson-Hye Moore.

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

Notices of this regular meeting of the Florence City Council were forwarded to the media informing them of the date, location and time of the meeting.

Matthew Christian of the Morning News and 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 the invocation.

APPROVAL OF MINUTES

Mayor Pro tem Brand made a motion to adopt the minutes of the March 12, 2018 regular City Council meeting. Councilwoman Williams-Blake seconded the motion, which carried unanimously.

HONORS AND RECOGNITIONS

SERVICE RECOGNITIONS

Mayor Wukela presented Bryan Evans a Certificate of Recognition for completing 15 years of service with the Utilities/Waste Water Operations Department.

Sgt. Kendrick Spears received a Certificate of Recognition for completing 15 years of service with the City of Florence Police Department.

Monty Tedder was presented a 20 year Certificate of Recognition for completing 20 years of service with the City of Florence Fire Department.

Mayor Wukela presented James Grooms a Certificate of Recognition for completing 25 years with the Public Works Beautification and Facilities Department.

APPEARANCE BEFORE COUNCIL

Mr. John Jebaily, Chairman, Parks & Beautification Commission – Parks Commission Annual Report

Mr. John Jebaily appeared before Council on behalf of the Parks and Beautification Commission to report on the Commission’s endeavors since the last report in April of 2017.

Mr. Jebaily stated that his term of 10 years will expire this month. Mr. Jebaily stated he has been honored and proud to have served the City of Florence as a member of the Commission and for the last nine years as Chairman.

Mr. Walter Sallenger - Reviewed the annual plan with the members of Council. Some projects that have been completed in the past year are the Soccer Complex, a new gymnasium, drainage within the park system, added some playgrounds and recently updated Lucas Park. In the coming year there are expectations to replace playground equipment at Iola Jones Park, Jefferies Creek Park, Levy Park, and South Park. A community center is expected to be added at Iola Jones Park, the Maple Park Community Center will probably be replaced, add a building at the Soccer Complex and also to have a track and field facility planned and added. One of the biggest changes to the annual plan is to enhance connectivity of the Trail System by developing urban connector trails leading from each park to the downtown cultural district. The commission would like to explore the feasibility of protected bike paths along these routes and would like to expand the Rail Trail to connect to the Soccer Complex. In addition explore the feasibility of connecting trails from the Rail Trail along Jefferies Creek connecting McLeod Park, Jefferies Creek Park and Freedom Florence.

Mr. Jebaily reported on the following activities of the last year:

Arbor Tree Planting – Arbor Day was celebrated December 1, 2017 at Delmae Heights Elementary School. The City planted a Live Oak and the Azalea Garden Club of Florence planted a Magnolia near the school’s playground. Students from the school participated by reciting several poems about trees sharing the facts about the effects of trees and what they have on the environment. The Live Oak tree was dedicated to Helen Sims, former president of the Azalea Garden Club of Florence, a past member of the Parks and Beautification who helped bring Arbor Day observation programs to the City. The Magnolia tree was dedicated to Jaden Silva, a former Delmae student who died of brain cancer after her 7th birthday. A commemorative plaque was placed in her memory.

Tree Plantings - Since the last report to Council, City Arborist Jenny Lee has indicated that the City has planted 441 new trees, pruned 225 and removed 155. In 2017 the City of Florence was once again recognized as a Tree City by the Arbor Day Foundation. This is the 37th consecutive year the City has received this award. In addition the City was recognized as a leader for the state in urban forestry and one of five cities in the state to receive the Growth Award.

Barnes Street – As the downtown continues to grow and thrive so does the 500 block of Barnes Street which is already home to the 12,000 square foot Barnes Street Activity Center and the City of Florence Recreation Department’s Administrative Offices. And now with the addition of the new gymnasium soon to be accessible to the inclusive playground the 500 block of Barnes Street has involved into a campus-like setting.

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APRIL 9, 2018 – PAGE 3**

Athletics – Participation in the youth athletic activities continues to grow within our community. In 2017 there were 583 participants in youth baseball, 436 in football, 455 in basketball, and 288 in track and cross country. In 2018 the soccer increased its spring registration from 318 to 405. The soccer complex conducted its opening ceremonies on February 15 and the Soccer Association held open house on February 17th. Since then the City has hosted soccer select games and the Bruin Cup High School tournament. In Recreation league games anticipation continues to mount for the Pearl Moore Basketball Center as it opens its doors for the first time on April 12. The youth and adult basketball leagues will play their first season in the new facility.

After-school and Teen Programs - will continue to provide fun engaging opportunities at Levy Park, Maple Park, Northwest and Barnes Street Activity Center. The facilities offer activities in arts and culture, environmental stewardship, health and fitness, and academic support in the form of tutoring. There have been new programs added that expand the interest in the imagination of youths and teens such as Local Vocal, a musical program for youth from the three youth after school programs. The STEM – Science Technology Engineering and Math component was added last year and continues to be a big success. Currently the department is collaborating with ScienceSouth about the possibility of expanding programs to the summer playground and Teen Programs. These sessions are to be held in the ScienceSouth facility, North Vista Elementary and Barnes Street Activity Center. Department staff worked diligently with local partners to offer the first job fair to teens on March 31, 2018. This program assisted local teens with securing summer jobs. The partners for this event included the City of Florence, and local merchants such as Kentucky Fried Chicken, Taco Bell, McDonalds, Blue Choice Health Plan, Monster, PDRTA, iHeart Radio and others.

Tennis Center -- There were 7,873 players and spectators who visited the Dr. Eddie Floyd Tennis Center and Timrod Park for a total of 17 tournaments in 2017. These visitors impacted the local economy with an estimated \$5.2 million. Tennis continues to be of interest throughout the City. A new grant was obtained through the USTA Southern to allow the City's tennis professionals to offer subsidized programs at all five city parks that contain tennis courts, which include Levy, Lucas, Timrod, South Park and the Tennis Center.

Pickleball – Continues to see rapid growth and continued its economic impact last year based on the number of tournament offerings.

Freedom Florence Recreational Complex - continues to be a hot spot of athletic activity throughout the year. In 2017 Freedom Florence hosted the 2017 SCAPE Eastern District All-star Football Tournament, several South Florence cross country meets, and numerous baseball and softball tournaments. In addition, improvements were made at the lower complex in which new backstops were installed giving the fields a new updated appearance. This project was made possible by a Land Water Conservation Grant, City of Florence funds and funding from the Florence Youth Softball. Economic impact from events at this complex was \$9.7 million. 2018 is shaping up to be another busy year with 40 tournaments already scheduled along with youth football programs and adult softball, kickball, and flag football programs.

Gymnastics – 2017 was a great year for the Florence Gymnastics program. The level of training has been enhanced and participants are excelling in all areas of the program. The Teen Program has several first places and podium finishes throughout the competitive season. The growth of a non-competitive program continues to be a priority. In 2017 there were consistently over 200 students in the program. At one part of the year participant level exceeded 300 registrants. Due to the increase in demand for gymnastics the new spring floor will be installed in 2018. Quality coaches and instructors will continue to be recruited.

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Lucas Park – Installation of the long awaited playground equipment and re-routing of the water that was known to flow through the heart of the playground has been completed. A Sunday afternoon Blessing in the Park by the neighborhood organization was held March 4, 2018 with approximately 75 in attendance. The new playground, complete with all three slides and four swings were a big hit. Efforts will continue at the park to repair and replace the walking trail.

Senior Program – Continues to offer two components of programming to the senior adult population. The traditional life-long recreation program at Levy Park and Northwest offers a wide range of fitness and social programs for people 50 and older. The life-long program is aimed at increasing social engagement, individual health and wellness of the more inactive senior while fostering a stronger healthier community. The OWLS (Older Wiser Livelier Seniors) Program is designed for the seniors who are physically active and is today one of the department’s faster growing programs. With 185 members, OWLS is designed to serve senior adults of all abilities. In 2016 the recreation staff realized that Barnes Street Activity Center was not being fully utilized and also realized there was an entire segment of the community, the active senior, that wasn’t being reached with the current program offerings. Starting with the notion of Pickelball as its basis, the program has now grown to Yoga, Thai Chi, Line Dance, Zumba, Furniture Refinishing, Computer Classes, and local field trips, just to name a few.

Annual Tour of Parks - The tour on March 10th included stops at the three athletic complexes: Tennis Center, Freedom Florence and Soccer Complex. All three facilities and parking lots were filled with vehicles and the venues were full of participants and spectators. It’s clear the facilities are being heavily used and well worth the investment of providing these well run venues. The tour also allowed the many facilities to be seen first hand that are managed by the Parks and Recreation Department and the work that is being done. One of the things that stood out the most was the need to replace existing playground equipment with newer and safer types of equipment that is available today. The commission continues to support the idea to replace this equipment with the assistance of the master plan that is being conducted to assess park needs. Perhaps the thing that intrigued us most was the stop at Womack Gardens Subdivision, in the extreme southwestern area of the city. It was announced that the Recreation Department will begin a new initiative called “Open Streets”. This is aimed at providing play days for neighborhoods that are not in close proximity to community centers. Our first date of Open Streets is Saturday, June 2 and is being coordinated by Womack Gardens Neighborhood Association and the City of Florence Police Department.

The Annual Retreat – This year the retreat was held on Saturday, January 27 at the Dr. Eddie Floyd Tennis Center. The staff covered such things as tennis initiatives, programming, Freedom Florence tournaments, economic impact of sports, and recreation department accomplishments for 2017. A project update on the projects around the city was provided by Chuck Pope, Director of Public Works. These informative retreats assist the commission in developing its annual plan.

Mr. Barry Wingard – Chairman, Veterans Park Committee reported that the Veterans Park made drastic improvements over the last year and gained more international attention. It remains a place of beautiful art and real, touchable history.

During the 2017 calendar year, a variety of requests for use of the park were entertained by the committee, including military ceremonies, retirement and promotion ceremonies by local recruiters, a wedding, several youth events in addition to the regular 9-11 ceremony, that the committee helped the Sheriff’s Department with, and our Veterans Ceremony, which is the signature event each year. This past year there were between 800 and 900 people at the ceremony. At Christmas, the Florence Veterans Resource Center had a ceremony there in conjunction with the National Cemetery’s laying of the wreaths. A large wreath was placed at the Armed Forces Monument and it remained there through the Christmas holidays. A new event, Tour of Honor is currently underway in all 50 states. 4-5 sites that have either first responder, military or veteran connections are picked. The sites are released at midnight on April 1

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and people have until October 31 to visit as many sites as they can. The park's Home Safe monument by Alex Palkovich was picked to be one of the sites in South Carolina.

Last year the U.S. Army monument was dedicated. This monument was named the second best monument in a public park by the American Institute of Commemorative Art at its February conference in Canada this year. Last month in Dallas, the Monument Builders of North America named the Army monument the best hand etched monument in North America.

This year marks the 10th anniversary of the Veterans Park. A 9-11 ceremony is once again being planned. The park's signature event, Veterans Day falls on a Sunday this year. The ceremony will be held at 3:00 p.m. instead of the traditional time of 11:00 a.m.

The Wall of Honor now has 720 names on it of Pee Dee area Veterans and the committee hopes to add 36 more names this year. Two additions that are being discussed for the park are monuments for the Korean War and World War II. Other general items that have been discussed are better directional signs and updating the website to include the application for the Wall of Honor.

Mr. Jebaily – In closing Mr. Jebaily stated he has enjoyed serving on the Parks Commission for the past 10 years.

Mr. Roger Malfattie has agreed to be Chairman of the Parks Commission effectively immediately.

Mayor Wukela thanked Mr. Jebaily for his report and for his service on the Parks Commission.

Ms. Ellen Hamilton, Executive Director, Pee Dee Coalition Against Domestic and Sexual Assault – to make a presentation to Council

Michelle Harkey, Director of Victim Services with the Pee Dee Coalition and Gloria McClary, Director of Durant Children's Center spoke to Council regarding April as Sexual Assault Awareness Month and the services they provide. Pee Dee Coalition was established in 1986 and is a non-profit volunteer organization committed to the reduction of sexual assault, family violence and child abuse and to the services of its victims. The Coalition serves seven counties.

ORDINANCES IN POSITION

BILL NO. 2018-04 – SECOND READING

AN ORDINANCE TO ANNEX THE PROPERTY LOCATED AT 2493 PARSONS GATE, SAID PROPERTY BEING SPECIFICALLY DESIGNATED IN THE FLORENCE COUNTY TAX RECORDS AS TAX MAP PARCEL 01221-01-301.

An Ordinance to annex the property located at 2493 Parsons Gate, said property being specifically designated in the Florence County Tax Records as Tax Map Parcel 01221-01-301 was adopted on second reading.

Mayor Pro tem Brand made a motion to adopt Bill No. 2018-04. Councilman Willis seconded the motion, which was approved unanimously.

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APRIL 9, 2018 – PAGE 6

BILL NO. 2018-05 – SECOND READING

AN ORDINANCE TO ANNEX THE PROPERTY LOCATED AT 700 CLEMENT STREET, SAID PROPERTY BEING SPECIFICALLY DESIGNATED IN THE FLORENCE COUNTY TAX RECORDS AS TAX MAP PARCEL 00147-01-030.

An Ordinance to annex the property located at 700 Clement Street, said property being specifically designated in the Florence County Tax Records as Tax Map Parcel 00147-01-030 was adopted on second reading.

Mayor Pro tem Brand made a motion to adopt Bill No. 2018-05 on second reading. Councilman Willis seconded the motion, which was approved unanimously.

BILL NO. 2018-06 – SECOND READING

AN ORDINANCE TO ANNEX THE PROPERTY LOCATED OFF OF TWIN CHURCH RD, SAID PROPERTY BEING SPECIFICALLY DESIGNATED IN THE FLORENCE COUNTY TAX RECORDS AS TAX MAP PARCELS 00076-01-190, 00076-01-021, 00076-01-191, AND 00076-01-192.

An Ordinance to annex the property located off of Twin Church Road, said property being specifically designated in the Florence County Tax Records as Tax Map Parcels 00076-01-190, 00076-01-021, 00076-01-191, and 00076-01-192 was adopted on second reading.

Mayor Pro tem Brand made a motion to adopt Bill No. 2018-06 on second reading. Councilman Willis seconded the motion, which was approved unanimously.

BILL NO. 2018-07 – SECOND READING

AN ORDINANCE TO AMEND PLANNED DEVELOPMENT DISTRICT ORDINANCE FOR MAGNOLIA MALL TMN 00099-01-052 TO ALLOW FOR EXPANDED DEVELOPMENT.

An Ordinance to amend Planned Development District Ordinance for Magnolia Mall TMN 00099-01-052 to allow for expanded development was adopted on second reading.

Mayor Pro tem Brand made a motion to adopt Bill No. 2018-07 on second reading. Councilman Willis seconded the motion, which was approved unanimously.

BILL NO. 2018-08 – SECOND READING

AN ORDINANCE AUTHORIZING THE TRANSFER OF LAND TO BRANDON GRANGER, SPECIFICALLY A PORTION OF TAX PARCEL 00150-01-029.

An Ordinance authorizing the transfer of land to Brandon Granger, specifically a portion of Tax Parcel 00150-01-029 was deferred on second reading.

Councilman Willis made a motion to defer Bill No. 2018-08. Councilwoman Ervin seconded the motion, which carried unanimously.

INTRODUCTION OF ORDINANCES

BILL NO. 2018-09 – FIRST READING

AN ORDINANCE TO AMEND THE BUDGET FOR THE CITY OF FLORENCE, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2017 AND ENDING JUNE 30, 2018.

An Ordinance to amend the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2017 and ending June 30, 2018 was passed on first reading.

Mayor Pro tem Brand made a motion to pass Bill No. 2018-09 on first reading. Councilman Jebaily seconded the motion.

Mr. Thomas Chandler, Director of Finance reported this is an Ordinance to amend the FY 2017-2018 General Fund Budget to provide for \$297,400 funding from the South Carolina Department of Transportation for the Timrod Drive and Yellowstone Drive, as well as Buchanan, Millstone frontage road resurfacing projects. Also the General Fund is being amended by an additional \$257,000 for the city's acquisition of properties located on 434 West Evans Street and 172 S. McQueen Street, not included in the current fiscal year 2017-2018 budget. The General Fund Equipment Replacement Fund is being budgeted to cover the acquisition cost of two pumpers and one rescue truck for the Fire Department. The fire equipment was included in the 2017-2018 budget as the first of seven annual lease payments. In August of 2017 the purchase of the fire equipment was authorized and the initial \$200,000 budgeted was used as a down payment with the anticipation of possible lease over the next 6 years. However, following a review of the interest costs vs payment in full of the equipment, city staff recommended that the fire equipment be paid from unassigned reserves of the General Fund. Because funds for the full purchase were not included in the FY 17-18 budget, an amendment to the budget is necessary to appropriate funding for the equipment. The City Center Reserve Fund is being budgeted in the Water /Sewer Utilities. Enterprise fund is being amended to appropriate equal share funding from unappropriated reserves for City Center building improvements that include a new roof, some carpeting as well as some HVAC work replacement.

The motion and second to adopt Bill No. 2018-09 on second reading was approved unanimously.

BILL NO. 2018-10 – FIRST READING

AN ORDINANCE TO ANNEX THE PROPERTY LOCATED AT 2519 W. PALMETTO STREET, SAID PROPERTY BEING SPECIFICALLY DESIGNATED IN THE FLORENCE COUNTY TAX RECORDS AS TAX MAP PARCEL 00100-01-137 AND A PORTION OF TAX MAP PARCEL 00100-01-002.

An Ordinance to annex the property located at 2519 W. Palmetto Street, said property being specifically designated in the Florence County Tax Records as Tax Map Parcel 00100-01-137 and a portion of Tax Map Parcel 00100-01-002 was passed on first reading.

Councilman Willis made a motion to pass Bill No. 2018-10 on first reading. Councilwoman Moore seconded the motion.

Mr. Clint Moore, Development Manager reported the proposed zoning and annexation consists of a ten foot strip. The lot is currently the site of an outdoor specialty shop. City water and sewer services are currently available and there is no cost to extend utility services.

On March 13, 2018 the Planning Commission held a public hearing on this matter and voted unanimously, 8-0, to recommend the zoning request of AC, Activity Center District.

City staff recommends annexation and concurs with the Planning Commission's recommendation to zone the property AC, Activity Center District.

The motion and second to pass Bill No. 2018-10 on first reading was approved unanimously.

INTRODUCTION OF RESOLUTION AND PROCLAMATION

**A RESOLUTION OF RECOGNITION FOR MR. BRYAN BRADDOCK AND
MR. BYON ARTELL MCCULLOUGH**

A Resolution of Recognition for Mr. Bryan Braddock and Mr. Byon Artell McCullough was adopted by Council.

Councilman Jebaily made a motion to adopt the Resolution. Mayor Pro tem Brand seconded the motion, which was approved unanimously.

Councilwoman Moore read the proclamation and presented the proclamation to Mr. Braddock and Mr. McCullough.

**A PROCLAMATION IN MEMORY AND HONOR OF MR. WILLIAM HENRY JOHNSON;
COMMENTS BY MR. EZRA BROWN.**

A Proclamation in memory and honor of Mr. William Henry Johnson was adopted by City Council.

Councilwoman Moore made a motion to adopt the Proclamation in memory and honor of Mr. William Henry Johnson. Councilwoman Ervin seconded the motion, which was approved unanimously.

Councilwoman Moore read the Proclamation and presented it to Mr. Ezra Brown.

REPORT TO COUNCIL

APPOINTMENTS TO BOARDS AND COMMISSIONS

Construction and Maintenance Board of Adjustments and Appeals

Councilman Jebaily nominated Mr. Gary Bullard to serve on the Board of Adjustments and Appeals. Councilman Willis seconded the motion, which carried unanimously.

Mr. Gary Bullard was appointed to serve on the Construction and Maintenance Board of Adjustments and Appeals for an initial two year term to begin immediately and end June 30, 2019.

ADJOURN

Councilman Willis made a motion to adjourn the meeting. Without objection, the meeting was adjourned at 2:31 p.m.

Dated this 14th day of May, 2018.

Dianne M. Rowan, Municipal Clerk

Stephen J. Wukela, Mayor

FLORENCE CITY COUNCIL MEETING

DATE: March 12, 2018

AGENDA ITEM: An Ordinance to declare a portion of tax parcel 00150-01-029 as surplus and authorize the transfer of land to Brandon and Jessica Granger for the purposes of combining with Florence County tax parcels 15013-01-077 and 15013-01-076.

DEPARTMENT/DIVISION: Planning, Research and Development

I. ISSUE UNDER CONSIDERATION:

To declare as surplus and authorize the conveyance of land, being a portion of Tax Parcel 00150-01-029, to Brandon and Jessica Granger for the purposes of combining said portion with Florence County Tax Parcels 15013-01-077 and 15013-01-076. The land to be conveyed will be the portion of Florence County tax parcel 00150-01-029 that extends southwest 55 ft from the southwest corner of Florence County tax parcel 01513-01-077 and southeast from that proposed corner, parallel to the rear property line of Florence County Tax Parcels 15013-01-077 and 15013-01-076 for 270 ft and northeast 55 ft to the existing southeast corner of Florence County Tax Parcel 15013-01-076.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

None

III. POINTS TO CONSIDER:

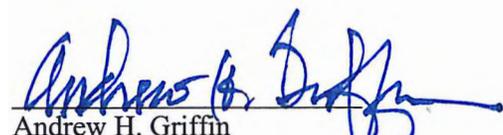
- (1) Request is being considered for first reading.
- (2) Brandon and Jessica Granger have requested the transfer of property such that the land can be combined with Florence County Tax Parcels 15013-01-077 and 15013-01-076.
- (3) A 10 foot strip of Tax Parcel 00150-01-029 will remain in City ownership to facilitate trail connectivity (see attachment 2).
- (4) The City of Florence purchased Tax Parcel 00150-01-029 from R. Granger Development in 2006.
- (5) The portion of tax map 00150-01-029 to be conveyed is to be surveyed, subdivided and recorded by Brandon and Jessica Grainger.
- (6) Compensation for the property will be established by prorating the tax value of the subject property.

IV. PERSONAL NOTES

V. ATTACHMENTS:

- (1) Ordinance
- (2) Location Map


Jerry Dudley
Planning Manager


Andrew H. Griffin
City Manager

Attachment 2: Location Map



ORDINANCE NO. 2018-_____

AN ORDINANCE AUTHORIZING THE TRANSFER OF LAND TO BRANDON GRANGER, SPECIFICALLY A PORTION OF TAX PARCEL 00150-01-029

WHEREAS, after due consideration, the City has concluded that the land designated as the portion of Florence County tax parcel 00150-01-029 that extends southwest 55 feet from the southwest corner of Florence County tax parcel 01513-01-077 and southeast from that proposed corner, parallel to the rear property line of Florence County Tax Parcels 15013-01-077 and 15013-01-076 for 270 feet and northeast 55 feet to the existing southeast corner of Florence County Tax Parcel 15013-01-076 is surplus land to the City, and conveyance of said property to Brandon and Jessica Granger is in the best interest and to the benefit of the citizens of the City of Florence and;

WHEREAS, said portion of Florence County tax parcel 00150-01-029 is to be combined with Florence County tax parcels 15013-01-077 and 15013-01-076.

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

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

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 _____, 2018
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: April 9, 2018
AGENDA ITEM: Ordinance
DEPARTMENT/DIVISION: Finance

I. ISSUE UNDER CONSIDERATION

For City Council consideration is an ordinance to amend the FY 2017-18 City of Florence Budget.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

No previous action has been taken on this ordinance.

III. POINTS TO CONSIDER

A. The objective of the proposed ordinance is to amend the General Fund budget for FY 2018-19 to provide for funding from the South Carolina Department of Transportation for the Timrod Drive/Yellowstone Drive and the Buchannan/ Millstone/Frontage Road resurfacing projects.

B. The General Fund budget is also being amended for the City's acquisition of properties located 434 West Evans Street and 172 South McQueen Street not included in the current FY 2017-18 budget.

C. The General Fund Equipment Replacement Fund is being budgeted to cover the acquisition cost of two (2) Pumpers and one (1) Rescue Truck for the Fire Department.

- This fire equipment was included in the FY 2017-18 as the first of seven annual lease payments.
- On August 16, 2017, the purchase of the fire equipment was authorized at a price of \$1,342,700.
- Following a review of the interest cost versus payment in full for the equipment, City staff recommended that the fire equipment be paid from unassigned reserves of the General Fund.
- Because funds for this purchase were not included in the FY 2017-18 budget, an amendment to the budget is necessary to appropriate funding for this additional cost.

D. Additionally, the City Center Reserve Fund is being budgeted and the Water and Sewer Utilities Enterprise Fund budget is being amended to appropriate equally shared funding from Unappropriated Reserves for City Center building improvement projects.

IV. STAFF RECOMMENDATION

Approve and adopt the proposed ordinance.

V. ATTACHMENTS

A copy of the proposed ordinance is attached.


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, 2017 AND ENDING JUNE 30, 2018

BE IT ORDAINED by the City Council of the City of Florence, South Carolina, in a meeting duly assemble, that the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2017 and ending June 30, 2018, is hereby amended as follows:

Section 1. That the budgeted revenues of the General Fund are hereby amended by the following additional appropriations:

- 100120-790000 Miscellaneous Grants is increased in the amount of \$297,400 to provide for funding from the SC Department of Transportation (SCDOT) for the Timrod/Yellowstone resurfacing project (\$28,700) and the Buchannan/Millstone/Frontage Road (\$268,700) resurfacing project.
- 100375-435010 From Unappropriated Reserve is increased in the amount of \$257,000 from unassigned fund balance to provide funding for costs incurred for property acquisitions.

Section 2. That the budgeted expenditures of the General Fund are hereby amended by the following additional appropriations:

- 10049300-594048 Timrod/Yellowstone Resurfacing (Non-Departmental) is budgeted in the amount of \$28,700 to provide for the remaining Timrod Drive and Yellowstone Drive resurfacing project expenses to be reimbursed by SCDOT.
- 10049300-594048 Buchannan/Millstone/Frontage Road Resurfacing (Non-Departmental) is budgeted in the amount of \$268,700 to provide for Buchannan/ Millstone/Frontage Road resurfacing project expenses to be reimbursed by SCDOT.
- 10049300-594160 Property Acquisition (Non-Departmental) is increased in the amount of \$257,000 to provide for the City's acquisition of properties located 434 West Evans Street and 172 South McQueen Street.

Section 3. That the revenues of the General Fund Equipment Replacement Fund are hereby budgeted through the following appropriation:

- 110399-435400 Intra Fund Transfer is budgeted in the amount of \$1,143,000 to provide funding for the acquisition of Fire Department equipment.

FY 2017-2018 Budget Amendment Ordinance (continued)

Section 4. That expenditures of the General Fund Equipment Replacement fund are hereby budgeted through the following appropriation:

11042200-580040 Auto Equipment (Fire Department Equipment Replacement) is budgeted in the amount of \$1,143,000 to provide funding for the acquisition of two (2) Pumpers and one (1) Rescue Truck for the Fire Department.

Section 5. That the revenues of the City Center Reserve Fund are hereby budgeted through the following appropriation:

125399-435010 From Unappropriated Reserve is budgeted in the amount of \$115,000 from assigned fund balance to provide funding for building improvements at the City Center.

Section 6. That expenditures of the City Center Reserve Fund are hereby budgeted through the following appropriation:

12549900-594015 City Center Operations is budgeted in the amount of \$115,000 to provide for the City Center Reserve portion of a complete roof replacement (\$100,000) and some HVAC and carpet replacement (\$15,000) at the City Center.

Section 7. That the budgeted revenues of the Water and Sewer Utilities Enterprise Fund are hereby amended by the following additional appropriations:

200375-435010 From Unappropriated Reserve is increased in the amount of \$115,000 from unrestricted Water and Sewer Utilities Enterprise funds to provide for building improvements at the City Center.

Section 8. That the budgeted expenditures of the Water and Sewer Utilities Enterprise Fund are hereby amended by the following additional appropriations:

20049300-594015 City Center Operations (Non-Departmental) is increased in the amount of \$115,000 to provide for the Water and Sewer Utilities Enterprise Fund portion of a complete roof replacement (\$100,000) and some HVAC and carpet replacement (\$15,000) at the City Center.

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

FY 2017-2018 Budget Amendment Ordinance (continued)

ADOPTED THIS _____ DAY OF _____, 2018.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela
Mayor

Attest:

Dianne Rowan
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: April 10, 2018

AGENDA ITEM: Ordinance to Annex and Zone Property Owned by Naturally Outdoors, TMN 00100-01-137 and Jefferies Creek Properties, LLC, portions of TMN 00100-01-147

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex property located at 2519 West Palmetto Street., Tax Map Number 00100-01-137 and a portion of TMN 00100-01-147 and zone to AC, Activity Center District. The request is being made by the property owners, Naturally Outdoors and Jefferies Creek Properties, LLC.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

(1) On March 13, 2018 Planning Commission held a public hearing on this matter, and voted unanimously, 8-0 to recommend the zoning request of AC, Activity Center District.

III. POINTS TO CONSIDER:

- (1) Request is being considered for first reading.
- (2) The proposed zoning and annexation consists of a 1.2935 acre parcel (TMP 00100-01-137) and a portion of TMP 00100-01-147 consisting of a ten foot strip as illustrated in Attachment 2.
- (3) The lot is currently the site of an outdoor specialty shop.
- (4) City water and sewer services are currently available; there is no cost to extend utility services.
- (5) City Staff recommends annexation and concurs with Planning Commission's recommendation to zone the property AC, Activity Center District.

IV. PERSONAL NOTES:

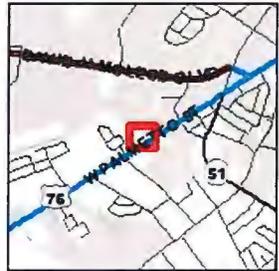
V. ATTACHMENTS:

- (1) Ordinance
- (2) Map showing the location of the property
- (3) Petition for Annexation form - Naturally Outdoors
- (4) Petition for Annexation form - Jefferies Creek Properties, LLC


Jerry Dudley
Planning Manager


Andrew H. Griffin
City Manager

PC Annex PC 2018-07 Attachment A
Location Map 2519 W. Palmetto Street Florence, SC 29501



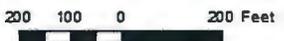
Legend

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



Department of Planning, Research, and Development

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



Date: 4/4/2018

Attachment 3) Petition for Annexation form - Naturally Outdoors

STATE OF SOUTH CAROLINA)
COUNTY OF FLORENCE)

PETITION FOR ANNEXATION

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

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

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

Florence County Tax Map

- 3. Annexation is being sought for the following purposes:
To receive city services and to be a part of the growth of the City of Florence.
- 4. That the petitioner(s) request that the City Council of Florence annex the above described property in accordance with subsection 31 of 5-3-150(3) of the Code of Laws of South Carolina for 1976, such section allowing the annexation of an area without the necessity of an election and referendum.

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

Total Residents	_____
Race	_____
Total 18 and Over	_____
Total Registered to Vote	_____

Date 2-28-18

Scott Murphy F. Hunter Morgan
Petitioner

Date _____

Petitioner

Certification as to ownership on the date of petition: Date <u>3/2/18</u>	FOR OFFICIAL USE ONLY <i>Alfred Casper</i>
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Attachment 4) Petition for Annexation form - Jefferies Creek Properties, LLC

STATE OF SOUTH CAROLINA)

PETITION FOR ANNEXATION

COUNTY OF FLORENCE)

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

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

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

Florence County Tax Map

Portion of TMN 00100-01-147 (2511 W. Platte)

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

To receive City Services and to be part of the growth of the city of Florence.

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

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

Total Residents _____
 Race _____
 Total 18 and Over _____
 Total Registered to Vote _____

Date 2-28-18

F. H. Meyer
Petitioner

Date _____

Petitioner

Certification as to ownership on the date of petition:	FOR OFFICIAL USE ONLY
Date <u>3/2/18</u>	<u>Alfred Cassidy</u>

ORDINANCE NO. 2018 _____

AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY NATURALLY OUTDOORS, TMN 00100-01-137 AND JEFFERIES CREEK PROPERTIES, LLC, PORTION OF TMN 00100-01-147

WHEREAS, a Public Hearing was held in the Council Chambers on March 13, 2018 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, application by Naturally Outdoors, owner of TMN 00100-01-137, and application by Jefferies Creek Properties, LLC, owner of TMN 00100-01-147 was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property 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 AC, Activity Center District:

The property requesting annexation is shown more specifically on Florence County Tax Map 00100, block 01, parcel 137 (1.29 acres) and as a portion Florence County Tax Map 00098, block 01, parcel 016 and Florence County Tax Map 00100, block 01, parcel 147 shown as the 10ft annexation strip as illustrated in Attachment 2.

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

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

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

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

ADOPTED THIS _____ DAY OF _____, 2018
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: May 14, 2018
AGENDA ITEM: Ordinance – First Reading
DEPARTMENT/DIVISION: Finance

I. ISSUE UNDER CONSIDERATION

A Series Ordinance to authorize the borrowing of not exceeding \$2,260,938, plus capitalized interest, if any, from the South Carolina Water Quality Revolving Fund Authority (“SRF”) for a low interest loan from the Drinking Water Revolving Loan Fund to finance improvements to the Timmons ville Water System.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

A. By formal action of both the City of Florence and the Town of Timmons ville in 2013, the City agreed to provide water and wastewater services to the Town of Timmons ville service area. On January 9, 2014 the Timmons ville Water and Sewer System was conveyed to the City of Florence.

B. A number of funding sources including several grants and SRF loans for both the water and sewer are being used by the City to acquire the Timmons ville System to finance critically needed repairs and upgrades.

III. POINTS TO CONSIDER

A. Of the estimated total cost, the Timmons ville water system requires approximately \$7.26 million in improvements.

B. A portion of the financing for these improvements is being provided through grants from CDBG, EDA, the SC Transportation Infrastructure Bank, the SC Rural Infrastructure Authority, and USDA Rural Development in a total amount of approximately \$4.0 million.

C. The remaining financing in the approximate amount of \$3.26 million will be provided through SRF in the form of a principal forgiveness loan (effectively a grant) in the amount of \$1 million, and a Drinking Water SRF Loan in the amount of approximately \$2.26 million at an interest rate of 1%.

D. In June 2016, City Council approved a resolution to submit an application to the South Carolina Water Quality Revolving Fund Authority (“SRF”) for a low interest loan from the Drinking Water Revolving Loan Fund to finance the improvements to the Timmons ville Water System.

E. The adoption of this ordinance is required prior to the closing of the State Revolving Fund Loan to finance improvements to the Timmons ville Water System.

IV. STAFF RECOMMENDATION

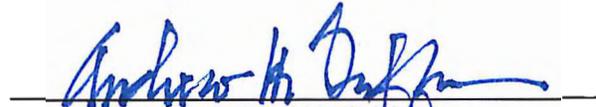
Approve and adopt the proposed ordinance approving a loan from the State Revolving Fund in the amount of not exceeding \$2,260,938 to finance improvements to the Timmons ville Water System.

V. ATTACHMENTS

The proposed ordinance is attached.



Thomas W. Chandler
Finance Director



Andrew H. Griffin
City Manager

ORDINANCE NO. _____

A SERIES ORDINANCE

MAKING PROVISION FOR THE TERMS AND CONDITIONS OF COMBINED WATERWORKS AND SEWERAGE SYSTEM REVENUE BORROWING OF THE CITY OF FLORENCE, SOUTH CAROLINA, AUTHORIZED BY A BOND ORDINANCE OF THE CITY OF FLORENCE ADOPTED OCTOBER 24, 1989, AS AMENDED; APPROVING THE FINANCING OF SYSTEM IMPROVEMENTS THROUGH THE BORROWING OF NOT EXCEEDING \$2,260,938 PLUS CAPITALIZED INTEREST, IF ANY, FROM THE STATE DRINKING WATER REVOLVING LOAN FUND BY AGREEMENT WITH THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY PURSUANT TO TITLE 48, CHAPTER 5, CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED; PROVIDING FOR THE AGREEMENT TO MAKE AND TO ACCEPT THE LOAN, THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN THE CITY OF FLORENCE AND THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY, THE EXECUTION AND DELIVERY OF A PROMISSORY NOTE FROM THE CITY OF FLORENCE TO THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY; AND OTHER MATTERS RELATING THERETO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED:

ARTICLE I

FINDINGS OF FACT

SECTION 1.1. Findings of Fact. As an incident to the adoption of this Series Ordinance, the City Council ("**City Council**") of the City of Florence, South Carolina (the "**City**") has made the following findings:

(a) The City of Florence is a municipality created pursuant to the laws of the State of South Carolina and empowered by the provisions of Title 48, Chapter 5, Code of Laws of South Carolina, 1976, as amended (the "**Act**") (i) to undertake a drinking water supply/distribution project as defined and approved pursuant to the Federal Safe Drinking Water Act, 42 U.S.C.A. subsection 300f et seq.; (ii) to make application for and to receive assistance; (iii) to comply with regulations relating to the receipt and disposition of money of the State Drinking Water Revolving Loan Fund created by the Act; (iv) to apply for and receive state grants; (v) to enter into loan agreements; and (vi) to comply with all terms and conditions of any loan agreement.

(b) Title 6, Chapter 17, Code of Laws of South Carolina, 1976, as amended, permits the incurring of debt for the purpose of financing facilities for the furnishing of water and wastewater treatment services and permits the securing of such indebtedness with a pledge of revenues derived from the operation of the Combined Waterworks and Sewerage System (the "**System**") of the City.

(c) By ordinance entitled AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF COMBINED WATERWORKS AND SEWERAGE SYSTEM REVENUE BONDS OF THE CITY OF FLORENCE, SOUTH CAROLINA, AND OTHER MATTERS RELATING THERETO, adopted on October 24, 1989, as amended (the "**Bond Ordinance**"), City Council made provision for the issuance from time to time of Combined Waterworks and Sewerage System Revenue Bonds of the City payable from revenues derived from the operation of the System.

(d) The revenues derived from the System are now hypothecated and pledged to the payment of the following:

(1) the outstanding installments of a \$2,767,997 South Carolina Drinking Water Revolving Loan Fund Loan dated May 10, 1999.

(2) the outstanding installments of a \$6,210,343 State Drinking Water Fund Loan dated May 10, 2000.

(3) the outstanding installments of a \$2,473,955 State Drinking Water Fund Loan dated January 30, 2003.

(4) the outstanding installments of a \$18,808,277 South Carolina Water Quality Revolving Fund Loan dated June 25, 2009.

(5) the outstanding installments of an original issue of \$31,005,000 Combined Waterworks and Sewerage System Refunding Revenue Bonds, Series 2010A, dated May 4, 2010.

(6) the outstanding installments of an original issue of \$67,995,000 Combined Waterworks and Sewerage System Capital Improvement Revenue Bonds, Series 2010B (Build America Bonds – Taxable Series), dated May 4, 2010.

(7) the outstanding installments of an original issue of \$10,428,518 South Carolina Water Quality Revolving Fund Loan dated April 18, 2013.

(8) the outstanding installments of an original issue of \$3,817,741 South Carolina Water Quality Revolving Fund Loan dated September 23, 2013.

(9) the outstanding installments of an original issue of \$6,111,310.18 Waterworks and Sewerage System Junior Lien Revenue Bond dated March 10, 2014.

(10) the outstanding installments of an original issue of not exceeding \$1,750,566 plus capitalized interest, if any, South Carolina Water Quality Revolving Fund Loan dated September 11, 2014;

(11) the outstanding installments of an original issue of \$2,702,347.56 Combined Waterworks and Sewerage System Refunding Revenue Bond, Series 2015, dated July 15, 2015;

(12) the outstanding installments of an original issue of \$14,405,000 Combined Waterworks and Sewerage System Refunding Revenue Bonds, Series 2016, dated November 9, 2016;

(13) the outstanding installments of an original issue of \$9,055,000 Special Obligation Bonds (Florence Downtown Redevelopment Project Area), Taxable Series 2016A, dated November 9, 2016, additionally secured by a junior lien pledge of System revenues; and

(14) the outstanding installments of an original issue of \$26,515,000 Special Obligation Bonds (Florence Downtown Redevelopment Project Area), Series 2016B, dated November 9, 2016, additionally secured by a junior lien pledge of System revenues.

The City will simultaneously borrow not exceeding \$5,730,149 plus capitalized interest, if any, from the State Water Pollution Control Revolving Fund (the "**2018B Note**") which will be issued on a parity. The above-described borrowings in this paragraph (d) (1) through (8), (10) through (12) and the 2018B Note are hereinafter referred to as the "**Parity Bonds.**"

(e) The City has determined to defray the cost of the capital improvements described in attached Exhibit A (collectively, the "**Project**") through the borrowing authorized herein. The Project will be part of the System.

(f) On June 13, 2016 City Council adopted a Resolution authorizing application to the South Carolina Water Quality Revolving Fund Authority (the "**State Authority**") for a loan from the State Drinking Water Revolving Loan Fund created by the Act (the "**2018A Loan**"), to provide for the financing of the Project.

(g) On March 21, 2018, the State Authority upon review of the City's loan applications conditionally approved the 2018A Loan.

(h) The Bond Ordinance provides that a Series Ordinance shall be adopted with respect to each Series of Bonds which Series Ordinance shall express the approval of City Council to the issuance of a Series of Bonds and City Council's agreement to abide by the terms, provisions and agreements set forth in the Bond Ordinance and shall specify and determine:

- (1) As prescribed by Section 6-17-60 of the Enabling Act, the then period of usefulness of the System;
- (2) The Date or Dates of Issue of such Series of Bonds;
- (3) The precise principal amount of the Series of Bonds;
- (4) The specific purposes for which the proceeds of such Series will be used;
- (5) The title and designation of the Bonds of such Series and manner of numbering and lettering, and the denomination or denominations of the Bonds of such Series;
- (6) The date or dates of maturity and the amounts thereof;
- (7) The interest rate or rates, or the manner of determining such rate or rates, of the Bonds of such Series;
- (8) The time for the payment of interest on the Bonds in such Series and the Record Date;
- (9) The redemption price or redemption prices and the redemption date or redemption dates and other terms of redemption (if any) applicable to any of the Bonds of such Series for such payments;
- (10) The Registrar for such Bonds if other than the Trustee;
- (11) The portion of such Series that are serial Bonds and that are Term Bonds, if any, including the amount and date of each mandatory redemption or sinking fund installment, if any, required by such Series Ordinance to be paid for the retirement of any such Bonds;

(12) The portion of such Series that are Capital Appreciation Bonds, if any, including the time for payment of such Capital Appreciation Bonds in order to address the information requested in paragraphs (7) and (8) above.

(13) Any other applicable redemption requirement for the Bonds of such Series and the method of satisfying the same;

(14) The manner in which Bonds of such Series are to be sold and provisions for the sale thereof;

(15) The form or forms for the Bonds of each Series;

(16) That the then applicable Reserve Requirement has been or will be met;

(17) The disposition of the proceeds of the sale of the Bonds of such Series and the manner of their application; and

(18) Any other provisions deemed advisable by the City not in conflict with or in substitution for the provisions of the Bond Ordinance and the Series Ordinance relating to the Bonds of such Series.

(i) The funds are to be loaned and secured pursuant to a loan agreement (the "**Loan Agreement**") between the City and the State Authority, and a promissory note executed and delivered by the City registered in the name of the State Authority (the "**2018A Note**" or the "**2018A Bond**"). Pursuant to the Loan Agreement, the City will agree to use the 2018A Loan proceeds only to pay the actual eligible costs of the Project, and the City will agree to pay to the State Authority such amounts as shall be required to provide for the payment of all amounts due with respect to the repayment of the 2018A Loan. To secure its obligations the City will grant to the State Authority a pledge of, and lien upon, all revenues derived from the operation of the System and all funds and accounts of the City derived from such revenues, which pledge is on a parity with the Parity Bonds and any additional bonds issued on a parity therewith.

Upon any failure of the City to make any payments to the State Authority pursuant to the Loan Agreement or the 2018A Note, the State Authority shall require the State Treasurer to pay to the State Authority, subject to the provisions of the Act, such amount from State appropriations to which the City may be or may become entitled as may be necessary to provide for the payment of all amounts due with respect to the 2018A Note.

(j) City Council is adopting this Ordinance in order to:

(a) authorize the execution and delivery on behalf of the City of the Loan Agreement and the 2018A Note;

(b) evidence the approval of the Project and the 2018A Loan by the City; and

(c) authorize the execution and delivery by, and on behalf of, the City of such other agreements and certificates and the taking of such other action by the City and its officers as shall be necessary or desirable in connection with the financing of the Project in order to carry out the intent of this Ordinance.

(k) The Bond Ordinance permits the issuance of further bonds on a parity with the Parity Bonds, on the following conditions. Capitalized terms used herein shall have the meanings ascribed thereto in the Bond Ordinance.

(1) There shall exist, on the occasion of the issuance of the Bonds, no default in the payment of the principal of or interest on any Prior Lien Bonds, Bonds or Junior Lien Bonds then Outstanding;

(2) There shall be on deposit in each Debt Service Reserve Fund established pursuant to any Series Ordinance the amount then required to be on deposit therein by the provisions of such Series Ordinance; and

(3) Except in the case of Bonds issued for the purpose of refunding any Bonds, there shall be delivered to the Trustee a certificate, which is not required to be based upon an audit of the City, from an Accountant, a Financial Consultant or a Consulting Engineer, to the effect that Net Earnings during any consecutive 12-month period out of the 24 months immediately preceding the issuance date of the proposed Bonds (the "Test Period") are not less than 125% of the greatest sum for any Fiscal Year ending after the date of delivery of the Bonds proposed to be issued obtained by adding all the Annual Principal and Interest Requirement for each Fiscal Year for all Series of Bonds then proposed to be Outstanding.

It is specifically found that the 2018A Note, whose issuance is herewith provided for, is issued as a Bond under the Bond Ordinance and for purposes permitted by and in full compliance with all of the provisions set forth in the Bond Ordinance and that the 2018A Note will be on a parity with said Parity Bonds. It is further found that the commitment from the State Authority to purchase the 2018A Note is for an amount not to exceed \$2,260,938 plus capitalized interest, if any. The final amount of the borrowing as well as the dates on which principal and interest payments will be made and the amount of such payments are subject to revision as construction proceeds. The final terms and conditions of the borrowing will be set forth in the Loan Agreement attached hereto as Exhibit B which terms and conditions are incorporated herein.

NOW THEREFORE BE IT ORDAINED BY COUNCIL IN MEETING DULY ASSEMBLED:

(1) The useful life of the System is found to be 40 years.

(2) The Date of Issue of the 2018A Note is to be no later than June 30, 2018, and the actual date of issue of the 2018A Note will be as set forth in a certificate to be delivered by the Mayor and contained in the final 2018A Note.

(3) The 2018A Note shall be in the original principal amount of not exceeding \$2,260,938 plus capitalized interest, if any, and the actual principal amount of the 2018A Note will be as set forth in the Agreement.

(4) The proceeds of the 2018A Note shall be used to defray the cost of the Project described in attached Exhibit A;

(5) The 2018A Note shall be designated City of Florence, South Carolina, Combined Waterworks and Sewerage System Revenue Bond, Series 2018A, and shall be issued in the denomination of the final principal amount borrowed and shall be numbered 1.

(6) The date of maturity and amounts thereof shall be as set forth in the Loan Agreement. Inasmuch as the final principal amounts may be reduced to reflect lower than anticipated construction costs, any changes to the principal amounts to provide for a reduction in the amounts borrowed shall be permitted and shall be evidenced by the City's execution of the Loan Agreement, as it may be amended from time to time.

(7) The interest rate on the 2018A Note and the time for the payment of interest and the Record Date shall be as set forth in the Loan Agreement.

(8) The 2018A Note is subject to prepayment in whole or in part together with any accrued interest thereon at any time without penalty or premium; all such prepayments shall be applied against principal installments due on the 2018A Note in inverse order of maturity.

(9) The Registrar for the 2018A Note shall be the Trustee under the Bond Ordinance.

(10) The 2018A Note shall be sold to the State Authority pursuant to the State Authority's final approval of the 2018A Loan and shall be issued as a single obligation with principal to be paid as set forth in the Loan Agreement.

(11) The 2018A Note shall be substantially in the form attached to the Loan Agreement.

(12) Provision for the Reserve Requirement shall be made by the deposit in the Debt Service Reserve Fund established as permitted by the Bond Ordinance of an amount necessary to satisfy the Reserve Requirement as set forth in the Loan Agreement.

(13) The proceeds of the 2018A Note shall be applied to defray the cost of the Project.

(14) The proceeds of the 2018A Note shall be disbursed in accordance with the requirements of the Loan Agreement.

ARTICLE II

THE LOAN

SECTION 2.1. Authorization of Loan. Council hereby authorizes the City's acceptance of the 2018A Loan from the State Authority of not exceeding \$2,260,938 plus capitalized interest, if any, pursuant to and in accordance with, the provisions of the Loan Agreement.

SECTION 2.2. Repayment of Loan by the City. Council hereby authorizes the repayment of the 2018A Loan by the City to the State Authority from revenues of the System or, if said revenues are not sufficient, from state appropriations as the City may become entitled pursuant to and in accordance with the provisions of the Loan Agreement and the 2018A Note.

ARTICLE III

LOAN AGREEMENT AND NOTE

SECTION 3.1. Authorization of Loan Agreement and the 2018A Note. The Loan Agreement and the 2018A Note in substantially the form attached hereto as Exhibit "B" with such changes as the executing officers shall approve (their execution to be conclusive evidence of such approval) are hereby approved and the execution and delivery of the Loan Agreement and the 2018A Note, on behalf of the City are hereby authorized and directed. The Loan Agreement and the 2018A Note shall be executed on behalf of the City by the Mayor and attested by the Clerk of Council (the "**Clerk**").

ARTICLE IV

MISCELLANEOUS

SECTION 4.1. Other Instruments and Actions. In order to implement the 2018A Loan pursuant to the Loan Agreement and 2018A Note and to give full effect to the intent and meaning of this Ordinance and the agreements and actions herein authorized, the Mayor and Clerk are hereby authorized to execute and deliver such certificates, showings, instruments and agreements and to take such further action as the shall deem necessary or desirable.

SECTION 4.2. Ordinance a Contract. This Ordinance shall be a contract between the City and the State Authority, and shall be enforceable as such against the City.

SECTION 4.3. Continuing Disclosure. The City covenants to file with the State Authority:

- (a) An annual audit, within thirty days of the City's receipt of the audit; and
- (b) Event specific information within thirty days of an event adversely affecting more than five percent of revenues of the System or the City's tax base.

SECTION 4.4. Effective Date. This Ordinance shall become effective upon receiving approval on second reading by Council.

DONE, RATIFIED AND ADOPTED THIS 11th day of June, 2018.

(SEAL)

Mayor, City of Florence, South Carolina

Attest:

Clerk, City of Florence, South
Carolina

First Reading: May 14, 2018
Second Reading: June 11, 2018

STATE OF SOUTH CAROLINA

COUNTY OF FLORENCE

I, the undersigned, Clerk of the City Council of the City of Florence, South Carolina ("**Council**"), DO HEREBY CERTIFY:

That the foregoing constitutes a true, correct and verbatim copy of an Ordinance adopted by Council. The Ordinance was read at two public meetings of Council on May 14 and June 11, 2018. An interval of at least six days occurred between each reading. At each meeting, a quorum of Council was present and remaining present throughout the meeting.

The Ordinance is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my Hand this 11th day of June, 2018.

Clerk

EXHIBIT A

Description of the Project

The Project is comprised of the following thirteen elements.

Completed

- 1. Planning, Water System Modeling, and Overall Grant Coordination**
Overall project planning and coordination including the development of a corrective action plan and hydraulic water model.
- 2. Honda Pump Station Distribution Connection to Tank Site**
Connect a new pump station (funded by EDA) near the Honda Tank site to the Florence System for the purpose of supplying water to the tank.
- 3. Highway 76 Interconnection (Phase 1)**
Construction of an interconnection (funded by EDA) with the Florence water system for adequate water flow to the Timmons ville system and closure of the Main Street WTP which was too costly to repair. Includes installation of approximately 8,150 linear (LF) of 6 to 10-inch line and 9 fire hydrants.
- 4. Highway 76 Interconnection (Phase 2)**
Construction of an interconnection (funded by CDBG) with the Florence water system for adequate water flow to the Timmons ville system. Includes installation of approximately 2,520 LF of 6 to 12-inch line; 2 fire hydrants; and a 350 GPM booster pump station.
- 5. Meter Replacement**
Installation of approximately 1,000 meters and needed appurtenances.
- 6. Highway 403 Water Treatment Plant Rehabilitation**
Rehabilitation (funded by CDBG) includes replacement of filter media, pressure vessel, filter valves, line feed system, chlorine booster pumps, air compressor, aerator, heaters, louvers, and installation of a new fluoride system.
- 7. Honda Way Tank**
Rehabilitation (partially funded by EDA) to repair and repaint the elevated tank.
- 8. Highway 403 Tank**
Rehabilitation (partially funded by RIA) to repair and repaint the elevated tank.
- 9. Church Tank**
Construction (partially funded by RIA) of a new 300,000 gallon elevated tank to replace the existing tank which was too deteriorated to be rehabilitated.

Still in Process

- 10. Distribution Water Main Replacement - Part A**
Installation (funded by CDBG) of approximately 10,191 LF of 8 to 10-inch water line, 4 fire hydrants, gate valves and all associated appurtenances.

11. Distribution Water Main Replacement - Part B

Installation (financed by USDA) of approximately 2,570 LF of 6-inch water main, 2 new fire hydrants, and replacement of 21 existing fire hydrants.

12. Highway 403 Water Treatment Plant Well

Construction (largely financed by USDA) includes a new well near the 403 WTP to provide emergency backup water supply, a well pump, well site, and an 8-inch water main to existing WTP facility.

13. SCADA System

Purchase and installation of SCADA system equipment compatible with current City equipment for monitoring and controlling the Church Water Tank, Highway 403 Water Tank and WTP, Honda Water Tank and Pump Station, and Highway 76 Pump Station.

EXHIBIT B

Form of Loan Agreement and Note

FLORENCE CITY COUNCIL MEETING

DATE: May 14, 2018
AGENDA ITEM: Ordinance – First Reading
DEPARTMENT/DIVISION: Finance

I. ISSUE UNDER CONSIDERATION

A Series Ordinance to authorize the borrowing of not exceeding \$5,730,149, plus capitalized interest, if any, from the South Carolina Water Quality Revolving Fund Authority (“SRF”) for a low interest loan from the Water Pollution Control Revolving Loan Fund to finance the second phase of improvements and repairs to the Timmons ville Sewer System.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

A. By formal action of both the City of Florence and the Town of Timmons ville in 2013, the City agreed to provide water and wastewater services to the Town of Timmons ville service area. On January 9, 2014 the Timmons ville Water and Sewer System was conveyed to the City of Florence.

B. A number of funding sources including several grants and SRF loans for both the water and sewer are being used by the City to acquire the Timmons ville System to finance critically needed repairs and upgrades.

III. POINTS TO CONSIDER

A. Of the estimated repair and upgrade total cost, the Timmons ville sewer system requires approximately \$9.45 million in total improvements and repairs. These projects have been separated into two funding phases.

B. Of the \$9.45 million in improvements and repair, financing is being provided through SRF in the form of two principal forgiveness loans (effectively grants) in the total amount of approximately \$1.97 million and two loans in the total amount of approximately \$7.48 million to fund two phases of sewer system improvements.

C. In 2014, SRF funded the total cost of the first phase of sewer system improvements in the approximate amount of \$2.72 million with approximately \$0.97 million provided as SRF funds issued in August 2014 as a principal forgiveness loan. The remaining balance of approximately \$1.75 million was financed in September 2014 through an SRF Loan over a blended period of 20 years at an interest rate of 1% and 30 years at an interest rate of 1.1%.

D. For the second phase of sewer system improvements, SRF will finance the total cost in the approximate amount of \$6.73 million.

E. Of the \$6.73 million total, \$1 million will be provided through SRF loan assistance monies issued in the form of a principal forgiveness loan. The remaining balance of approximately \$5.73 million will be financed through an SRF Loan over a period of 30 years in the amount of \$5.12 million at an interest rate of 1% for the first 20 years of the loan, and in the amount of \$0.61 million at an interest rate of 1.5% for the final 10 years of the loan.

CWSRF Loan Series Ordinance Agenda Item – Page 2

F. In June 2017, City Council approved a resolution to submit an application to the South Carolina Water Quality Revolving Fund Authority (“SRF”) for a low interest loan from the Water Pollution Control Revolving Loan Fund to finance the second phase of improvements and repairs to the Timmons ville Sewer System.

G. The adoption of this ordinance is required prior to the closing of the State Revolving Fund Loan to finance the second phase of improvements and repairs to the Timmons ville Sewer System.

IV. STAFF RECOMMENDATION

Approve and adopt the proposed ordinance approving a loan from the State Revolving Fund in the amount of not exceeding \$5,730,149 to finance the second phase of improvements and repairs to the Timmons ville Sewer System.

V. ATTACHMENTS

The proposed ordinance is attached.



Thomas W. Chandler
Finance Director



Andrew H. Griffin
City Manager

ORDINANCE NO. _____

A SERIES ORDINANCE

MAKING PROVISION FOR THE TERMS AND CONDITIONS OF COMBINED WATERWORKS AND SEWERAGE SYSTEM REVENUE BORROWING OF THE CITY OF FLORENCE, SOUTH CAROLINA, AUTHORIZED BY A BOND ORDINANCE OF THE CITY OF FLORENCE ADOPTED OCTOBER 24, 1989, AS AMENDED; APPROVING THE FINANCING OF SYSTEM IMPROVEMENTS THROUGH THE BORROWING OF NOT EXCEEDING \$5,730,149 PLUS CAPITALIZED INTEREST, IF ANY, FROM THE STATE WATER POLLUTION CONTROL REVOLVING FUND BY AGREEMENT WITH THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY PURSUANT TO TITLE 48, CHAPTER 5, CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED; PROVIDING FOR THE AGREEMENT TO MAKE AND TO ACCEPT THE LOAN, THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN THE CITY OF FLORENCE AND THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY, THE EXECUTION AND DELIVERY OF A PROMISSORY NOTE FROM THE CITY OF FLORENCE TO THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY; AND OTHER MATTERS RELATING THERETO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED:

ARTICLE I

FINDINGS OF FACT

SECTION 1.1. Findings of Fact. As an incident to the adoption of this Series Ordinance, the City Council ("**City Council**") of the City of Florence, South Carolina (the "**City**") has made the following findings:

(a) The City of Florence is a municipality created pursuant to the laws of the State of South Carolina and empowered by the provisions of Title 48, Chapter 5, Code of Laws of South Carolina, 1976, as amended (the "**Act**") (i) to undertake a wastewater treatment and disposal project as defined and approved pursuant to the Federal Clean Water Act, 33 U.S.C.A. subsection 1381 *et seq.*; (ii) to make application for and to receive assistance; (iii) to comply with regulations relating to the receipt and disposition of money of the State Water Pollution Control Revolving Fund created by the Act; (iv) to apply for and receive state grants; (v) to enter into loan agreements; and (vi) to comply with all terms and conditions of any loan agreement.

(b) Title 6, Chapter 17, Code of Laws of South Carolina, 1976, as amended, permits the incurring of debt for the purpose of financing facilities for the furnishing of water and wastewater treatment services and permits the securing of such indebtedness with a pledge of revenues derived from the operation of the Combined Waterworks and Sewerage System (the "**System**") of the City.

(c) By ordinance entitled AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF COMBINED WATERWORKS AND SEWERAGE SYSTEM REVENUE BONDS OF THE CITY OF FLORENCE, SOUTH CAROLINA, AND OTHER MATTERS RELATING THERETO, adopted on October 24, 1989, as amended (the "**Bond Ordinance**"), City Council made provision for the issuance from time to time of Combined Waterworks and Sewerage System Revenue Bonds of the City payable from revenues derived from the operation of the System.

(d) The revenues derived from the System are now hypothecated and pledged to the payment of the following:

(1) the outstanding installments of a \$2,767,997 South Carolina Drinking Water Revolving Loan Fund Loan dated May 10, 1999.

(2) the outstanding installments of a \$6,210,343 State Drinking Water Fund Loan dated May 10, 2000.

(3) the outstanding installments of a \$2,473,955 State Drinking Water Fund Loan dated January 30, 2003.

(4) the outstanding installments of a \$18,808,277 South Carolina Water Quality Revolving Fund Loan dated June 25, 2009.

(5) the outstanding installments of an original issue of \$31,005,000 Combined Waterworks and Sewerage System Refunding Revenue Bonds, Series 2010A, dated May 4, 2010.

(6) the outstanding installments of an original issue of \$67,995,000 Combined Waterworks and Sewerage System Capital Improvement Revenue Bonds, Series 2010B (Build America Bonds – Taxable Series), dated May 4, 2010.

(7) the outstanding installments of an original issue of \$10,428,518 South Carolina Water Quality Revolving Fund Loan dated April 18, 2013.

(8) the outstanding installments of an original issue of \$3,817,741 South Carolina Water Quality Revolving Fund Loan dated September 23, 2013.

(9) the outstanding installments of an original issue of \$6,111,310.18 Waterworks and Sewerage System Junior Lien Revenue Bond dated March 10, 2014.

(10) the outstanding installments of an original issue of not exceeding \$1,750,566 plus capitalized interest, if any, South Carolina Water Quality Revolving Fund Loan dated September 11, 2014;

(11) the outstanding installments of an original issue of \$2,702,347.56 Combined Waterworks and Sewerage System Refunding Revenue Bond, Series 2015, dated July 15, 2015;

(12) the outstanding installments of an original issue of \$14,405,000 Combined Waterworks and Sewerage System Refunding Revenue Bonds, Series 2016, dated November 9, 2016;

(13) the outstanding installments of an original issue of \$9,055,000 Special Obligation Bonds (Florence Downtown Redevelopment Project Area), Taxable Series 2016A, dated November 9, 2016, additionally secured by a junior lien pledge of System revenues; and

(14) the outstanding installments of an original issue of \$26,515,000 Special Obligation Bonds (Florence Downtown Redevelopment Project Area), Series 2016B, dated November 9, 2016, additionally secured by a junior lien pledge of System revenues.

The City will simultaneously borrow not exceeding \$2,260,938 plus capitalized interest, if any, from the State Drinking Water Revolving Loan Fund (the "**2018A Note**") which will be issued on a parity. The above-described borrowings in this paragraph (d) (1) through (8), (10) through (12) and the 2018A Note are hereinafter referred to as the "**Parity Bonds.**"

(e) The City has determined to defray the cost of the capital improvements described in attached Exhibit A (collectively, the "**Project**") through the borrowing authorized herein. The Project will be part of the System.

(f) On June 12, 2017, City Council adopted a Resolution authorizing application to the South Carolina Water Quality Revolving Fund Authority (the "**State Authority**") for a loan from the State Water Pollution Control Revolving Fund created by the Act (the "**2018B Loan**"), to provide for the financing of the Project.

(g) On March 21, 2018, the State Authority upon review of the City's loan applications conditionally approved the 2018B Loan.

(h) The Bond Ordinance provides that a Series Ordinance shall be adopted with respect to each Series of Bonds which Series Ordinance shall express the approval of City Council to the issuance of a Series of Bonds and City Council's agreement to abide by the terms, provisions and agreements set forth in the Bond Ordinance and shall specify and determine:

- (1) As prescribed by Section 6-17-60 of the Enabling Act, the then period of usefulness of the System;
- (2) The Date or Dates of Issue of such Series of Bonds;
- (3) The precise principal amount of the Series of Bonds;
- (4) The specific purposes for which the proceeds of such Series will be used;
- (5) The title and designation of the Bonds of such Series and manner of numbering and lettering, and the denomination or denominations of the Bonds of such Series;
- (6) The date or dates of maturity and the amounts thereof;
- (7) The interest rate or rates, or the manner of determining such rate or rates, of the Bonds of such Series;
- (8) The time for the payment of interest on the Bonds in such Series and the Record Date;
- (9) The redemption price or redemption prices and the redemption date or redemption dates and other terms of redemption (if any) applicable to any of the Bonds of such Series for such payments;
- (10) The Registrar for such Bonds if other than the Trustee;
- (11) The portion of such Series that are serial Bonds and that are Term Bonds, if any, including the amount and date of each mandatory redemption or sinking fund installment, if any, required by such Series Ordinance to be paid for the retirement of any such Bonds;

(12) . The portion of such Series that are Capital Appreciation Bonds, if any, including the time for payment of such Capital Appreciation Bonds in order to address the information requested in paragraphs (7) and (8) above.

(13) Any other applicable redemption requirement for the Bonds of such Series and the method of satisfying the same;

(14) The manner in which Bonds of such Series are to be sold and provisions for the sale thereof;

(15) The form or forms for the Bonds of each Series;

(16) That the then applicable Reserve Requirement has been or will be met;

(17) The disposition of the proceeds of the sale of the Bonds of such Series and the manner of their application; and

(18) Any other provisions deemed advisable by the City not in conflict with or in substitution for the provisions of the Bond Ordinance and the Series Ordinance relating to the Bonds of such Series.

(i) The funds are to be loaned and secured pursuant to a loan agreement (the "**Loan Agreement**") between the City and the State Authority, and a promissory note executed and delivered by the City registered in the name of the State Authority (the "**2018B Note**" or the "**2018B Bond**"). Pursuant to the Loan Agreement, the City will agree to use the 2018B Loan proceeds only to pay the actual eligible costs of the Project, and the City will agree to pay to the State Authority such amounts as shall be required to provide for the payment of all amounts due with respect to the repayment of the 2018B Loan. To secure its obligations the City will grant to the State Authority a pledge of, and lien upon, all revenues derived from the operation of the System and all funds and accounts of the City derived from such revenues, which pledge is on a parity with the Parity Bonds and any additional bonds issued on a parity therewith.

Upon any failure of the City to make any payments to the State Authority pursuant to the Loan Agreement or the 2018B Note, the State Authority shall require the State Treasurer to pay to the State Authority, subject to the provisions of the Act, such amount from State appropriations to which the City may be or may become entitled as may be necessary to provide for the payment of all amounts due with respect to the 2018B Note.

(j) City Council is adopting this Ordinance in order to:

(a) authorize the execution and delivery on behalf of the City of the Loan Agreement and the 2018B Note;

(b) evidence the approval of the Project and the 2018B Loan by the City; and

(c) authorize the execution and delivery by, and on behalf of, the City of such other agreements and certificates and the taking of such other action by the City and its officers as shall be necessary or desirable in connection with the financing of the Project in order to carry out the intent of this Ordinance.

(k) The Bond Ordinance permits the issuance of further bonds on a parity with the Parity Bonds, on the following conditions. Capitalized terms used herein shall have the meanings ascribed thereto in the Bond Ordinance.

(1) There shall exist, on the occasion of the issuance of the Bonds, no default in the payment of the principal of or interest on any Prior Lien Bonds, Bonds or Junior Lien Bonds then Outstanding;

(2) There shall be on deposit in each Debt Service Reserve Fund established pursuant to any Series Ordinance the amount then required to be on deposit therein by the provisions of such Series Ordinance; and

(3) Except in the case of Bonds issued for the purpose of refunding any Bonds, there shall be delivered to the Trustee a certificate, which is not required to be based upon an audit of the City, from an Accountant, a Financial Consultant or a Consulting Engineer, to the effect that Net Earnings during any consecutive 12-month period out of the 24 months immediately preceding the issuance date of the proposed Bonds (the "Test Period") are not less than 125% of the greatest sum for any Fiscal Year ending after the date of delivery of the Bonds proposed to be issued obtained by adding all the Annual Principal and Interest Requirement for each Fiscal Year for all Series of Bonds then proposed to be Outstanding.

It is specifically found that the 2018B Note, whose issuance is herewith provided for, is issued as a Bond under the Bond Ordinance and for purposes permitted by and in full compliance with all of the provisions set forth in the Bond Ordinance and that the 2018B Note will be on a parity with said Parity Bonds. It is further found that the commitment from the State Authority to purchase the 2018B Note is for an amount not to exceed \$5,730,149 plus capitalized interest, if any. The final amount of the borrowing as well as the dates on which principal and interest payments will be made and the amount of such payments are subject to revision as construction proceeds. The final terms and conditions of the borrowing will be set forth in the Loan Agreement attached hereto as Exhibit B which terms and conditions are incorporated herein.

NOW THEREFORE BE IT ORDAINED BY COUNCIL IN MEETING DULY ASSEMBLED:

(1) The useful life of the System is found to be 40 years.

(2) The Date of Issue of the 2018B Note is to be no later than June 30, 2018, and the actual date of issue of the 2018B Note will be as set forth in a certificate to be delivered by the Mayor and contained in the final 2018B Note.

(3) The 2018B Note shall be in the original principal amount of not exceeding \$5,730,149 plus capitalized interest, if any, and the actual principal amount of the 2018B Note will be as set forth in the Agreement.

(4) The proceeds of the 2018B Note shall be used to defray the cost of the Project described in attached Exhibit A;

(5) The 2018B Note shall be designated City of Florence, South Carolina, Combined Waterworks and Sewerage System Revenue Bond, Series 2018B, and shall be issued in the denomination of the final principal amount borrowed and shall be numbered 1.

(6) The date of maturity and amounts thereof shall be as set forth in the Loan Agreement. Inasmuch as the final principal amounts may be reduced to reflect lower than anticipated construction costs, any changes to the principal amounts to provide for a reduction in the amounts borrowed shall be permitted and shall be evidenced by the City's execution of the Loan Agreement, as it may be amended from time to time.

(7) The interest rate on the 2018B Note and the time for the payment of interest and the Record Date shall be as set forth in the Loan Agreement.

(8) The 2018B Note is subject to prepayment in whole or in part together with any accrued interest thereon at any time without penalty or premium; all such prepayments shall be applied against principal installments due on the 2018B Note in inverse order of maturity.

(9) The Registrar for the 2018B Note shall be the Trustee under the Bond Ordinance.

(10) The 2018B Note shall be sold to the State Authority pursuant to the State Authority's final approval of the 2018B Loan and shall be issued as a single obligation with principal to be paid as set forth in the Loan Agreement.

(11) The 2018B Note shall be substantially in the form attached to the Loan Agreement.

(12) Provision for the Reserve Requirement shall be made by the deposit in the Debt Service Reserve Fund established as permitted by the Bond Ordinance of an amount necessary to satisfy the Reserve Requirement as set forth in the Loan Agreement.

(13) The proceeds of the 2018B Note shall be applied to defray the cost of the Project.

(14) The proceeds of the 2018B Note shall be disbursed in accordance with the requirements of the Loan Agreement.

ARTICLE II

THE LOAN

SECTION 2.1. Authorization of Loan. Council hereby authorizes the City's acceptance of the 2018B Loan from the State Authority of not exceeding \$5,730,149 plus capitalized interest, if any, pursuant to and in accordance with, the provisions of the Loan Agreement.

SECTION 2.2. Repayment of Loan by the City. Council hereby authorizes the repayment of the 2018B Loan by the City to the State Authority from revenues of the System or, if said revenues are not sufficient, from state appropriations as the City may become entitled pursuant to and in accordance with the provisions of the Loan Agreement and the 2018B Note.

ARTICLE III

LOAN AGREEMENT AND NOTE

SECTION 3.1. Authorization of Loan Agreement and the 2018B Note. The Loan Agreement and the 2018B Note in substantially the form attached hereto as Exhibit "B" with such changes as the executing officers shall approve (their execution to be conclusive evidence of such approval) are hereby approved and the execution and delivery of the Loan Agreement and the 2018B Note, on behalf of the City are hereby authorized and directed. The Loan Agreement and the 2018B Note shall be executed on behalf of the City by the Mayor and attested by the Clerk of Council (the "**Clerk**").

ARTICLE IV

MISCELLANEOUS

SECTION 4.1. Other Instruments and Actions. In order to implement the 2018B Loan pursuant to the Loan Agreement and 2018B Note and to give full effect to the intent and meaning of this Ordinance and the agreements and actions herein authorized, the Mayor and Clerk are hereby authorized to execute and deliver such certificates, showings, instruments and agreements and to take such further action as the shall deem necessary or desirable.

SECTION 4.2. Ordinance a Contract. This Ordinance shall be a contract between the City and the State Authority, and shall be enforceable as such against the City.

SECTION 4.3. Continuing Disclosure. The City covenants to file with the State Authority:

- (a) An annual audit, within thirty days of the City's receipt of the audit; and
- (b) Event specific information within thirty days of an event adversely affecting more than five percent of revenues of the System or the City's tax base.

SECTION 4.4. Effective Date. This Ordinance shall become effective upon receiving approval on second reading by Council.

DONE, RATIFIED AND ADOPTED THIS 11th day of June, 2018.

(SEAL)

Mayor, City of Florence, South Carolina

Attest:

Clerk, City of Florence, South
Carolina

First Reading: May 14, 2018
Second Reading: June 11, 2018

STATE OF SOUTH CAROLINA

COUNTY OF FLORENCE

I, the undersigned, Clerk of the City Council of the City of Florence, South Carolina ("Council"), DO HEREBY CERTIFY:

That the foregoing constitutes a true, correct and verbatim copy of an Ordinance adopted by Council. The Ordinance was read at two public meetings of Council on May 14 and June 11, 2018. An interval of at least six days occurred between each reading. At each meeting, a quorum of Council was present and remaining present throughout the meeting.

The Ordinance is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my Hand this 11th day of June, 2018.

Clerk

EXHIBIT A

Description of the Project

Construction includes: emergency repairs on North Brockington Street, East Milk Street, East Garner Street, and New Street involving approximately 40 linear feet (LF) of 10-inch gravity sewer lines, installation of approximately 785 LF of new 6-inch sewer force main, 190 LF of 10-inch PVC overflow pipe, and two manholes; rehabilitation of approximately 8,400 LF of 8-inch to 10-inch gravity sewer with cured-in-place lining, point repairs, remove and replace and pipe bursting, and rehabilitation of approximately 25 manholes; and upgrade of the wastewater treatment plant to include replacement of influent screen, influent pumps, floating aerators, repair/replacement of lagoon liners and curtain walls and misc., equipment, instrumentation and appurtenances.

EXHIBIT B

Form of Loan Agreement and Note

FLORENCE CITY COUNCIL MEETING

DATE: May 14, 2018

AGENDA ITEM: An ordinance declaring as surplus and authorizing the conveyance of real estate parcels to the Florence Affordable Housing Corporation as part of the South Carolina State Housing Finance and Development Authority's Neighborhood Stabilization Program (NSP): 401 Pilchard Court, 641 McIver Road, 808 Ventura Court, 2929 Paving Stone Court, 3620 Trotwood Drive, and 3624 Trotwood Drive; said properties being specifically designated in the Florence County Tax Records as Tax Map Parcel 15219-01-102; 00175-01-203; 17518-01-004; 10119-01-068; 07514-01-020; 07514-01-019.

DEPARTMENT/DIVISION: Community Services

I. ISSUE UNDER CONSIDERATION:

The above listed real estate parcels were originally purchased in the name of the City of Florence as part of the South Carolina State Housing Finance and Development Authority's Neighborhood Stabilization Program. The City of Florence requests authorization to convey the listed properties to Florence Affordable Housing Corporation.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

- (1) The NSP provides grants to purchase foreclosed or abandoned properties and to rehabilitate, resell, or redevelop these properties in order to stabilize neighborhoods and stem the decline of house values of neighboring homes.
- (2) The City of Florence received \$1 million in 2009 and \$1,319,530 in 2011 in NSP funding from the SC State Housing Finance and Development Authority.
- (3) These funds were used to purchase seven foreclosed properties for the City of Florence. The city also purchased twelve foreclosed housing units for the Florence Affordable Housing Corporation and various other housing partners.
- (4) The above listed properties are currently being used as affordable rental housing units.
- (5) The SC State Housing Finance and Development Authority has ended the NSP program and has given the City of Florence the option of 1) Transferring ownership of the city-owned properties to the SC State Housing Finance and Development Authority, or 2) Transferring ownership of the properties to a non-profit with a developer's agreement with SC State Housing Finance and Development Authority.

The Florence Affordable Housing Corporation has a developer's agreement with SC State Housing Finance and Development Authority.

III. POINTS TO CONSIDER:

- (1) The purpose of the Neighborhood Stabilization Program (NSP) is to acquire and redevelop foreclosed properties that might otherwise become sources of abandonment and blight within their communities.
- (2) The City of Florence requests authorization to convey the listed properties to the Florence Affordable Housing Corporation.

IV. PERSONAL NOTES:

V. ATTACHMENTS:

- (1) Ordinance
- (2) Exhibit A - Maps



Scotty Davis
Director of General Services



Andrew H. Griffin
City Manager



401 Pilchard Drive, Florence, SC 29505 (front view)

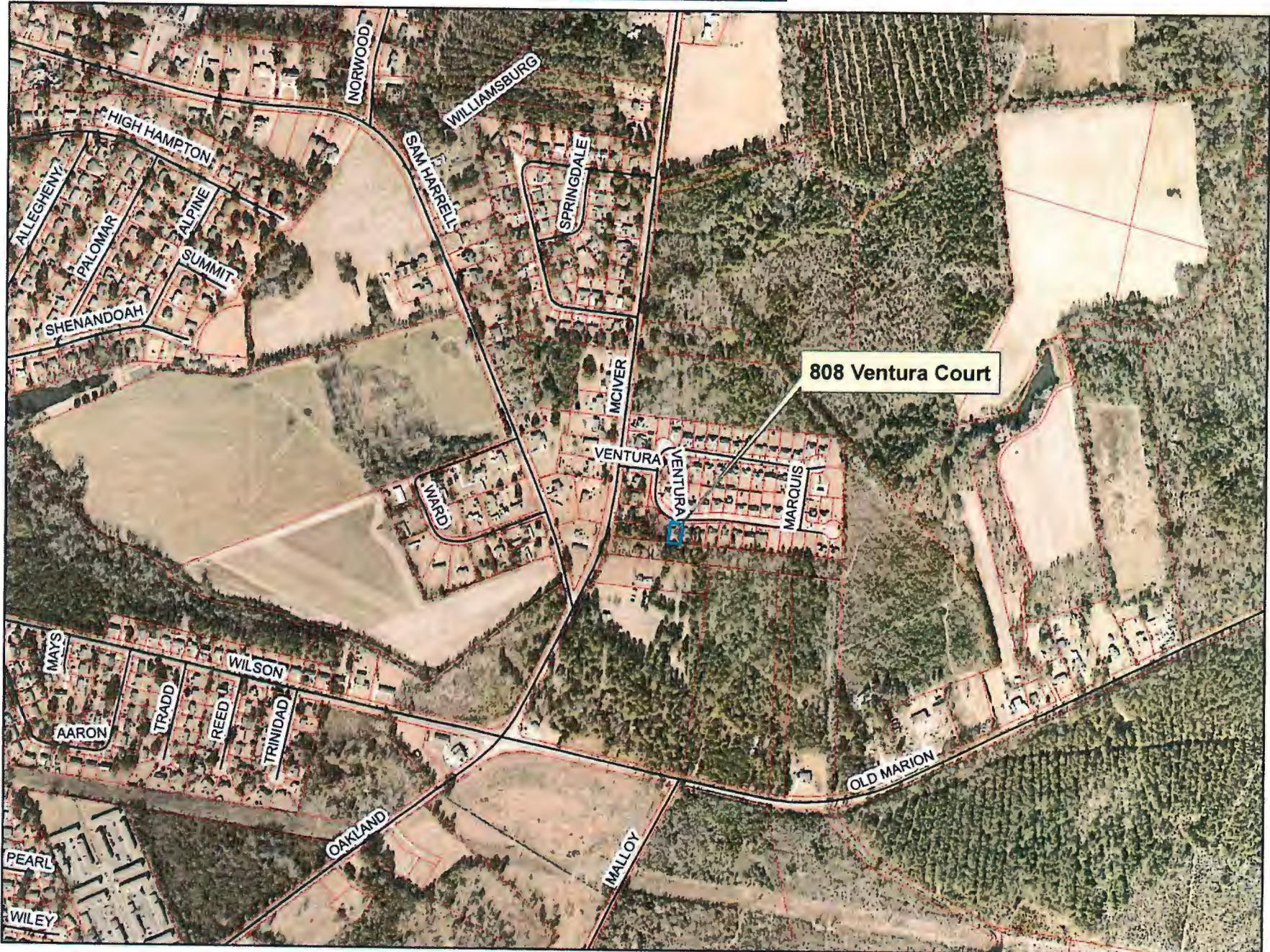
401 PILCHARD COURT





808 Ventura Court (front view)

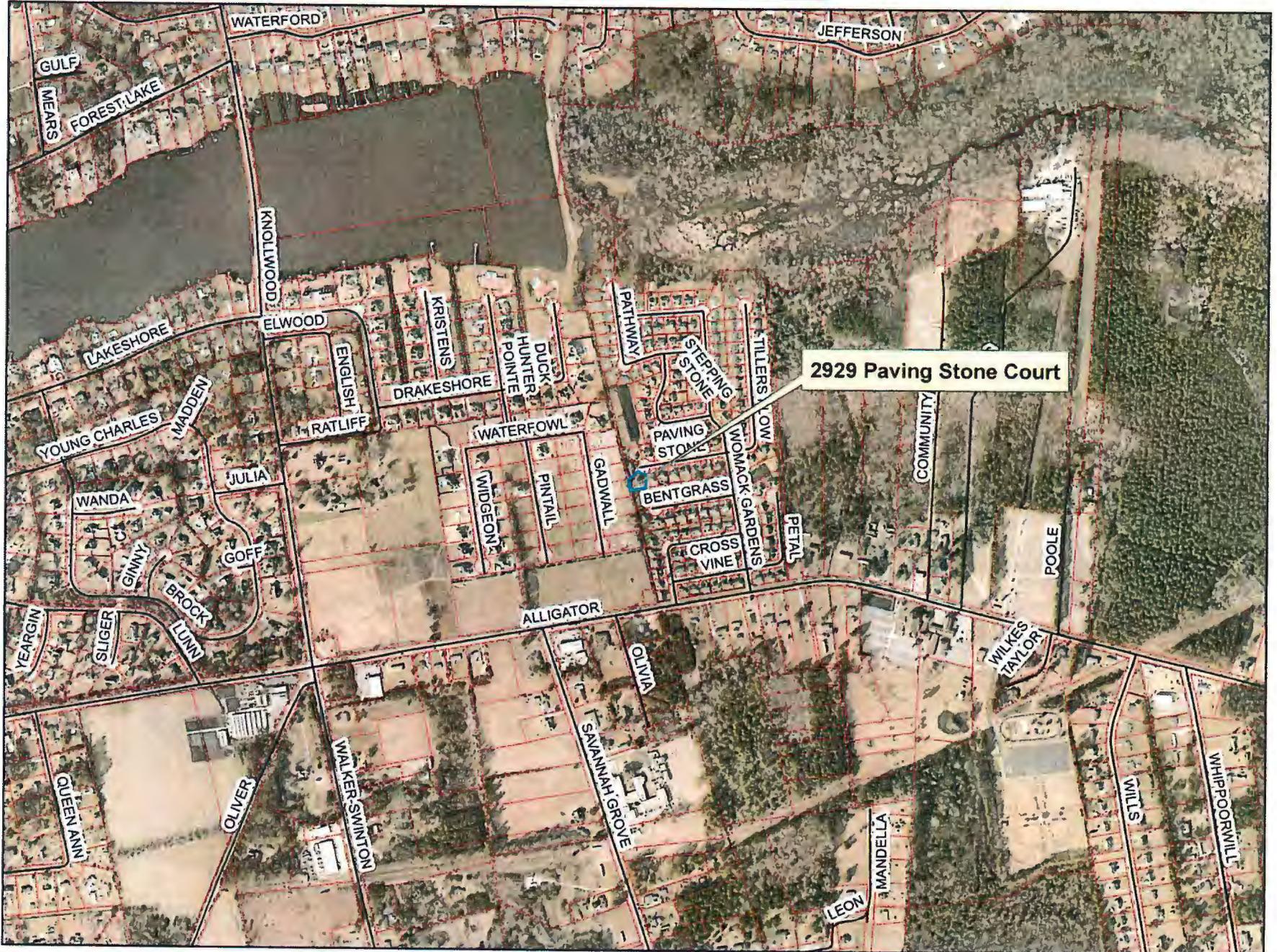
808 VENTURA COURT





2929 Paving Stone Ct.

2929 PAVING STONE COURT





3624 Trotwood Dr. (front view)

3624 TROTWOOD DRIVE





3620 Trotwood Dr. (front view)

3620 TROTWOOD DRIVE





641 McIver Rd. (Front View)

641McIVER ROAD



ORDINANCE NO. 2018-_____

AN ORDINANCE DECLARING AS SURPLUS AND AUTHORIZING THE CONVEYANCE OF REAL ESTATE PARCELS TO THE FLORENCE AFFORDABLE HOUSING CORPORATION AS PART OF THE SOUTH CAROLINA STATE HOUSING FINANCE AND DEVELOPMENT AUTHORITY'S NEIGHBORHOOD STABILIZATION PROGRAM (NSP): 401 PILCHARD COURT, 641 MCIVER ROAD, 808 VENTURA COURT, 2929 PAVINGSTONE COURT, 3620 TROTWOOD DRIVE, AND 3624 TROTWOOD DRIVE; SAID PROPERTIES BEING SPECIFICALLY DESIGNATED IN THE FLORENCE COUNTY TAX RECORDS AS TAX MAP PARCEL 15219-01-102; 00175-01-203; 17518-01-004; 10119-01-068; 07514-01-020; 07514-01-019.

WHEREAS, after due consideration, the City of Florence has concluded that the land described on Exhibit "A" attached hereto and incorporated herein by reference, said land being purchased by the City of Florence as a part of the Neighborhood Stabilization Program, shall be conveyed to the Florence Affordable Housing Corporation; and

WHEREAS, The City of Florence received the Neighborhood Stabilization Program (NSP) grant from the SC State Housing Authority to purchase said properties; and

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 deeds and other documentation in order to convey title of said property to the Florence Affordable Housing Corporation as part of the city's Neighborhood Revitalization Strategy.

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 May, 2018.

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: May 14, 2018

AGENDA ITEM: An ordinance authorizing the City to extend the lease on the real estate known as 228A West Darlington Street and designated as Tax Parcel 90086-02-004 in the records of the Florence County Tax Assessor to Pee Dee Regional Transportation Authority under the terms and conditions set out in the written lease attached as Exhibit A to this ordinance.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Authorization to extend the lease on the real estate known as 228A West Darlington Street and designated as Tax Parcel 90086-02-004 in the records of the Florence County Tax Assessor to Pee Dee Regional Transportation Authority under the terms and conditions set out in the written lease attached as Exhibit A to this ordinance.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

(1) City Council previously approved, on November 14, 2016, to authorize the lease of this property to PDRTA for a term of 120 months (ten years) with the option to renew the agreement for successive five year terms.

III. POINTS TO CONSIDER:

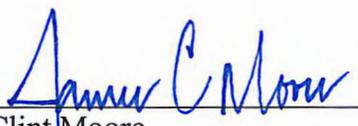
- 1) The PDRTA makes the request to extend the lease for a term of 240 months (twenty years), with the option to renew the agreement for successive five year terms.
- 2) The extension of the Lease provides the premises to the Pee Dee Regional Transportation Authority rent free provided they continue to operate the program and meet the terms and conditions of the Lease attached as Exhibit A to the Ordinance and incorporated therein by reference.
- 3) The extension of the Lease will provide the PDRTA with the continued opportunity to receive matching funds from the Federal Government and will allow the PDRTA to meet the requirements and guidelines that are mandatory.
- 4) The PDRTA will continue to use the leased premises for a transfer center and or bus depot for PDRTA vehicles.
- 5) Other than the matching funds all expenses, costs, and related improvements will be the responsibility of the PDRTA.

- 6) The Lease requires Pee Dee Regional Transportation Authority to be responsible for all maintenance, repairs, utility costs, tax costs and associated expenses related to the premises and their operations thereon.
- 7) The property will remain titled to the City.

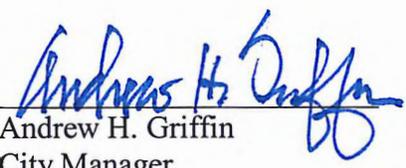
PERSONAL NOTES:

IV. ATTACHMENTS:

- (1) Ordinance
- (2) Exhibit A



Clint Moore
Development Manager



Andrew H. Griffin
City Manager

ORDINANCE NO. 2018-_____

AN ORDINANCE AUTHORIZING THE CITY TO EXTEND THE LEASE ON THE REAL ESTATE KNOWN AS 228A WEST DARLINGTON STREET AND DESIGNATED AS TAX PARCEL 90086-02-004 IN THE RECORDS OF THE FLORENCE COUNTY TAX ASSESSOR TO PEE DEE REGIONAL TRANSPORTATION AUTHORITY UNDER THE TERMS AND CONDITIONS SET OUT IN THE WRITTEN LEASE ATTACHED AS EXHIBIT A TO THIS ORDINANCE:

WHEREAS, after due consideration, the City has concluded that the real estate described in the Lease set out in Exhibit “A” attached hereto and incorporated herein by reference is not presently needed for City use; and

WHEREAS, we hereby find that the extension of the lease terms and use of said real estate for the development of a transfer center and/or bus depot for Pee Dee Regional Transportation Authority which provides essential public transportation needs within the greater Florence community is in the best interest and to the 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 Lease attached hereto as Exhibit A and such other documentation as needed in order to lease the property described in said Lease to Pee Dee Regional Transportation Authority in order to facilitate the continuation of the Pee Dee Regional Transportation Authority as described in the Lease.

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

ADOPTED THIS _____ DAY OF _____, 2018

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela,
Mayor

Attest:

Dianne M. Rowan
Municipal Clerk

STATE OF SOUTH CAROLINA)
COUNTY OF FLORENCE)

AGREEMENT OF LEASE

This agreement entered into this ___ day of _____, 2018 by and between The City of Florence, with it its principal place of business in the County of Florence, State of South Carolina, herein after called the “LANDLORD”, and Pee Dee Regional Transit Authority, hereinafter collectively called the “TENANT”.

WITNESSETH:

The LANDLORD, for an in consideration of the covenants and agreements hereinafter set forth, to be kept and performed by the TENANT, demises and leases unto the TENANT and the TENANT does hereby hire and rent from the LANDLORD the premises hereinafter described, for the period, at the rental, and upon the terms and conditions hereinafter specifically set forth.

1. DESCRIPTION OF PREMISES: LANDLORD leases to TENANT the following described property: Portion as indicated on Exhibit “A” of 228A West Darlington St, Florence, South Carolina, Tax Map Id 90086-02-004. In addition, during the term of this Lease, TENANT will have the nonexclusive right to use the areas designated as “Access Easement” and Access, Parking and Solid Waste Collection Easement” on Exhibit “A” hereto
2. TERM: The term of this lease is for 240 months (twenty years), beginning June 1, 2018 and terminating on May 31, 2038. With the consent of the LANDLORD, the TENANT shall have the option to renew this Agreement for successive five year terms. The LANDLORD shall have final approval over the renewability of the Agreement and said approval shall not be withheld unreasonably.

RENT: The TENANT shall pay the LANDLORD rent in the amount of One Dollar (\$1.00) per year, said rental to be paid in one lump sum of Ten and no/100th (\$10.00) Dollars at the time of the execution of this Lease, the receipt of which is hereby acknowledged.

3. IMPROVEMENT AND USE OF PREMISES: The LANDLORD specifically consents to any and all alterations and improvements of leased property, and the leased premises shall be improved and used by the TENANT as follows:
 - (a) The TENANT will use the leased premises for a transfer center and or bus depot for PDRTA vehicles, however, TENANT agrees that the portion of the premises designated on Exhibit “A” will be made available to LANDLORD for use as a storage area providing that such use neither interrupts nor delays

the business of the TENANT.

- (b) The expenses and costs related to alteration(s) or improvement(s) are the sole responsibility of the TENANT, and no liens, mortgages, or other legal liabilities shall be attach to leased property as a result of alteration(s) or improvement(s) by the TENANT. LANDLORD agrees to provide partial funding as agreed to assist in renovations.
- (c) The TENANT shall be responsible for all operational and maintenance costs associated with the property. TENANT agrees to keep property maintained in a reasonable fashion.

4. **ASSIGNMENT AND SUBLETTING LEASE:**

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

(b) No assignment shall be valid or effective until there is delivered to the LANDLORD a duplicate original of the written instrument of assignment, in recordable form, containing the name and address of the Assignee, and an assumption by the Assignee of the Lease and of all obligations under this Lease to be performed by the TENANT, although TENANT remains liable as herein set forth. Such assumption need relate only to obligations thereafter to be performed by the TENANT. However, if this Lease is assigned to an affiliate of the TENANT, such assignment shall be valid as of the date thereof, provided that the instruments of assignment and assumption are delivered to the LANDLORD within a reasonable time after such date.

5. **ENTRY TO PREMISES BY LANDLORD:** LANDLORD reserves the right to enter the premises at reasonable time and with advanced notice for inspection.

6. **UTILITIES:** Utilities shall be the responsibility of the TENANT.

7. **TAXES AND ASSESSMENTS:** All ad valorem taxes, assessments, liens or charges on the land or improvements, that may be against or levied upon the demised premises, shall be the responsibility of the TENANT. LANDLORD will cooperate to obtain exempt status from ad valorem taxes if an exemption is applicable.

8. **INSURANCE:** TENANT shall provide hazard and public liability insurance covering its activities and for its protection relating to its use of the facility and shall not require the LANDLORD to purchase same.

9. **COMPLIANCE WITH APPLICABLE LAWS:** The TENANT, at its sole expense,

shall comply with all laws, orders, and regulations of Federal, State, and Municipal authorities, and with any direction of any public officer, pursuant to the law, which imposes any duty upon the TENANT with respect to the leased property. The TENANT, at its sole expense, shall obtain all licenses or permits which may be required by the conduct of its business within the terms of this Lease or for the making of repairs, alterations, improvements or additions. The TENANT shall comply with the requirements of all policies of public liability, fire, and all other types of insurance in force with respect to the buildings and other improvements on the leased property.

The LANDLORD further specifically consents to any and all alterations and improvements related to use of leased property as a transportation transfer depot, which may include but are not limited to resurfacing, landscaping, enhanced lighting and signage. TENANT shall also have the sole right, at its expense, to place signage for and it is agreed that such signage will be designed and installed in a manner consistent with the zoning and land use limitations and obligations applicable to the Premises. The TENANT may perform all the above without further notice or consent of the Landlord.

The LANDLORD hereby grants TENANT permission to demolish the structure at the rear of the property that was previously used as a multiple bay car wash and vacuum stations. However, the equipment associated with the facility remains the property of the LANDLORD. LANDLORD shall reserve the right to remove said equipment prior to demolition.

10. **SURRENDER OF PREMISES:** The TENANT shall, on the last day of the term, peaceably and quietly surrender the leased property to the LANDLORD, including any improvements placed thereon by either LANDLORD or TENANT.
11. **CONDEMNATION:** If the entire premises are condemned or taken in any manner for public or quasi-public use, including, but not limited to, a conveyance or assignment in lieu of a condemnation, this Lease shall automatically terminate on the earlier of the date when title vests or the TENANT is dispossessed by the condemnation or other taking. If a part of the premises is condemned or taken, this Lease shall automatically terminate as to that portion of the premises so taken. If such condemnation of a portion of the premises renders the remaining portion unusable for the business of the TENANT, the TENANT may, with ninety days written notice to the LANDLORD terminate the Lease on the remaining portion. Such termination shall be without prejudice to the rights of either the LANDLORD or the TENANT to recover compensation from the condemning authority of any loss or damage caused by such condemnation. Neither the LANDLORD nor the TENANT shall have any rights in any award made to the other by condemning authority.
12. **DESTRUCTION OF PREMISES:** If all or any part of the leased property is damaged or destroyed by fire or other casualty so that the demised premises are unfit for use, the TENANT shall have the option within thirty (30) days after the date of such casualty to elect to terminate this lease or to repair and rebuild the damaged part.

13. **DEFAULT:** If TENANT shall be in default in the performance of any conditions hereof, and fail to correct and rectify any such default within thirty (30) days after TENANT receives written notice adequately identifying a default; and with receipt of a written registered notice, LANDLORD may repossess same as if this Lease had not been made, and shall thereupon have the right to cancel this Lease without prejudice. LANDLORD, waives all rights of distraint against the equipment, personal property, inventory, furniture, and fixtures of the TENANT.
14. **PERFORMANCE OF LANDLORD'S OBLIGATION:** If the LANDLORD shall breach any of the conditions required to be performed by it under the Lease, and shall fail to correct same within thirty (30) days of written registered notice to the LANDLORD of its intention to do so, in which event this lease shall terminate upon the date fixed in such notice, unless the LANDLORD shall meanwhile cure the default.
15. **SUBORDINATION TO MORTGAGE:** This Lease is subject and subordinate to any Mortgage or Deed of Trust which may now or hereafter encumber the demised premises; and to all renewals, modifications, consolidations, replacements and extensions thereon. This clause shall be self-operative and no further instrument of subordination need be required by any mortgagee. In confirmation of such subordination, however, TENANT shall, at LANDLORD's request provide written confirmation of such.. Upon TENANT's written request and notice to LANDLORD, LANDLORD shall use good faith efforts to obtain from any such mortgagee a written agreement that the rights of the TENANT shall remain in full force and effect during the term of this Lease so long as TENANT shall continue to recognize and perform all of the covenant and conditions of this Lease. In the event of the enforcement by the Trustee or the beneficiary under any such Mortgage or Deed of Trust of the remedies provided for by law or by such Mortgage of Deed of trust, TENANT will, upon request of any person or party succeeding to the interest of the LANDLORD as a result of such enforcement, automatically become the TENANT of successor in interest without change in the terms or other provisions of this Lease. LANDLORD agrees on any future mortgage to provide TENANT a non-disturbance agreement from Mortgagees protecting TENANT's rights hereunder.
16. **ESTOPPEL CERTIFICATE:** TENANT will, at any time, and from time to time, upon not less than ten (10) days prior request by LANDLORD, execute, acknowledge, and deliver to LANDLORD without additional consideration, a statement in writing executed by TENANT certifying that TENANT is in possession of the premises under the terms of this Lease; that the Lease is unmodified and in full effect; or if there have been modifications, that this Lease is in full effect as modified, and setting forth such modifications; and the dates to which rent has been paid, and either stating that to the knowledge of the TENANT, no default exists hereunder or specifying each such default to which TENANT may have knowledge; and such other matters as may be reasonably requested by LANDLORD, it being intended that any such statement by TENANT be relied upon by any prospective purchaser or mortgagee of the property.
17. **NOTICES:** Any notice under this lease must be made in writing and must be sent by

registered or certified mail to the last address of the party to whom the notice is given as designated by such party in writing.

The LANDLORD hereby designates its address as:

City of Florence
ATTN: City Manager
324 West Evans St.
Florence, SC 29501

The TENANT hereby designates its address as:

Pee Dee RTA
Attn: Executive Director
313 South Stadium Road
Florence, South Carolina 29506

18. **WAIVER:** Failure of either party to insist upon strict performance of any covenant or condition of this Lease, in any or more instances, shall not be construed as a waiver for the future of any such covenant or condition, but, the same shall be and remain in full force and effect.
19. **BINDING EFFECT:** The covenants, terms, conditions, provisions and undertakings in this Lease, or in any renewals thereof, shall extend to, and be binding upon, the heirs and executors administrators, and successors and assigns of the respective parties hereto, as if they were in every case named and expressed, and, shall be construed as covenants running with the land, and, whenever reference is made to either of the parties hereto, it shall be held to include and apply also to the heirs, executors, administrators, successors and assigns of such party, as if in each case so expressed.
20. **WARRANTY OF AUTHORITY AND TITLE:** Both parties, whose signatures are below inscribed, expressly warrant that they have full express authority to bind the respective parties on whose behalf they are signing, to the terms of this Agreement of Lease. LANDLORD warrants that it has good marketable title that will not interfere with the TENANT'S use of the Premises as described herein.
21. **ENVIRONMENTAL LIABILITY:** LANDLORD expressly represents and warrants that it has no knowledge of the existence of any hazardous substances either at, on, under or near the Premises. LANDLORD shall defend, indemnify and hold TENANT harmless from any loss including reasonable attorneys' fees and costs arising from or related or connected to any environmental liability and/or hazardous substance either at, on, under or near the Premises and whether such hazardous substances are present on the Premises or migrated to the Premises. LANDLORD'S obligation under this paragraph includes sole responsibility for any clean-up or remediation and monitoring of hazardous substances.

22. **RIGHT OF ACCESS:** LANDLORD owns the real property between the PREMISES and Darlington Street and Irby Street. TENANT requires access to both streets to use the PREMISES. LANDLORD grants TENANT for the benefit of the TENANT, and its customers, business guests, licensees and invitees, a non-exclusive easement for access, passage and use over and across that portion of Exhibit A designated as "access property". The easement is for the purpose of pedestrian and vehicular ingress and egress to and from the PREMISES. The access easement is an easement in gross for the benefit of the TENANT as described herein. The easement is necessary to the use of the PREMISES and LANDLORD will not interfere with the TENANT'S use of the easement.
23. **ENTIRE AGREEMENT, MODIFICATION, SEVERABILITY:** This Lease contains the entire agreement between the parties, and shall not be modified in any manner except by an instrument in writing, executed by the parties. If any term or provision of this Lease, or the application thereof, to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Lease, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and each term and provision of this Lease shall be valid and shall be enforced to the fullest extent permitted by law.

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

WITNESSES:

LANDLORD:

City of Florence, SC

By: _____
 ANDREW H. GRIFFIN
 City Manager

TENANT:

Pee Dee Regional Transit Authority

By: _____

Its: _____

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

PROBATE
(City of Florence)

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

Signature of Witness

SWORN TO and subscribed before me
this ____ day of _____, 2018

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

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

PROBATE
(Pee Dee RTA)

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

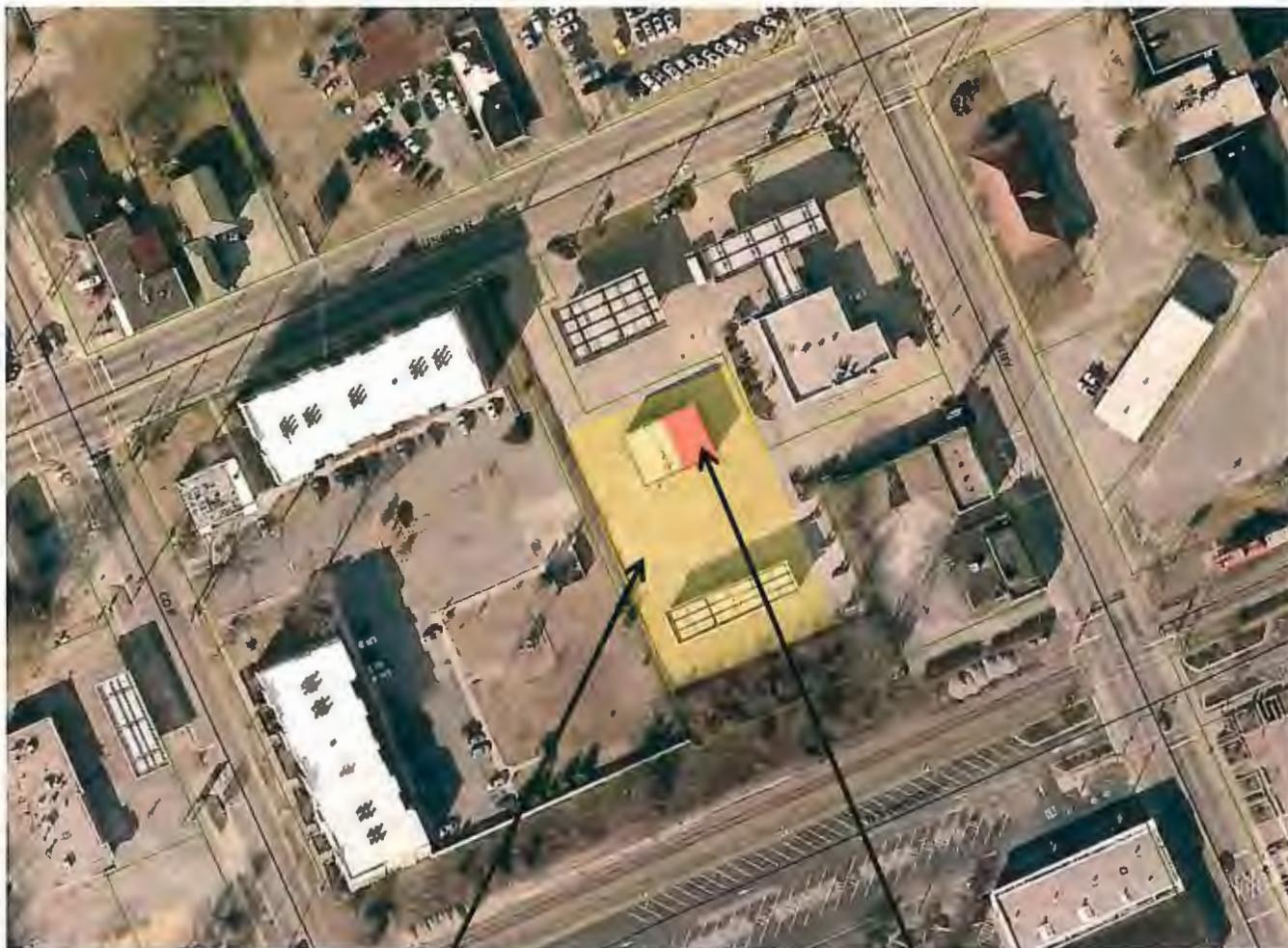
Signature of Witness

SWORN TO and subscribed before me
this ____ day of _____, 2016

_____(SEAL)
Notary Public for South Carolina

My Commission Expires: _____

EXHIBIT "A"



Leased property designated by yellow shading.

Area of building designated by red shall be retained by City for storage.

FLORENCE CITY COUNCIL MEETING

DATE: May 10, 2018

AGENDA ITEM: An ordinance authorizing the conveyance to Francis Marion University Foundation of the real estate known as Tax Parcel 90170-01-011 described more fully on Exhibit "A" attached hereto, said property to be utilized pursuant to the terms and conditions set out in the Conditional Grant and Development Agreement between the City and Francis Marion University.

DEPARTMENT/DIVISION: City Manager and City Attorney

I. ISSUE UNDER CONSIDERATION:

The conveyance of the real estate making up the lot and structure located on North Dargan Street and designated as Tax Parcel 90170-01-011 in the records of the Florence County Tax Assessor, described more fully on Exhibit "A" attached hereto, to Francis Marion University Foundation in order to facilitate its development as an Art Gallery, the FMU Business Incubator, and other educational purposes as set out in the Conditional Grant and Development Agreement entered into between the City and Francis Marion University.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

(1) The City has acquired subject property for the purposes of removing blight and facilitating redevelopment for the Art Gallery.

(2) Francis Marion University, which presently operates the Business Incubator on property adjacent to this property in leased space, but the Lease for that space expires next year. FMU is seeking property to continue its Business Incubator in the downtown area, to operate an art gallery in the area, and to continue to expand its educational presence in the downtown area.

III. POINTS TO CONSIDER:

(1) The renovations for Art Gallery space on the first floor are nearing completion, but the costs associated with renovations of the remainder of the building are extensive.

(2) The City and Francis Marion University will enter into a Conditional Grant and Development Agreement prior to second reading establishing the terms and conditions associated with the conveyance and the use of the property in the future.

(3) Development of this property will serve as an important facilitator for further redevelopment in the downtown area while facilitating the proper development and operation of property in a manner that accomplishes long time goals of the City.

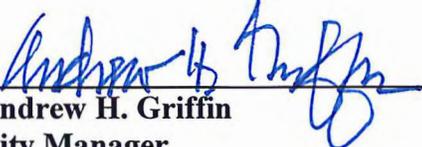
(4) The parcels transferred will remain subject to the limitations of any current easements and grant requirements.

IV. STAFF RECOMMENDATION:

Staff recommends that City Council adopt the proposed ordinance authorizing the City Manager to execute the deed conveying the aforementioned property to Francis Marion University.

V. ATTACHMENTS:

Proposed ordinance.



Andrew H. Griffin
City Manager

ORDINANCE NO. 2018-_____

AN ORDINANCE AUTHORIZING THE CONVEYANCE TO FRANCIS MARION UNIVERSITY FOUNDATION OF THE REAL ESTATE KNOWN AS TAX PARCEL 90170-01-011 DESCRIBED MORE FULLY ON EXHIBIT "A" ATTACHED HERETO, SAID PROPERTY TO BE UTILIZED PURSUANT TO THE TERMS AND CONDITIONS SET OUT IN THE CONDITIONAL GRANT AND DEVELOPMENT AGREEMENT BETWEEN THE CITY AND FRANCIS MARION UNIVERSITY.

WHEREAS, after due consideration, the City has concluded that the best use of property described on Exhibit "A" attached hereto and incorporated herein by reference is conveyance of the property to the Francis Marion University Foundation to facilitate the completion of the renovations of the building to be operated as an Art Gallery, the FMU Business Incubator, and other educational purposes as set out in the Conditional Grant and Development Agreement entered into between the City and Francis Marion University; and

WHEREAS, it is hereby determined by Council that the conveyance of said property to Francis Marion University Foundation for the purpose of the development of the property as described in the Conditional Grant and Development Agreement is in the best interest and to the 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 deeds and other documentation in order to convey title to the property described on Exhibit "A" hereto to Francis Marion University Foundation in order to facilitate its development as an Art Gallery, the FMU Business Incubator, and other educational purposes as set out in the Conditional Grant and Development Agreement entered into between the City and Francis Marion University.

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 _____, 2018.

Approved as to form:

JAMES W. PETERSON, JR.
City Attorney

STEPHEN J. WUKELA
Mayor

Attest:

DIANNE M. ROWAN
Municipal Clerk

EXHIBIT A

Property Description

All that certain piece, parcel or lot of land, with buildings and improvements thereon, situate, lying and being in the City of Florence, County of Florence, State of South Carolina, measuring forty-one and one third (41 1/3) feet front, more or less, on the East side of Dargan Street, between Evans Street and Front Street, and running back therefrom to a depth of one hundred eighty-six (186) feet, more or less. Said lot is bounded, now or formerly, as follows, to-wit: On the North by property of the Estate of Mrs. S.J. Bucheitt; on the East by property of the Estate of Mrs. S.J. Bucheitt and the Estate of A.B. Layton; on the South by property of C.H. Miller; and on the West by Dargan Street.

This being that same property conveyed to the City of Florence by deed of the dated and recorded August 12, 2015 in Book B589 at page 12 in the office of the Clerk of Court for Florence County, South Carolina.

TMS#90170-01-011

FLORENCE CITY COUNCIL MEETING

DATE: May 14, 2018

AGENDA ITEM: Ordinance to Annex and Zone Property Owned by William Doulaveris, TMN 01011-01-008

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex property at 1715 Hazel Drive, Tax Map Number 01011-01-008, into the City of Florence and zone to (NC-10) Neighborhood Conservation-10 District. The request is being made by the property owner, William Doulaveris.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

(1) On April 10, 2018 Planning Commission held a public hearing on this matter, and voted unanimously, 6-0 to recommend the zoning request of (NC-10), Neighborhood Conservation-10 District.

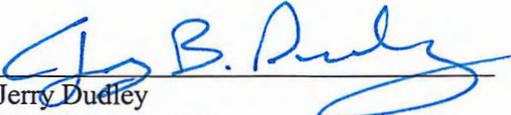
III. POINTS TO CONSIDER:

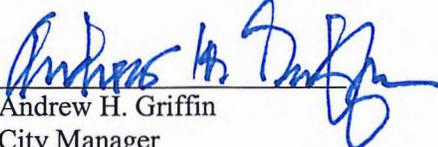
- (1) Request is being considered for first reading.
- (2) The proposed zoning, pending annexation, is Neighborhood Conservation-10 District. The primary use permitted under the proposed zoning is single-family residential characterized by medium sized lots.
- (3) The lot is currently the site of a single-family dwelling.
- (4) City water service is currently available; however, city sewer service is not available. The petitioner has signed a sewer extension release form acknowledging the fact that the City will not extend sewer to this property as a consequence of this annexation.
- (5) Hazel Drive is a dead end street which lacks an adequate right-of-way or paved area for a City sanitation truck to turn around.

IV. PERSONAL NOTES:

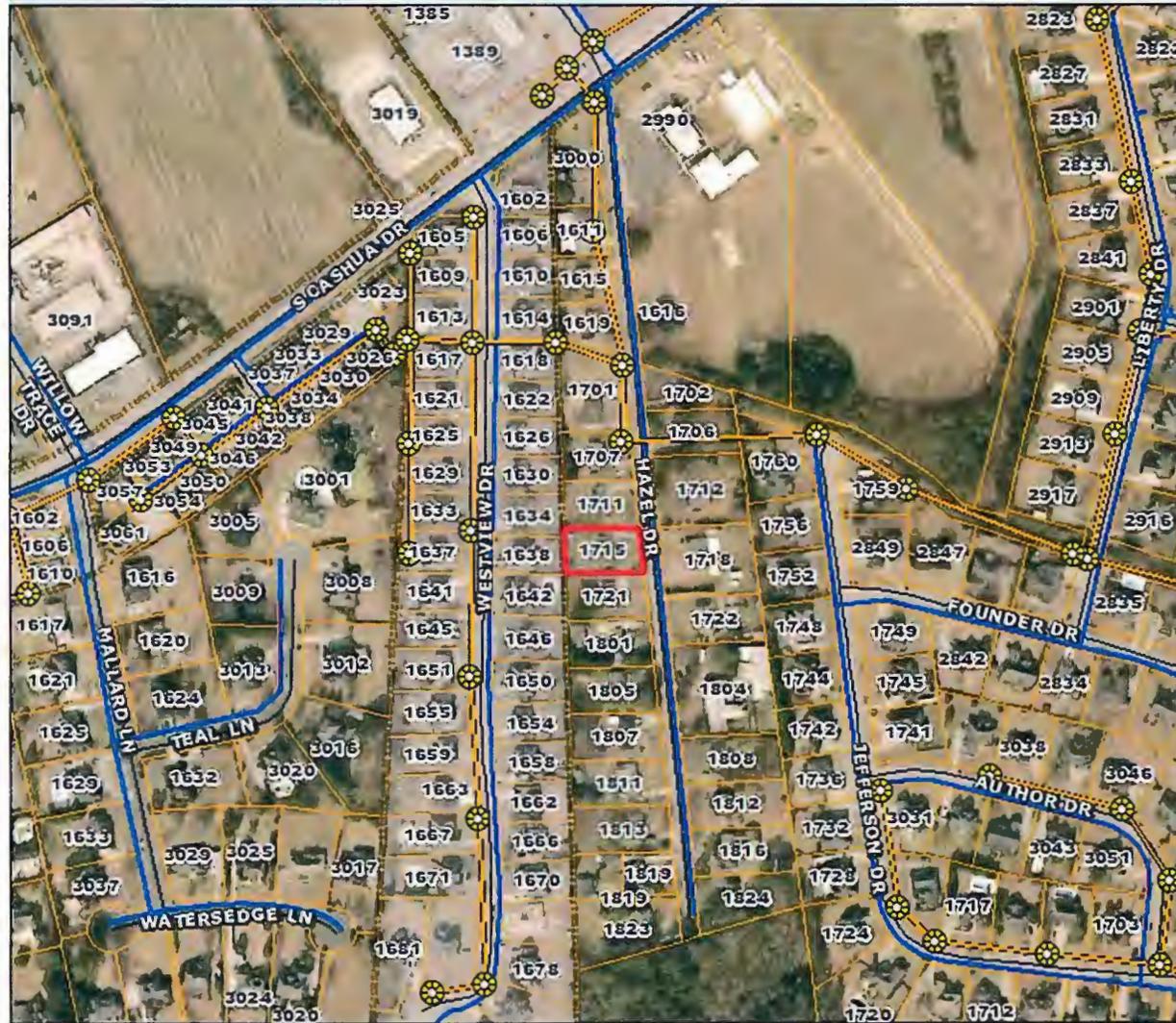
V. ATTACHMENTS:

- (1) Ordinance
- (2) Map showing the location of the property
- (3) Petition for Annexation form
- (4) Sewer Extension Release


Jerry Dudley
Planning Manager


Andrew H. Griffin
City Manager

Location Map: 1715 Hazel Dr. Florence, SC 29501



Legend

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



Department of Planning, Research, and Development

DISCLAIMER:
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Date: 5/3/2018

**1715 HAZEL DRIVE ANNEXATION
TAX MAP NUMBER 01011-01-008
(Blue areas are in city limits.)**



Attachment 3: Petition for Annexation form

STATE OF SOUTH CAROLINA)

PETITION FOR ANNEXATION

COUNTY OF FLORENCE)

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

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

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

Florence County Tax Map
01011-01-008

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

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

Total Residents _____
 Race _____
 Total 18 and Over _____
 Total Registered to Vote _____

Date 3-14-08

[Signature]
Petitioner

Date _____

Petitioner

Certification as to ownership on the date of petition: Date <u>3/16/18</u>	FOR OFFICAL USE ONLY <u><i>Alfred Curran</i></u>
---	--

Attachment 4: Petitioner's Sewer Extension Release Form

03/22/2018 16:25 8436699901

VENUS RESTAURANT LLC

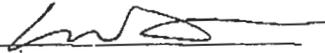
PAGE 01/01

Petitioner's Sewer Extension Release Form

I, the undersigned petitioner, understand that sewer service is not available to the property at 1715 Hazel Dr., Florence County Tax Map 00011-01-008, and that the City of Florence will not provide sewer service to the property as a consequence of this annexation. I understand that I will be solely responsible for the provision, operation, and maintenance of a private system to serve any development on the property. I agree that the City will not be obligated to extend sewer service to this parcel at any time in the future.

Date 3-22-18

Date _____


Petitioner
William Doulaveris
Doulaveris Builders LLC, member
Petitioner

ORDINANCE NO. 2018 _____

AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY WILLIAM DOULAVERIS, TMN 01011-01-008

WHEREAS, a Public Hearing was held in the Council Chambers on April 10, 2018 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, application by William Doulaveris, owner of TMN 01011-01-008, was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property 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 (NC-10) Neighborhood Conservation-10 District:

The property requesting annexation is shown more specifically on Florence County Tax Map 01011, block 01, parcel 008 (0.3533 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 property and amending the Zoning Atlas to the aforesaid zoning classifications.**
2. **That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence and posting of this amendment in the official Zoning Atlas.**

ADOPTED THIS _____ DAY OF _____, 2018

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: May 14, 2018

AGENDA ITEM: Ordinance to Annex and Zone Property Owned by Eric and Cindy Belk, TMN 01221-01-159

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex property at 2491 Rainford Drive, Tax Map Number 01221-01-159, into the City of Florence and zone to (NC-15) Neighborhood Conservation-15 District. The request is being made by the property owners, Eric and Cindy Belk.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

(1) On April 10, 2018 Planning Commission held a public hearing on this matter, and voted unanimously, 6-0 to recommend the zoning request of (NC-15), Neighborhood Conservation-15 District.

III. POINTS TO CONSIDER:

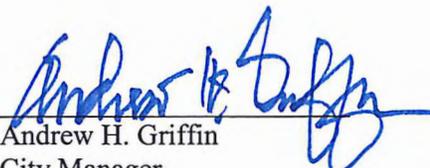
- (1) Request is being considered for first reading.
- (2) The proposed zoning, pending annexation, is Neighborhood Conservation-15 District. The primary use permitted under the proposed zoning is single-family residential characterized by large sized lots.
- (3) The lot is currently the site of a single-family dwelling.
- (4) City water and sewer services are currently available; there is no cost to extend utility services
- (5) City Staff recommends annexation and concurs with Planning Commission's recommendation to zone the property (NC-15), Neighborhood Conservation-15 District.

IV. PERSONAL NOTES:

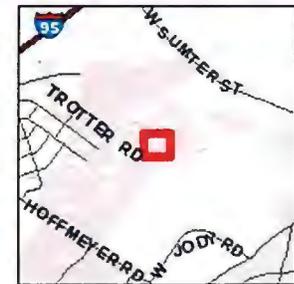
V. ATTACHMENTS:

- (1) Ordinance
- (2) Map showing the location of the property
- (3) Petition for Annexation form


Jerry Dudley
Planning Manager


Andrew H. Griffin
City Manager

Location Map 2491 Rainford Dr., Florence, SC 29505

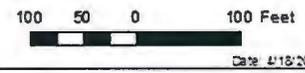


Legend

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



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Attachment 3: Petition for Annexation form

STATE OF SOUTH CAROLINA
 COUNTY OF FLORENCE)

PETITION FOR ANNEXATION

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

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

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

Florence County Tax Map
 01221-01-159

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

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

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

Date 3-20-18

Erin Beer
 Petitioner

Date _____

 Petitioner

Certification as to ownership on the date of petition: Date <u>3/22/18</u>	FOR OFFICIAL USE ONLY <u>Alfred [Signature]</u>
---	--

ORDINANCE NO. 2018 _____

AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY ERIC AND CINDY BELK, TMN 01221-01-159

WHEREAS, a Public Hearing was held in the Council Chambers on April 10, 2018 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, application by Eric and Cindy Belk, owners of TMN 01221-01-159, was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property 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 (NC-15) Neighborhood Conservation-15 District:

The property requesting annexation is shown more specifically on Florence County Tax Map 01221, block 01, parcel 159 (0.7217 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 property and amending the Zoning Atlas to the aforesaid zoning classifications.**
- 2. That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence and posting of this amendment in the official Zoning Atlas.**

ADOPTED THIS _____ DAY OF _____, 2018

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: May 14, 2018

AGENDA ITEM: Public Hearing and Ordinance to Rezone Property Tax Map Number 90103-14-009, property located at 501 Prince Street, from NC-6.3 Neighborhood Conservation District, to CR Commercial Reuse Business District.

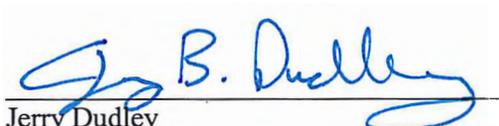
DEPARTMENT/DIVISION: Department of Planning, Research, and Development

-
- I. ISSUE UNDER CONSIDERATION:**
Request to rezone the property located at 501 Prince Street, said property being specifically designated in the Florence County Tax Records as Tax Map Parcel 90103-14-009. The request is being made by an agent for the property owner, Randy Harris.
- II. CURRENT STATUS/PREVIOUS ACTION TAKEN:**
On April 10, 2018, the Planning Commission held a public hearing on this matter and voted unanimously, 6-0, to deny approval of the rezoning request from NC-6.3 Neighborhood Conservation District to CR Commercial Reuse Business District.
- III. POINTS TO CONSIDER:**
- (1) This request is being considered for first reading.
 - (2) The property is currently zoned NC-6.3 Neighborhood Conservation and is the site of a neighborhood store which has discontinued use for a number of years. A convenience store has been attempting to operate from the site; however, this is not a permitted use in the NC-6.3 zoning district.
 - (3) The proposed zoning is CR Commercial Reuse Business District. There are many uses permitted under the CR zoning district, including retail.
 - (4) The lot meets the dimensional requirements of the CR zoning district per the *Unified Development Ordinance*; however, the site would require redevelopment of parking, buffering, and landscaping per the *Unified Development Ordinance*.
 - (5) City Staff does not recommend that the parcel be zoned CR Commercial Reuse Business District as requested. The CR designation would result in spot zoning and allow uses that are incompatible with the Comprehensive Plan.
- 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. PERSONAL NOTES:

VI. ATTACHMENTS:

- (1) Ordinance
- (2) Location Map
- (3) Current Zoning Map
- (4) Future Land Use Map



Jerry Dudley
Planning Manager



Andrew H. Griffin
City Manager

PC 2018-08 Attachment A
Location Map 501 Prince Street



Legend

 Parcels



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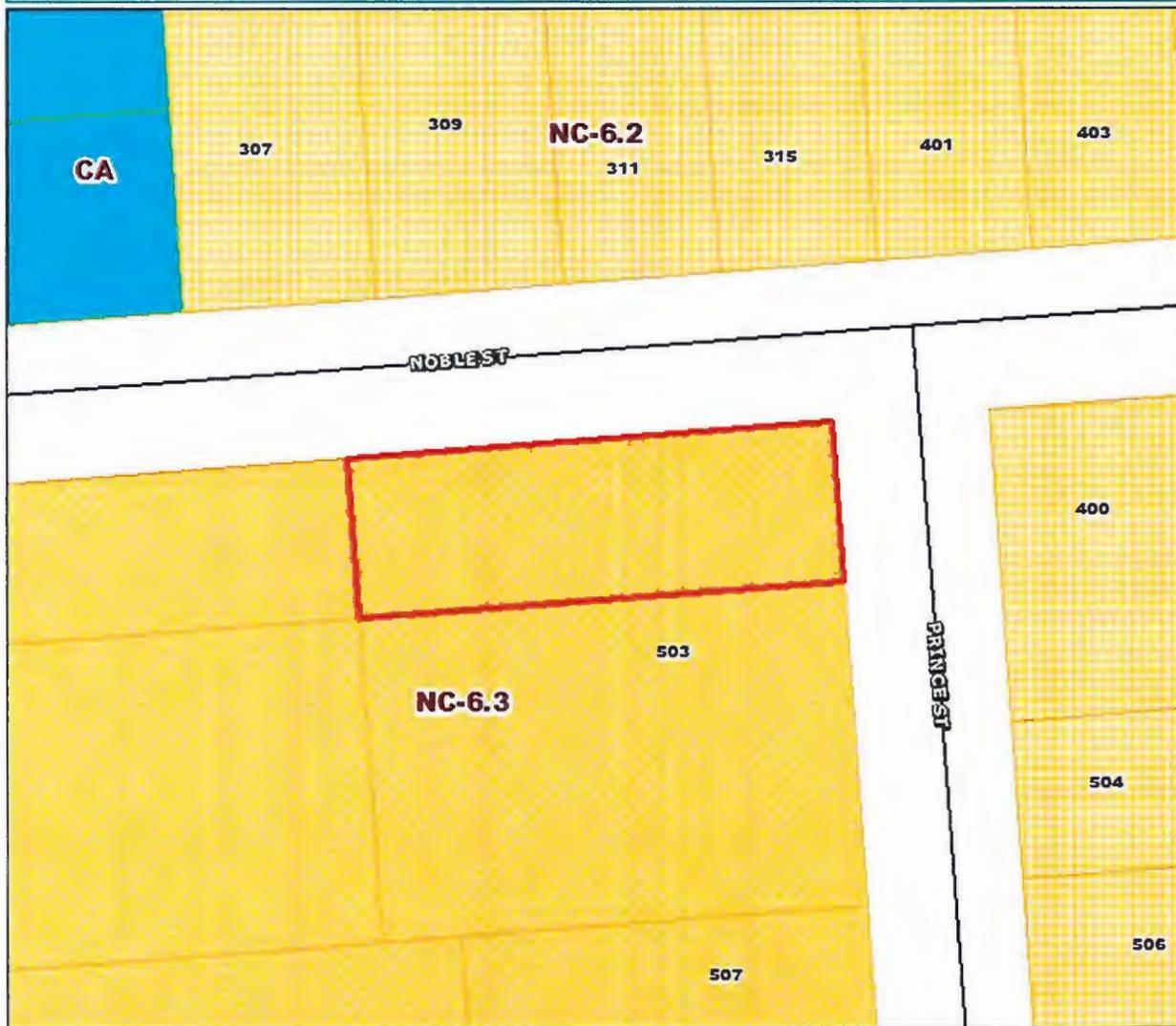


Date: 3/5/2018

**501 PRINCE STREET REZONING
TAX MAP NUMBER 90103-14-009
(Entire area is in city limits.)**



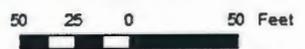
PC 2018-08 Attachment B Current Zoning Map



- Legend**
- Lot
 - Lot with easement
 - Lot with easement (to be removed)
 - Lot with easement (to be removed)



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Date: 3/5/2018

5

PC 2018-08 Attachment C Future land Use



Legend

- Parcels
- Future Land Use 2010**
- Future Land Use**
- Auto-Urban Commercial
- Business Parks
- Central Business District
- Industrial
- Neighborhood Conservation
- Parks and Open Space
- Public and Institutional
- Residential Auto-Urban
- Residential Estate
- Residential Sub-Urban
- Residential Transition
- Residential Urban
- Rural
- Sub-Urban Commercial



Department of Planning, Research, and Development

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Date: 3/5/2018

ORDINANCE NO. 2018-_____

AN ORDINANCE TO REZONE PROPERTY IDENTIFIED AS TAX MAP NUMBER 90103-14-009 LOCATED AT 501 PRINCE STREET, FROM NC-6.3 NEIGHBORHOOD CONSERVATION DISTRICT TO CR, COMMERCIAL REUSE DISTRICT:

WHEREAS, a Public Hearing was held in the City Center Council Chambers on April 10, 2018 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, Randy Harris made application to rezone the property identified as tax map number 90103-14-009, currently zoned NC-6.3 Neighborhood Conservation District, from NC-6.3 Neighborhood Conservation District to CR Commercial Reuse District;

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

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

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

ADOPTED THIS _____ DAY OF _____, 2018

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: May 14, 2018

AGENDA ITEM: Approval of Redevelopment Grants

DEPARTMENT: Downtown Development

I. ISSUE UNDER CONSIDERATION

A Resolution of City Council approving Downtown Redevelopment Grants for fourth quarter, FY 18.

II. BACKGROUND INFORMATION

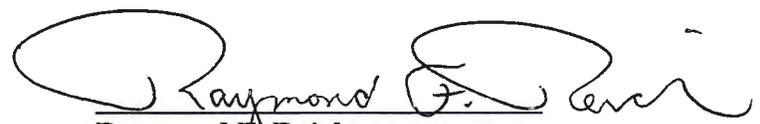
- a. On October 10, 2011, Florence City Council approved an Ordinance to establish economic development incentives for the City of Florence.
- b. In February 2012, City Council adopted Resolution No. 2012-04 to establish incentives to be available in the H-1 Overlay District and in February 2015, adopted Resolution 2015-03 expanding the incentives to include additional incentives.
- c. These additional incentives provided Redevelopment Grants up to \$30,000 per applicant.
- d. The grants are awarded utilizing an established scoring criteria. Applications are taken the first week of each fiscal quarter, reviewed and scored by a Grants Committee comprised of the City Manager, Finance Director, Downtown Development Manager and Community Services/HR Director. The scoring and recommendations are then referred to City Council for adoption or modifications of the committee recommendations.

III. STAFF RECOMMENDATION

Attached is a Resolution to approve Redevelopment Grants that meet the minimum scoring criteria.



Andrew H. Griffin
City Manager



Raymond F. Reich
Downtown Development Manager

FLORENCE CITY COUNCIL MEETING

DATE: May 14, 2018

AGENDA ITEM: Introduction of Resolution No. 2018-07

DIVISION/DEPARTMENT: City Council / Councilman Jebaily

ISSUE UNDER CONSIDERATION

A Resolution to recognize PDRTA

**X. a.
Proclamation**

FLORENCE CITY COUNCIL MEETING

DATE: May 14, 2018

AGENDA ITEM: Introduction of Proclamation

DIVISION/DEPARTMENT: City Council / Councilwoman Moore

ISSUE UNDER CONSIDERATION

A Proclamation to proclaim May 19, 2018 as a beginning of a celebration of Unity in Diversity.