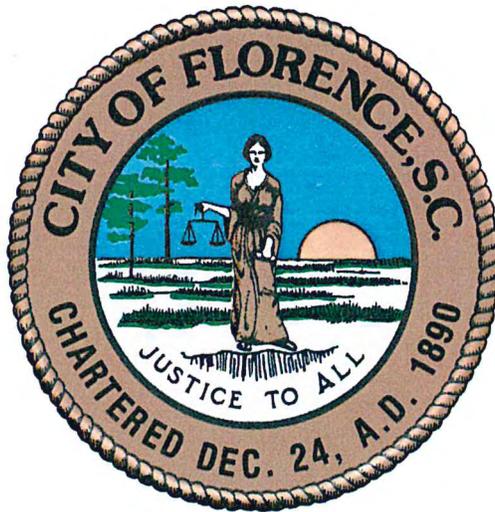


REGULAR MEETING
OF
FLORENCE CITY COUNCIL



COUNCIL CHAMBERS
324 W. EVANS STREET
FLORENCE, SOUTH CAROLINA

MONDAY
October 8, 2018
1:00 P.M.

REGULAR MEETING OF FLORENCE CITY COUNCIL

MONDAY, OCTOBER 8, 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

September 10, 2018 – Regular Meeting

IV. HONORS AND RECOGNITIONS

SERVICE RECOGNITIONS

Teresa Simons – 30 years – Public Works/Recreation Programs

Lonnie Lee – 20 years – Public Works/Beautification & Facilities

V. PUBLIC HEARING

- a.** *A Public Hearing will be held on the Edward Byrne Memorial Justice Assistance Grant regarding a request for law enforcement equipment.*

VI. ORDINANCES IN POSITION

- a. **Bill No. 2018-29 – Second Reading**
An Ordinance to amend the City of Florence Unified Development Ordinance Section 1-2.9.4 and Table 1-2.9.4 regarding construction laydown yards.
- b. **Bill No. 2018-30 – Second Reading**
An Ordinance to annex the property located at 310 E. Grace Drive, said property being specifically designated in the Florence County Tax Records as Tax Map Parcel 90095-02-008.
- c. **Bill No. 2018-31 – Second Reading**
An Ordinance to abandon interest of the City of Florence in rights-of-way to include the undeveloped section of Mears Street bounded on the north by TMP 00147-01-099 and on the south by North Douglas Street.
- d. **Bill No. 2018-32 – Second Reading**
An Ordinance to amend Ordinance 2013-17 to provide for the adjustment of the portion of the Local Option Sales Tax collected used as a credit against the property tax.

VII. INTRODUCTION OF ORDINANCES

- a. **Bill No. 2018-20 – First Reading**
An Ordinance to annex and zone the property located along Lake Oakdale, said property being specifically designated in the Florence County Tax Records as Tax Map Parcels 00052-01-001; 00052-01-005; 00052-01-049; 00052-01-061; 00052-01-068; 00052-01-069; 00075-01-022; 00522-01-027 and a portion of Tax Map Parcel 00751-01-049.
(At the request of the Petitioner, this item will be deferred.)
- b. **Bill No. 2018-33 – First Reading**
An Ordinance relating to the recovery of collection costs as a part of delinquent debts collected pursuant to the Setoff Debt Collection Act.
(This Ordinance will be addressed by City Council after Council consideration of Resolution No. 2018-15 pertaining to the continued participation in the Setoff Debt Collection program)
- c. **Bill No. 2018-34 – First Reading**
An Ordinance to provide for the issuance and sale of General Obligation Bond Anticipation Notes of the City of Florence, South Carolina in the principal amount of not exceeding \$7,100,000, the proceeds of which shall be used to defray the cost of certain economic and development efforts in the City's downtown area; to pay costs of issuance; to provide for the payment thereof; and other matters relating thereto.

- d. **Bill No. 2018-35 – First Reading**
An Ordinance to annex the property located at 2481 Parsons Gate, said property being specifically designated in the Florence County Tax Records as Tax Map Parcel 01221-01-307.

VIII. INTRODUCTION OF RESOLUTION

- a. **Resolution No. 2018-15**
A Resolution to authorize the Municipal Association of South Carolina to act as Claimant Agency for the collection of debt on behalf of the City of Florence, SC in accordance with the Setoff Debt Collection Act.

IX. REPORT TO COUNCIL

- a. **Appointments to Boards and Commissions**
- b. **Appropriation of Accommodations Tax Funds for FY 2018-19.**

X. EXECUTIVE SESSION

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

XI. ADJOURN

**REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, SEPTEMBER 10, 2018 – 1:00 P.M.
CITY CENTER – COUNCIL CHAMBERS
324 WEST EVANS STREET
FLORENCE, SOUTH CAROLINA**

MEMBERS PRESENT: Mayor Wukela called the regular meeting to order at 1:02 p.m. with the following members present: Mayor Pro tem Brand, Councilman Jebaily, Councilwoman Ervin, Councilwoman Williams-Blake, Councilman Willis and Councilwoman 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; Scotty Davis, Director of Community Services; Thomas Chandler, Director of Finance; Ray Reich, Downtown Development Manager; Chuck Pope, Director of Public Works; Michael Hemingway, Director of Utilities; Chief Randy Osterman, Florence Fire Department; and Jerry Dudley, Planning Manager.

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

INVOCATION

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

APPROVAL OF MINUTES

Mayor Pro tem Brand made a motion to adopt the minutes of the August 13, 2018 Regular Meeting. Councilman Jebaily seconded the motion.

The minutes were adopted by unanimous vote.

HONORS AND RECOGNITIONS

RETIREMENT RECOGNITIONS

Mayor Wukela presented Mr. Edward Johnson a Retirement Plaque in recognition of his recent retirement from the City of Florence. Mr. Johnson served 34 years with the Public Works Department beginning September 26, 1983 until his retirement on July 27, 2018.

Mrs. Patricia Todd retired from the City of Florence on July 14, 2017 after serving 29 years with the Florence Police Department. Mayor Wukela presented Mrs. Todd a Retirement Plaque in recognition of her service with the City from October 1, 1987 until July 14, 2017.

Mr. John A. Miller retired from the City of Florence on November 3, 2017 after completing 22 years of service with the City of Florence. Mayor Wukela presented Mr. Miller a Retirement Plaque in recognition of his service with the City from October 30, 1995 until November 3, 2017.

SERVICE RECOGNITIONS

Mayor Wukela presented Jimmy Brown a Certificate of Recognition for completing 25 years of service with the Sanitation Department.

Drew Griffin received a Certificate of Recognition from Mayor Wukela for completing 30 years of service with the City of Florence.

APPEARANCE BEFORE COUNCIL

Mrs. Ericka Chapman, I Play Florence – to make a proposal regarding the naming of the inclusive playground located at the Pearl Moore Basketball Center.

Mrs. Chapman spoke on behalf of I Play Florence. I Play Florence has partnered with the City of Florence to build Florence's first inclusive playground adjacent to the Pearl Moore Gymnasium. Phase I of the playground is now open and being used by the public. Phase II is in process and it is hoped it will be completed and a grand opening will take place by the end of the year.

The Parks Commission approved the name of this playground to be BK's Playground, named after Brian Kelley, a founding member, who was a driving force behind this mission. Unfortunately and tragically, Mr. Kelley passed away before he could see it to completion. The committee is excited to be able to honor him in this way. Signs will be posted at the playground explaining the name and Brian Kelley's involvement in making this dream a reality for the children of Florence.

Also, I Play Florence will be partnering with Shane's Inspiration to build another inclusive playground at Timrod Park. Shane's Inspiration is an international organization that partners with communities to educate and promote public awareness about inclusivity, as well as help guide the building of inclusive playgrounds. To date they have built 68 playgrounds around the world and approached I Play about Florence being the first city in the southeast to have a Shane's Inspiration Playground. I Play will seek to raise possibly \$1 million to complete this project.

Mrs. Chapman thanked the City for their support in these endeavors and believes they will make Florence an even greater place to raise our children. Moving Florence toward greater inclusivity is most certainly moving Florence forward.

Councilman Willis made a motion to approve the recommendation to name the playground BK's Playground. Councilwoman Moore seconded the motion, which carried unanimously.

ORDINANCES IN POSITION

BILL NO. 2018-27 – SECOND READING

AN ORDINANCE TO AMEND PDD 2016-32, KNOWN AS THE GROVE, SAID PROPERTY BEING SPECIFICALLY DESIGNATED IN THE FLORENCE COUNTY TAX RECORDS AS PORTIONS OF TAX MAP PARCELS 00075-01-036; 00075-01-214; 00075-01-219; 00075-01-220; 00075-01-221; AND 00075-01-222.

An Ordinance to amend PDD 2016-32, known as The Grove, said property being specifically designated in the Florence County Tax Records as portions of Tax Map Parcels 00075-01-036; 00075-01-214; 00075-01-219; 00075-01-220; 00075-01-221; and 00075-01-222 was adopted by Council on second reading.

Mayor Pro tem Brand made a motion to adopt Bill No. 2018-27 on second reading. Councilman Willis seconded the motion.

Council voted unanimously to adopt Bill No. 2018-27.

BILL NO. 2018-28 – SECOND READING

AN ORDINANCE TO ANNEX THE PROPERTY LOCATED AT 308 EAST CAROLYN AVENUE, SAID PROPERTY BEING SPECIFICALLY DESIGNATED IN THE FLORENCE COUNTY TAX RECORDS AS A PORTION OF TAX MAP PARCEL 90095-01-017.

An Ordinance to annex the property located at 308 East Carolyn Avenue, said property being specifically designated in the Florence County Tax Records as a portion of Tax Map Parcel 90095-01-017 was adopted on second reading by Council.

Councilwoman Moore made a motion to adopt Bill No. 2018-28. Councilman Willis seconded the motion.

Council voted unanimously to adopt Bill No. 2018-28 on second reading.

INTRODUCTION OF ORDINANCES

BILL NO. 2018-20 – FIRST READING

AN ORDINANCE TO ANNEX AND ZONE THE PROPERTY LOCATED ALONG LAKE OAKDALE, SAID PROPERTY BEING SPECIFICALLY DESIGNATED IN THE FLORENCE COUNTY TAX RECORDS AS TAX MAP PARCELS 00052-01-001; 00052-01-005; 00052-01-049; 00052-01-061; 00052-01-068; 00052-01-069; 00075-01-022; 00522-01-027 AND A PORTION OF TAX MAP PARCEL 00751-01-049.

An Ordinance to annex and zone the property located along Lake Oakdale, said property being specifically designated in the Florence County Tax Records as Tax Map Parcels 00052-01-001; 00052-01-005; 00052-01-049; 00052-01-061; 00052-01-068; 00052-01-069; 00075-01-022; 00522-01-027 and a portion of Tax Map Parcel 00751-01-049 was deferred.

At the request of the petitioner, this item was deferred.

BILL NO. 2018-29 – FIRST READING

AN ORDINANCE TO AMEND THE CITY OF FLORENCE UNIFIED DEVELOPMENT ORDINANCE SECTION 1-2.9.4 AND TABLE 1-2.9.4 REGARDING CONSTRUCTION LAYDOWN YARDS.

An Ordinance to amend the City of Florence Unified Development Ordinance Section 1-2.9.4 and Table 1-2.9.4 regarding construction laydown yards was passed on first reading.

Councilwoman Ervin made a motion to pass Bill No. 2018-29. Mayor Pro tem Brand seconded the motion.

Mr. Jerry Dudley, Planning Manager reported this is a proposal to amend the Unified Development Ordinance (UDO) to clarify the intent of the ordinance with regard to laydown yards or construction yards that are tied to a project within the City limits.

Currently there are provisions in the ordinance for temporary construction and construction uses, such as trailers and temporary mobile buildings, etc. Also there is a temporary construction yard provision that allows the location to be within 1/2 mile of the construction to which the construction yard relates. It also places operational limits on it, which is the facility shall be used only for a construction site in the City of Florence or an infrastructure project that is wholly or partially located in the City of Florence. Also added are hours of operation for these construction yards. The hours are 8:00 a.m. to 6:00 p.m. if any residential use is located within 500 feet and 7:00 a.m. to 6:00 p.m. in all other locations. This coincides with the new hours for the city's noise ordinance that was recently adopted. Staff has also tied a duration of use to the project saying that it is established by approval; to coincide

**REGULAR MEETING OF FLORENCE CITY COUNCIL
SEPTEMBER 10, 2018 – PAGE 4**

with the use of the facility for a specified construction project or an infrastructure project. It has to be tied to a specific project that is within the city limits and it can run for a reasonable duration of that project and for any required clean up of the site afterwards.

Currently in the text of the Ordinance, under Temporary Construction, Storage, and Refuse Containers, Section 1-2.9.4, it states that temporary construction and building uses, shall be set back at least 40 feet from the right-of-way line and 25 feet from all other property lines. The following text has been added to that section: Construction equipment and material may be stored as close as 15 feet from shared property lines and rights-of-ways with the installation of temporary construction fencing with mesh fabric screen.

The following provisions have been added: 1) Site Restoration: The laydown site must be restored to its original condition at the end of the pre-approved period of use; 2) Noise and Vibration: The noise and vibration provisions of this Ordinance, Section 4.11.2.1, as well as the City of Florence Code of Ordinances Sections 10-9, 10-10, and 10-11 shall apply to all temporary construction and building uses; 3) Other Provisions: The temporary use will be operated in accordance with all other applicable provisions of this Unified Development Ordinance and the City's Code of Ordinances. Any stormwater related activities; in particular run off from the site, will be enforceable.

Councilman Willis requested that between first and second readings of this Ordinance, for staff to work with the Planning Department on additional safeguards for residential areas. Councilman Willis also would like to address storage containers that are placed in residential yards.

Council voted unanimously to pass Bill No. 2018-29 on first reading.

BILL NO. 2018-30 – FIRST READING
AN ORDINANCE TO ANNEX THE PROPERTY LOCATED AT 310 E. GRACE DRIVE, SAID PROPERTY BEING SPECIFICALLY DESIGNATED IN THE FLORENCE COUNTY TAX RECORDS AS TAX MAP PARCEL 90095-02-008.

An Ordinance to annex the property located at 310 E. Grace Drive, said property being specifically designated in the Florence County Tax Records as Tax Map Parcel 90095-02-008 was passed on first reading.

Mayor Pro tem Brand made a motion to pass Bill No. 2018-30. Councilwoman Moore seconded the motion.

Mr. Jerry Dudley, Planning Manager reported the proposed zoning, pending annexation, is Neighborhood Conservation-6.2 District. The primary use permitted under the proposed zoning is single-family residential characterized by small sized lots.

The lot is currently the site of a single-family dwelling.

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.

On August 14, 2018 the Planning Commission held a public hearing on this matter and voted unanimously, 7-0 to recommend the zoning request of (NC-6.2), Neighborhood Conservations-6.2 District.

City Staff recommends annexation and concurs with the Planning Commission's recommendation to zone the property (NC-6.2), Neighborhood Conservation-6.2 District.

Council voted unanimously to pass Bill No. 2018-30 on first reading.

Mr. Griffin, City Manager added for clarity that this is being annexed with the understanding that the applicant is not asking for sewer. This exception will be noted in the Zoning Atlas of the City as this property could potentially change owners and the new owner would not realize that the city has not committed to extending the sewer line. Any potential new owners that ask for sewer would be informed

**REGULAR MEETING OF FLORENCE CITY COUNCIL
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of this restriction through a policy statement that is attached to the zoning and land use information that is kept in the Planning office. The clearest you can make this is to require that it be deed restricted or noted in the deed in the event someone was purchasing the property they would see that and know that the city has committed to annex and provide all their city services other than sewer.

BILL NO. 2018-31 – FIRST READING

AN ORDINANCE TO ABANDON INTEREST OF THE CITY OF FLORENCE IN RIGHTS-OF-WAY TO INCLUDE THE UNDEVELOPED SECTION OF MEARS STREET BOUNDED ON THE NORTH BY TMP 00147-01-099 AND ON THE SOUTH BY NORTH DOUGLAS STREET.

An Ordinance to abandon interest of the City of Florence in rights-of-way to include the undeveloped section of Mears Street bounded on the north by TMP 00147-01-099 and on the south by North Douglas Street was passed on first reading.

Councilwoman Moore made a motion to pass Bill No. 2018-31. Councilman Willis seconded the motion.

Mr. Jerry Dudley, Planning Manager reported this is a portion of undeveloped right-of-way adjacent to North Douglas Street that is being utilized by the adjacent property owners as part of their property.

The following City of Florence departments were contacted regarding the abandonment of the right-of-way: Fire; Police; Public Works; Utilities and Planning, Research and Development. None of the aforementioned departments found any reason to maintain the City's interest in this unopened right-of-way except for a 10' easement on either side of any city utility lines that may exist on the parcel.

It has been determined by the City of Florence Engineering Division that an existing sewer line may cross the unopened right-of-way. It is suggested that the language of the quit claim deed include a clause that says the City abandons its interest in the property except for a 10' easement on either side of any city utility lines that may exist on the parcel.

The reason for the abandonment is one of the adjacent property owners; Ms. Diane Davis wishes to purchase another property adjacent to the undeveloped right-of-way. Upon abandonment of the right-of-way, she will be able to plat the property such that the lot(s) will have legal conforming frontage on Douglas Street.

On August 14, 2018 the Planning Commission held a public hearing on this matter and voted unanimously, 7-0 to recommend the abandonment of interest by the City of Florence in public right-of-way to include the undeveloped portion of Mears Street.

If City Council approves the abandonment of interest in the right-of-way, the property can be combined into the adjacent parcels through the plat approval process and the recording of a quit claim deed.

Council voted unanimously to pass Bill No. 2018-31 on first reading.

BILL NO. 2018-32 – FIRST READING

AN ORDINANCE TO AMEND ORDINANCE 2013-17 TO PROVIDE FOR THE ADJUSTMENT OF THE PORTION OF THE LOCAL OPTION SALES TAX COLLECTED USED AS A CREDIT AGAINST THE PROPERTY TAX.

An Ordinance to amend Ordinance 2013-17 to provide for the adjustment of the portion of the Local Option Sales Tax collected used as a credit against the property tax was discussed in Executive Session. (Please see below for action taken on this item following Executive Session).

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SEPTEMBER 10, 2018 – PAGE 6**

On January 10, 1994 City Council adopted Ordinance No. 94-03 providing a credit of 100% of the LOST (Local Option Sales Tax) revenues for property tax relief to the citizens of the City of Florence.

City Council adopted an Ordinance amending Ordinance No. 94-03 on July 8, 2013. This amending Ordinance authorized the use of 50% of the County/Municipality Revenue Fund portion generated by the LOST and delivered to the City by the South Carolina State Treasurer's Office.

Monies totaling \$6 million dollars were authorized for use through this amendment over a five-year period for: 1) incentive funding to encourage and facilitate the location of a third and fourth year medical school facility in the downtown area; and 2) funding for neighborhood redevelopment, principally within struggling or blighted neighborhoods within the City.

In 2017, following the use of 50% of the County/Municipality Revenue Fund portion of the LOST funds over a five year period, City Council further designated the use of these revenues to provide 15-year debt service funding for recreational and athletic capital improvement needs.

Additional critical public purpose needs and projects have since been identified by City staff. These projects have been deemed to be in the best interest of the City of Florence and the city as a whole.

Following a thorough review of potential revenue sources to fund needed public purpose projects associated with downtown redevelopment, neighborhood redevelopment, recreational facilities, and other critical immediate and long-term project needs, it has been determined that the best and most appropriate funding mechanism available to the city is an adjustment to the local option sales tax credit program which will generate the revenue needed while not increasing tax millage.

The proposed amendment would adjust the LOST credit to 70%. The additional sales tax revenue that is not applied to credit will be applied to investments, infrastructure, land acquisitions and other economic development needs downtown.

INTRODUCTION OF RESOLUTION

RESOLUTION NO. 2018-11

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF FLORENCE, SOUTH CAROLINA, DECLARING ITS INTENT PURSUANT TO UNITED STATES TREASURY DEPARTMENT, INTERNAL REVENUE SERVICE, REGULATION 1.150-2 TO REIMBURSE CERTAIN FUNDS OR ACCOUNTS OF THE CITY FROM PROCEEDS OF TAX-EXEMPT BONDS FOR ECONOMIC REVITALIZATION AND DEVELOPMENT IN THE CITY'S DOWNTOWN.

A Resolution by the City Council of the City of Florence, South Carolina, declaring its intent pursuant to United States Treasury Department, Internal Revenue Service, Regulation 1.150-2 to reimburse certain funds or accounts of the City from proceeds of tax exempt bonds for economic revitalization and development in the City's downtown was adopted by Council.

(This item was discussed in Executive Session. See below for action taken after Executive Session).

RESOLUTION NO. 2018-14

A RESOLUTION FOR THE MUNICIPAL STATE HIGHWAY PROJECT AGREEMENT WITH SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION.

A Resolution for the Municipal State Highway Project Agreement with South Carolina Department of Transportation was adopted by Council.

Mayor Pro tem Brand made a motion to adopt Resolution No. 2018-14. Councilman Willis seconded the motion.

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SEPTEMBER 10, 2018 – PAGE 7**

Mr. Michael Hemingway, Director of Utilities reported that within this Resolution is an agreement that has been approved by the SC DOT and Florence County to allocate approximately \$800,000 to the City of Florence to cover the relocation of the City's water and sewer line from S. Irby Street at Alligator Road to the Alligator Road Bridge as part of Phase I. The City will have to absorb approximately \$82,000 of engineering costs within the City's operational costs to complete this project. Once the City adopts this Resolution the transfer of funds for Phase I can take place for this highway widening project.

Mayor Wukela recused himself from voting on this matter due to a potential conflict of interest. Council voted unanimously to adopt Resolution No. 2018-14.

Mr. Griffin, City Manager thanked Florence County for agreeing to reimburse the city for the relocation of the water and sewer lines with the first one penny money. Mr. Griffin also thanked Senator Leatherman for his work with the Infrastructure Bank to get the county additional monies for this project.

REPORT TO COUNCIL

City of Florence Zoning Board of Appeals

Councilwoman Ervin deferred her appointment to the City of Florence Zoning Board of Appeals.

Parks and Beautification Commission

Councilwoman Ervin deferred her appointment to the Parks and Beautification Commission

Mayor Wukela made a motion to appoint Mr. Simon Lee to serve on the Parks and Beautification Commission. Councilman Willis seconded the motion, which carried unanimously.

Mr. Simon Lee was appointed to serve on the Parks and Beautification Commission for a term to begin immediately and end June 30, 2023.

EXECUTIVE SESSION

Councilman Jebaily made a motion to enter into Executive Session. Councilwoman Williams-Blake seconded the motion, which carried unanimously.

Council entered into Executive Session at 1:53 p.m. for the purpose of discussing matters relating to a proposed Economic Development [30-4-70(a)(5)].

Council entered into Executive Session at 1:53 p.m.

Mayor Wukela reconvened the regular meeting at 2:48 p.m.

Mayor Wukela stated Council discussed an economic development matter while in Executive Session that is associated with Bill No. 2018-32.

BILL NO. 2018-32 – FIRST READING

AN ORDINANCE TO AMEND ORDINANCE 2013-17 TO PROVIDE FOR THE ADJUSTMENT OF THE PORTION OF THE LOCAL OPTION SALES TAX COLLECTED USED AS A CREDIT AGAINST THE PROPERTY TAX.

An Ordinance to amend Ordinance 2013-17 to provide for the adjustment of the portion of the Local Option Sales Tax collected used as a credit against the property tax was passed on first reading.

As relates to Bill No. 2018-32, Councilwoman Williams-Blake made a motion to pass Bill No. 2018-32. Councilman Jebaily seconded the motion.

Councilman Jebaily commended City Council, the City Manager and all of staff for their prudent handling of the City's finances that have been demonstrated year after year. Because of that, the City is in a very advantageous position of being able to do this adjustment in credit and still maintain the position of being one of, if not the lowest effective tax rates in the state; and at the same time being able to make investments to the future.

Councilwoman Ervin stated she supports this action as she sees this as a reinvestment back into the community for the citizens of the City of Florence.

Mayor Pro tem Brand stated this is a move that makes Florence, not just a regular city but the number one city to live in in South Carolina and maybe the southeast and it is moving the City in the right direction. From an economic development standpoint it gives our young people an opportunity to come back to Florence to work and raise their families here. This is an extremely high quality move on behalf of the citizens of Florence for our community.

Council voted unanimously to pass Bill No. 2018-32 on first reading.

INTRODUCTION OF RESOLUTION

RESOLUTION NO. 2018-11

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF FLORENCE, SOUTH CAROLINA, DECLARING ITS INTENT PURSUANT TO UNITED STATES TREASURY DEPARTMENT, INTERNAL REVENUE SERVICE, REGULATION 1.150-2 TO REIMBURSE CERTAIN FUNDS OR ACCOUNTS OF THE CITY FROM PROCEEDS OF TAX-EXEMPT BONDS FOR ECONOMIC REVITALIZATION AND DEVELOPMENT IN THE CITY'S DOWNTOWN.

A Resolution by the City Council of the City of Florence, South Carolina, declaring its intent pursuant to United States Treasury Department, Internal Revenue Service, Regulation 1.150-2 to reimburse certain funds or account of the City from proceeds of tax exempt bonds for economic revitalization and development in the City's downtown was adopted by Council.

Mayor Wukela stated this Resolution allows Council to reimburse the General Fund with any expenditures associated with this Economic Development from the revenues generated from Bill No. 2018-32

Councilman Jebaily made a motion to adopt Resolution No. 2018-11. Councilman Willis seconded the motion,

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ADJOURN

Without objection, the meeting was adjourned at 3:18 p.m.

Dated this 8th day of October, 2018.

Dianne M. Rowan, Municipal Clerk

Stephen J. Wukela, Mayor

FLORENCE CITY COUNCIL MEETING

DATE: September 10, 2018

AGENDA ITEM: Ordinance to amend the City of Florence Unified Development Ordinance Section 1-2.9.4 and Table 1-2.9.4.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Proposed text amendment to the City of Florence Unified Development Ordinance Section 1-2.9.4 and Table 1-2.9.4 to clarify the intent of the ordinance regarding construction laydown yards.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

(1) On August 14, 2018 the Planning Commission held a public hearing on this matter and voted unanimously, 7-0, to recommend the text amendment.

III. POINTS TO CONSIDER:

- (1) The text amendments have been prepared by the Planning, Research and Development Department in an effort to clarify the intent of the ordinance and reduce the potential for conflict between uses within the City.
- (2) The amendments to Sections 1-2.9.4 and Table 1-2.9.4 clarify the conditions related to the location and condition of construction laydown yards in residential areas. (Attachment 1)
- (3) City staff recommends that the proposed text amendments be approved to address the nuisance issues of laydown yards in a manner consistent with the stated purpose of the Unified Development Ordinance.

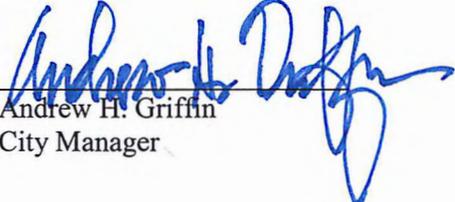
IV. PERSONAL NOTES:

V. ATTACHMENTS:

- (1) Proposed amendment
- (2) Ordinance



Jerry B. Dudley
Planning Manager



Andrew H. Griffin
City Manager

Attachment 1: Proposed amendment

Deletions have been struck through.

Additions have been underlined and are in red.

Sec. 1-2.9.4 Temporary Construction, Storage, and Refuse Containers

A. Location and Operations. The location, hours of use, operational limitations, and duration of temporary construction and building uses are set out in **Table 1-2.9.4, Temporary Construction and Building Uses.**

B. Setbacks.

1. *Manufactured Buildings, Model Homes, and On-Site Real Estate Offices.* Temporary manufactured buildings shall be set back according to the requirements of the underlying zoning district. Alternative locations for administrative and security offices on construction sites may be approved as part of a construction staging plan if there is no feasible alternative location that complies with the required setbacks.
2. *Other Construction-Related Uses.* Other construction-related uses that are set out in Table 1-2.9.4, Temporary Construction and Building Uses, shall be set back at least 40 feet from the right-of-way line and 25 feet from all other property lines. Construction equipment and material may be stored as close as 15 feet from shared property lines and rights of ways with the installation of temporary construction fencing with mesh fabric screen.

C. Site Restoration. The laydown site must be restored to its original condition at the end of the pre-approved period of use.

D. Noise and Vibration. The Noise and Vibration provisions of this Ordinance, Section 4.11.2.1, as well as the City of Florence Code of Ordinances Sections 10-9, 10-10, and 10-11 shall apply to all temporary construction and building uses.

E. Other provisions. The temporary use will be operated in accordance with all other applicable provisions of this Unified Development Ordinance and the City's Code of Ordinances.

**Table 1-2.9.4
Temporary Construction and Building Uses**

Temporary Use	Location of Use	Hours of Use	Operational Limitations	Duration of Use
Manufactured Buildings, Model Homes, and On-Site Real Estate Offices				
Manufactured Buildings	On lot or parcel proposed for development, set back according to the requirements of the underlying zoning district.	N/A	May be used by construction superintendent, construction workers, contractors, and other personnel on a construction team; a security office; or as temporary office or classroom space for public schools.	No limit for public schools; construction-related facilities shall be removed prior to certificate of occupancy for last building; other buildings shall be removed within two years from date of permit.
Model Homes and On-Site Real Estate Offices	On lot or parcel proposed for development	N/A	Sales limited to units located on the lot or parcel proposed for development; sales offices within model homes shall meet applicable building code criteria.	On-site real estate offices shall be removed upon completion of model home or suitable permanent floor area on-site; must be removed by issuance of last certificate of occupancy for development.
Other Construction-Related Uses				
Concrete, Mortar, and Asphalt Batching Operations	At least 500 feet from residential districts and uses.	8:00 AM to 8:00 PM if any residential use is located within 1,000 feet; 6:00 AM to 10:00 PM in all other locations	The facility shall be used only for a project within the City of Florence.	Established by approval; to coincide with the use of the facility for a specified construction project.
Temporary <u>Offsite Construction/Storage Yard</u>	Within one-half mile, <u>by typical travel</u> , of the construction to which the construction yard relates.	<u>8:00 AM to 6:00 PM if any residential use is located within 500 feet; 7:00 AM to 6:00 PM in all other locations</u>	The facility shall be used only for a construction site in the City of Florence; or an infrastructure project that is wholly or partially located in the City of Florence. <u>Offsite construction/storage yards related to a permitted project in a commercial/industrial zoning district shall not locate in a residential zoning district. Offsite construction/storage yards related to a permitted project within a residential zoning district shall be located in an adjacent commercial or industrial zoning district, or a special exception may be granted by the Board of Zoning Appeals for project sites limited by size, configuration, or a combination of factors and based upon recommendation by the Planning Director as guided by the Decision Criteria in Section 1-2.7.8(B).</u>	<u>Established by approval; used only for a specified construction or infrastructure project.</u>

ORDINANCE NO. 2018- _____

AN ORDINANCE TO AMEND THE CITY OF FLORENCE UNIFIED DEVELOPMENT ORDINANCE SECTION 1-2.9.4 AND TABLE 1-2.9.4:

WHEREAS, a Public Hearing was held in City Council Chambers on August 14, 2018 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, the amendments contained herein will set forth conditions for land uses associated with construction laydown yards;

THEREFORE, Section 1-2.9.4 of the City of Florence Unified Development Ordinance, shall read as follows:

Sec. 1-2.9.4 Temporary Construction, Storage, and Refuse Containers

A. Location and Operations. The location, hours of use, operational limitations, and duration of temporary construction and building uses are set out in **Table 1-2.9.4, Temporary Construction and Building Uses**.

B. Setbacks.

1. *Manufactured Buildings, Model Homes, and On-Site Real Estate Offices.* Temporary manufactured buildings shall be set back according to the requirements of the underlying zoning district. Alternative locations for administrative and security offices on construction sites may be approved as part of a construction staging plan if there is no feasible alternative location that complies with the required setbacks.
2. *Other Construction-Related Uses.* Other construction-related uses that are set out in Table 1-2.9.4, Temporary Construction and Building Uses, shall be set back at least 40 feet from the right-of-way line and 25 feet from all other property lines. Construction equipment and material may be stored as close as 15 feet from shared property lines and rights of ways with the installation of temporary construction fencing with mesh fabric screen.

C. Site Restoration. The laydown site must be restored to its original condition at the end of the pre-approved period of use.

D. Noise and Vibration. The Noise and Vibration provisions of this Ordinance, Section 4.11.2.1, as well as the City of Florence Code of Ordinances Sections 10-9, 10-10, and 10-11 shall apply to all temporary construction and building uses.

E. Other provisions. The temporary use will be operated in accordance with all other applicable provisions of this Unified Development Ordinance and the City's Code of Ordinances.

THEREFORE, Table 1-2.9.4 of the City of Florence Unified Development Ordinance, shall read as follows:

Table 1-2.9.4 Temporary Construction and Building Uses				
Temporary Use	Location of Use	Hours of Use	Operational Limitations	Duration of Use
Manufactured Buildings, Model Homes, and On-Site Real Estate Offices				
Manufactured Buildings	On lot or parcel proposed for development, set back according to the requirements of the underlying zoning district.	N/A	May be used by construction superintendent, construction workers, contractors, and other personnel on a construction team; a security office; or as temporary office or classroom space for public schools.	No limit for public schools; construction- related facilities shall be removed prior to certificate of occupancy for last building; other buildings shall be removed within two years from date of permit.
Model Homes and On-Site Real Estate Offices	On lot or parcel proposed for development	N/A	Sales limited to units located on the lot or parcel proposed for development; sales offices within model homes shall meet applicable building code criteria.	On-site real estate offices shall be removed upon completion of model home or suitable permanent floor area on-site; must be removed by issuance of last certificate of occupancy for development.
Other Construction-Related Uses				
Concrete, Mortar, and Asphalt Batching Operations	At least 500 feet from residential districts and uses.	8:00 AM to 8:00 PM if any residential use is located within 1,000 feet; 6:00 AM to 10:00 PM in all other locations	The facility shall be used only for a project within the City of Florence.	Established by approval; to coincide with the use of the facility for a specified construction project.
Temporary Offsite Construction/ Storage Yard	Within one-half mile, by typical travel, of the construction to which the construction yard relates.	8:00 AM to 6:00 PM if any residential use is located within 500feet; 7:00 AM to 6:00 PM in all other locations	The facility shall be used only for a construction site in the City of Florence; or an infrastructure project that is wholly or partially located in the City of Florence. Offsite construction/storage yards related to a permitted project in a commercial/industrial zoning district shall not locate in a residential zoning district. Offsite construction/storage yards related to a permitted project within a residential zoning district shall be located in an adjacent commercial or industrial zoning district, or a special exception may be granted by the Board of Zoning Appeals for project sites limited by size, configuration, or a combination of factors and based upon recommendation by the Planning Director as guided by the Decision Criteria in Section 1-2.7.8(B).	Established by approval; used only for a specified construction or infrastructure project.

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

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

- 1. That an Ordinance is hereby adopted by amending the Unified Development Ordinance as shown above.
- 2. That this Ordinance shall become effective immediately.

ADOPTED THIS _____ DAY OF _____, 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: September 10, 2018

AGENDA ITEM: Ordinance to Annex and Zone Property Owned by DeLane Harrelson, TMN 90095-02-008

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex property located at 310 E Grace Drive., Tax Map Number 90095-02-008, into the City of Florence and zone to (NC-6.2), Neighborhood Conservation-6.2 District. The request is being made by the property owner, DeLane Harrelson.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

(1) On August 14, 2018 Planning Commission held a public hearing on this matter, and voted unanimously, 7-0 to recommend the zoning request of (NC-6.2), Neighborhood Conservation-6.2 District.

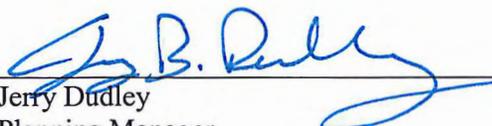
III. POINTS TO CONSIDER:

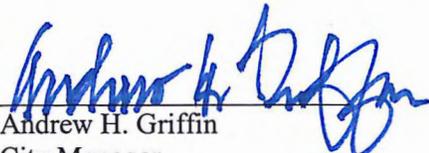
- (1) Request is being considered for first reading.
- (2) The proposed zoning, pending annexation, is Neighborhood Conservation-6.2 District. The primary use permitted under the proposed zoning is single-family residential characterized by small sized lots.
- (3) The lot is currently the site of a single-family 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) City Staff recommends annexation and concurs with Planning Commission's recommendation to zone the property (NC-6.2), Neighborhood Conservation-6.2 District.

IV. PERSONAL NOTES:

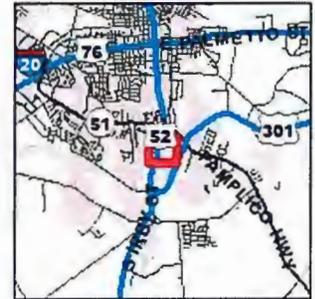
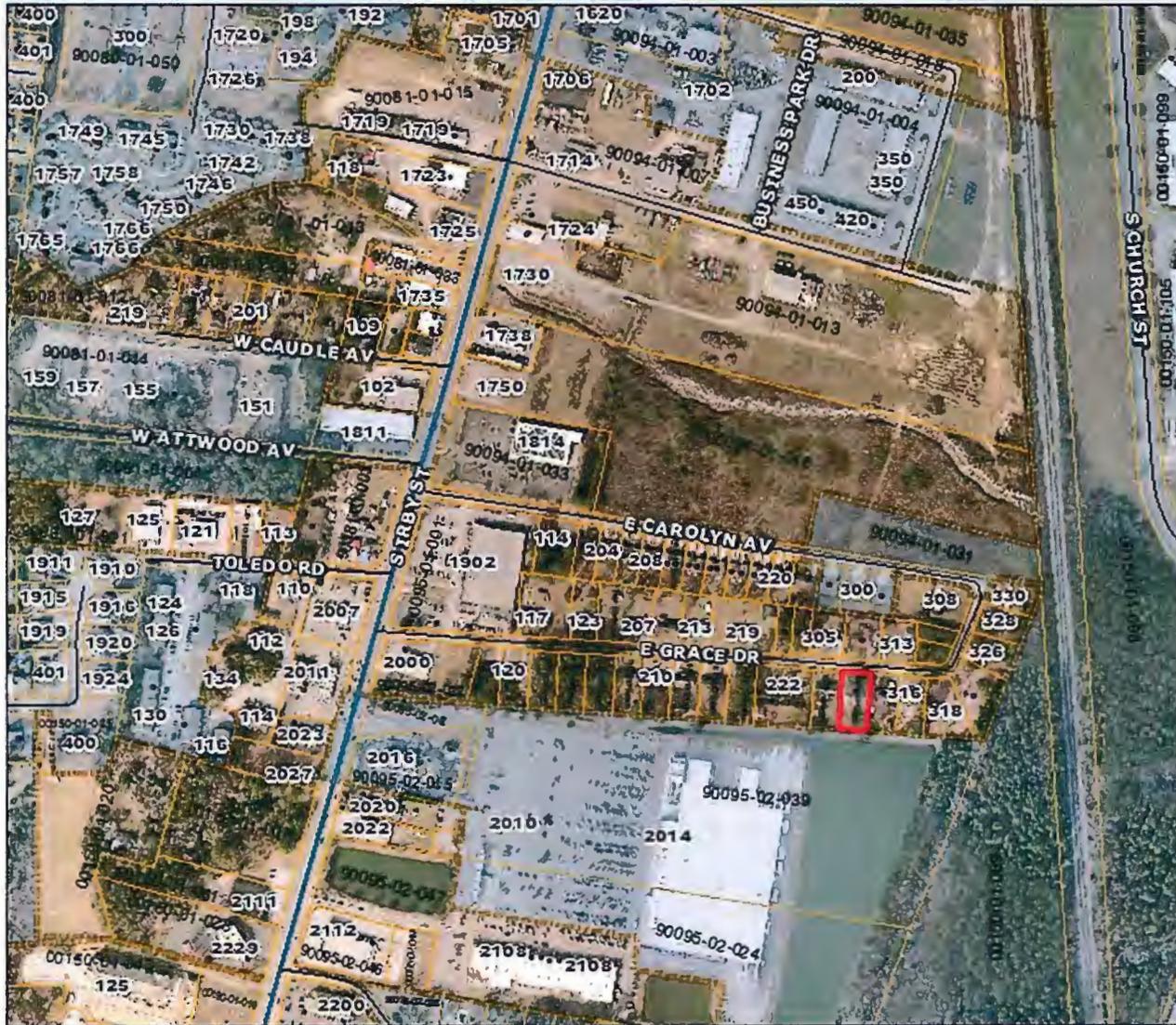
V. ATTACHMENTS:

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


Jerry Dudley
Planning Manager


Andrew H. Griffin
City Manager

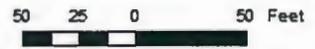
Vicinity Map 310 E. Grace Drive



- Legend**
- City Limits
 - Parcels



DISCLAIMER:
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Date: 9/12/2018

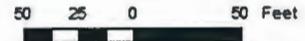
Location Map 310 E. Grace Drive



Legend
 City Limits
 Parcels



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Date: 9/4/2018

Attachment 4: 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

3. Annexation is being sought for the following purposes:

Water

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

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

Total Residents	<u>1</u>
Race	<u>C</u>
Total 18 and Over	<u>1</u>
Total Registered to Vote	<u>1</u>

Date 6/26/18

Dorene Jamelson
Petitioner

Date _____

Petitioner _____

Certification as to ownership on the date of petition: Date <u>6/29/18</u>	FOR OFFICAL USE ONLY <i>Alfred Cassidy</i>
---	---

Attachment 5: Sewer Release Form

Petitioner's Sewer Extension Release Form

I, the undersigned petitioner, understand that sewer service is not available to the property at 310 E. Grace Dr., Florence County Tax Map 90095-02-008, 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 6/26/18

Deborah Hansen
Petitioner

Date _____

Petitioner

ORDINANCE NO. 2018 _____

**AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY DELANE HARRELSON,
TMN 90095-02-008**

WHEREAS, a Public Hearing was held in the Council Chambers on August 14, 2018 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, application by DeLane Harrelson, owner of TMN 90095-02-008, 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-6.2) Neighborhood Conservation-6.2 District:

The property requesting annexation is shown more specifically on Florence County Tax Map 90095, block 02, parcel 008 (0.353499 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: September 10, 2018

AGENDA ITEM: Ordinance to abandon interest of the City of Florence in Public Right-of-Way to include the undeveloped portion of Mears Street bounded on the north by TMP 00147-01-099 and on the south by Douglas Street

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Abandonment of interest by the City of Florence in Public Right-of-Way to include the undeveloped portion of Mears Street bounded on the north by TMP 00147-01-099 and on the south by Douglas Street.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

(1) On August 14, 2018 Planning Commission held a public hearing on this matter, and voted unanimously, 7-0 to recommend the abandonment of interest by the City of Florence in Public Right-of-Way to include the undeveloped portion of Mears Street.

III. POINTS TO CONSIDER:

- (1) Request is being considered for first reading.
- (2) One of the adjacent property owners, Ms. Diane Davis wishes to purchase another property adjacent to the undeveloped right-of-way. Upon abandonment of the right-of-way, she will be able to plat the property such that the lot(s) will have legal conforming frontage on Douglas Street (see Attachment 3).
- (3) The following City of Florence departments were contacted regarding the abandonment of the right-of-way: Fire; Police; Public Works; Utilities; and Planning, Research, and Development. None of the aforementioned departments found any reason to maintain the City's interest in this unopened right-of-way except for a 10' easement on either side of any city utility lines that may exist on the parcel.
- (4) It had been determined by the City of Florence Engineering Division, that an existing sewer line may cross the unopened right-of-way. It is suggested that the language of the quit-claim deed include a clause that says we abandon our interest in the property except for a 10' easement on either side of any city utility lines that may exist on the parcel. (see Attachment 4).
- (5) If City Council approves the abandonment of interest in this right-of-way, the property can be combined into the adjacent parcels through the plat approval process and the recording of a quitclaim deed.

IV. OPTIONS

City Council may:

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

V. ATTACHMENTS:

- (1) Ordinance
- (2) Vicinity Map
- (3) Location Map
- (4) GIS Utility Map


Jerry B. Dudley
Planning Manager


Andrew H. Griffin
City Manager

Location Map: Mears Street Road Abandonment



Legend

 Parcels



DISCLAIMER:
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50 25 0 50 Feet

Date: 9/4/2018

GIS Utility Lines Map: Mears Street Road Abandonment



Legend

 Parcels



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50 25 0 50 Feet

Date: 9/22/2018

ORDINANCE NO. 2018 _____

AN ORDINANCE TO ABANDON INTEREST OF THE CITY OF FLORENCE IN RIGHTS-OF-WAY TO INCLUDE THE UNDEVELOPED PORTION OF MEARS STREET BOUNDED ON THE NORTH BY TMP 00147-01-099 AND ON THE SOUTH BY NORTH DOUGLAS STREET.

WHEREAS, a request has been made for the City to abandon its interest in the undeveloped portion of Mears Street bounded on the north by TMP 00147-01-099 and on the south by the developed portion of North Douglas Street, and;

WHEREAS, a Public Hearing was held in the Council Chambers on August 14, 2018 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given, and;

WHEREAS, a public notice was published three times in the Morning News prior to the September 11, 2018 City Council meeting as required by City Code Section 2-28(b) and adjacent property owners and utility providers were notified, 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 the City of Florence abandons its interest in the rights-of-way which will then revert to the abutting property owners after the necessary legal documents have been properly executed.
2. That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence.

EXECUTED ON ONE (1) ADDITIONAL PAGE

Ordinance No. 2018 - _____
Page 2 – September 2018

ADOPTED THIS _____ DAY OF _____, 2018

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela, **Mayor**

Attest:

Dianne Rowan
Municipal Clerk

VI. d.
Bill No. 2018-32
Second Reading

FLORENCE CITY COUNCIL MEETING

DATE: September 10, 2018
AGENDA ITEM: Ordinance – First Reading
DEPARTMENT/DIVISION: City Council/Finance/City Manager

I. ISSUE UNDER CONSIDERATION

An ordinance to amend Ordinance No. 2013-17 to provide for the adjustment of the portion of the Local Option Sales Tax collected used as a credit against the property tax.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

- A. On January 10, 1994, City Council adopted Ordinance No. 94-03 providing a credit of 100% of the LOST revenues for property tax relief to the citizens of the City of Florence.
- B. On July 8, 2013, City Council adopted an Ordinance amending Ordinance No. 94-03. This amending ordinance authorized the use of 50% of the County/Municipality Revenue Fund portion generated by the Local Option Sales Tax and delivered to the City by the South Carolina State Treasurer's Office.
- C. Monies authorized for use through this amending ordinance funded a total of \$6 million dollars over a five-year period for: 1) incentive funding to encourage and facilitate the location of a third and fourth year medical school facility in the downtown area; and 2) funding for neighborhood redevelopment, principally within struggling or blighted neighborhoods within the City.
- D. Following the use of 50% of the County/Municipality Revenue Fund portion of the Local Option Sales Tax funds over a period of five years, City Council in 2017 further designated the use of these revenues to provide 15-year debt service funding for recreational and athletic capital improvement needs.
- E. As also authorized by Council, funding in excess of debt service requirements for these capital needs are being used to fund neighborhood redevelopment endeavors and recreation facilities operational needs.

III. POINTS TO CONSIDER

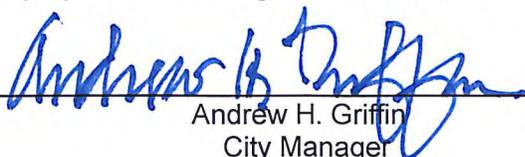
- A. Additional critical public purpose needs and projects have since been identified by City staff. These projects have been deemed to be in the best interest of the citizens of Florence and of the city as a whole.
- B. Following a thorough review of potential revenue sources to fund needed public purpose projects associated with downtown redevelopment, neighborhood redevelopment, recreational facilities, and other critical immediate and long-term project needs, it has been determined that the best and most appropriate funding mechanism available to the city is an adjustment to the local option sales tax credit program which will generate the revenue needed while not increasing tax millage.

IV. STAFF RECOMMENDATION

Staff supports the proposed amendment as being in the best interest of the City and recommends City Council approval and adoption of the proposed ordinance.

V. ATTACHMENTS

The proposed amending ordinance is attached.



Andrew H. Griffin
City Manager

ORDINANCE NO. 2018-____

AN ORDINANCE TO AMEND ORDINANCE 2013-17 TO PROVIDE FOR THE ADJUSTMENT OF THE PORTION OF THE LOCAL OPTION SALES TAX COLLECTED USED AS A CREDIT AGAINST THE PROPERTY TAX.

WHEREAS, the Florence City Council is elected by the citizens of Florence to provide those services which are necessary and required in order to facilitate the general well-being of its citizens and to raise the revenues necessary to fund those services;

WHEREAS, City Council has identified critical need activities in need of funding which it believes will be in the best interest of the citizens of Florence and of the city as a whole;

WHEREAS, the local option sales tax (LOST) was created by the State of South Carolina with the passage of §4-10-10, *et seq* of the South Carolina Code of Laws, and the purpose of this tax was to provide for property tax relief to citizens of the state, and the state law requires that at least 71% of the revenues raised by local option sales tax be utilized to credit or offset the property taxes owed by the citizens and designates the remainder of the revenues raised by the local option sales tax as the County/Municipal Revenue Fund to be used by the City as designated by ordinance;

WHEREAS, Ordinance No. 2013-17 amended Ordinance 94-03 to adjust the credit under the local option sales tax credit program in order to make 50% of the County/Municipal Revenue Fund available for the needed funding while continuing to provide credit against property taxes for the remaining 50% of the County/Municipal Revenue Fund, thereby continuing to provide credit against property taxes which far exceeds the property tax credit required by state law;

WHEREAS, Florence City Council, after carefully studying all possible sources of revenue to cover the cost of needed municipal projects associated with downtown redevelopment, neighborhood redevelopment, recreational opportunities, and other capital related infrastructure projects, finds and concludes that the best mechanism available to the city is an adjustment to the local option sales tax credit program which will generate the revenue needed while not increasing the millage;

WHEREAS, the City of Florence receives the moneys raised by the Local Option Sales Tax from the office of the State Treasurer and those moneys are delivered to the City in two funds, one called the Property Tax Credit Fund which represents the revenues required by State law to be credited against property taxes, and one called the County/Municipal Revenue Fund which represents the revenues which, by State law, are available for use by the City;

WHEREAS, the city hereby finds that the use of this mechanism provides the best, most efficient and fairest manner for providing the revenues needed for public purposes associated with downtown redevelopment, neighborhood redevelopment, recreational opportunities, and other capital related infrastructure projects.

NOW, THEREFORE, be it ordained by the City Council of the City of Florence, in meeting duly assembled and by the authority thereof, that Ordinance No. 2013-17 be, and the same is hereby, amended to read in its entirety as follows:

(1) That the entirety of the Property Tax Credit Fund delivered to the City of Florence by the South Carolina State Treasurer's office from revenues generated by the Local Option Sales Tax, as required by state law, shall continue to be utilized as a tax credit against City ad valorem property taxes.

(2) That the County/Municipality Revenue Fund delivered to the City of Florence by the South Carolina State Treasurer's office from revenues generated by the Local Option Sales Tax shall be specifically identified to be utilized by the City for such public purposes as may be designated from time to time by City Council.

(3) That 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.

STEPHEN J. WUKELA
Mayor

Approved as to form:

Attest:

JAMES W. PETERSON, JR.
City Attorney

DIANNE M. ROWAN
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: June 11, 2018

AGENDA ITEM: Public Hearing and Ordinance to Annex and Zone Property Owned by Finklea Law Firm, The Palms Course, and South Florence Developers, LLC, TMN's 00052-01-001, 00052-01-005, 00052-01-049, 00052-01-061, 00052-01-068, 00052-01-069, 00075-01-022, 00552-01-027, and portions of TMN 00751-01-049

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex properties located along Lake Oakdale, Tax Map Numbers 00052-01-001, 00052-01-005, 00052-01-049, 00052-01-061, 00052-01-068, 00052-01-069, 00075-01-022, 00552-01-027, and portions of TMN 00751-01-049, into the City of Florence and zone to RG-2, Residential General District and OSR, Open Space Recreational. The request is being made by the property owners, Finklea Law Firm, The Palms Course, and South Florence Developers, LLC.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

- (1) On May 8, 2018, Planning Commission held a public hearing on this matter. The Planning Commission voted (6-1) to recommend the zoning request of RG-2, Residential General District and OSR, Open Space Recreational.

III. POINTS TO CONSIDER:

- (1) Request is being considered for first reading.
- (2) The proposed zoning, pending annexation, is Residential General-2 (RG-2) and Open Space Recreation (OSR) for the portions of Lake Oakdale. Attachments 2 and 3 outline the locations of the parcels and the proposed zoning designations. If annexed, the developer will be required to submit plans per the City's sketch plan and development approval process for the RG-2 zoning designation.
- (3) According to the City of Florence Unified Development Ordinance, Residential General (RG) district is intended to provide a variety of residential housing and neighborhood types with an auto-urban or new-urban character. Specifically, the RG-2 zoning designation allows for three types of development: conventional single family (no minimum open space ratio), cluster single family (30% open space ratio) and planned mixed residential (60% open space ratio). The Open Space Recreational (OSR) district is intended for public open space that is protected by conservation easement.
- (4) The developer is proposing to build single-family detached homes shown on TMN# 00052-01-001 as illustrated in Attachment 6.
- (5) City water and sewer service is available to TMP's 00522-01-027, 00052-01-061, and 00052-01-068. City water services are available to TMP's numbers 00052-01-001, 00052-01-005, and 00052-01-049; however city sewer service is currently not available. Based on an economic feasibility analysis performed by the City Engineering Department, the estimated cost to extend utility services is \$350,000. The 20 year anticipated revenue for the extension is \$387,322; therefore, the project is economically feasible for the City.
- (6) One of the properties seeking annexation is currently unzoned in the County, TMP# 00075-01-022. The other properties that are seeking annexation are currently zoned in the County as follows, TMP's 00522-01-027 and 00751-01-049 are zoned in the County as R-1; TMP's 00052-01-001 and 00052-01-049 are zoned in the County as RU-1; TMP's 00052-01-005,

00052-01-061, 00052-01-068, and 00052-01-069 are zoned in the County as R-2 (Attachment 5)

- (7) Adjacent properties are zoned (NC-10) Neighborhood Conservation-10/ (OSR) Open Space Recreational (City) and unzoned (County) as illustrated in Attachment 6.
- (8) City Staff recommends annexation and concurs with Planning Commission's recommendation to zone the properties to OSR, Open Space Recreational and RG-2, Residential General District. This recommendation is based on the current use of the developed parcels as well as the consistency of the proposed zoning with the development plans.

IV. PERSONAL NOTES:

V. ATTACHMENTS:

- (1) Ordinance
- (2) Vicinity map of proposed annexation
- (3) Location map of proposed annexation and zoning designations
- (4) Annexation map for TMP's 00075-01-022 and a portion of 00751-01-049
- (5) Petition for Annexation forms (Finklea Law Firm, The Palms Course, and South Florence Developers, LLC)
- (6) Sketch Plan for proposed development on TMN# 00052-01-001
- (7) Current zoning designation map (County designations)

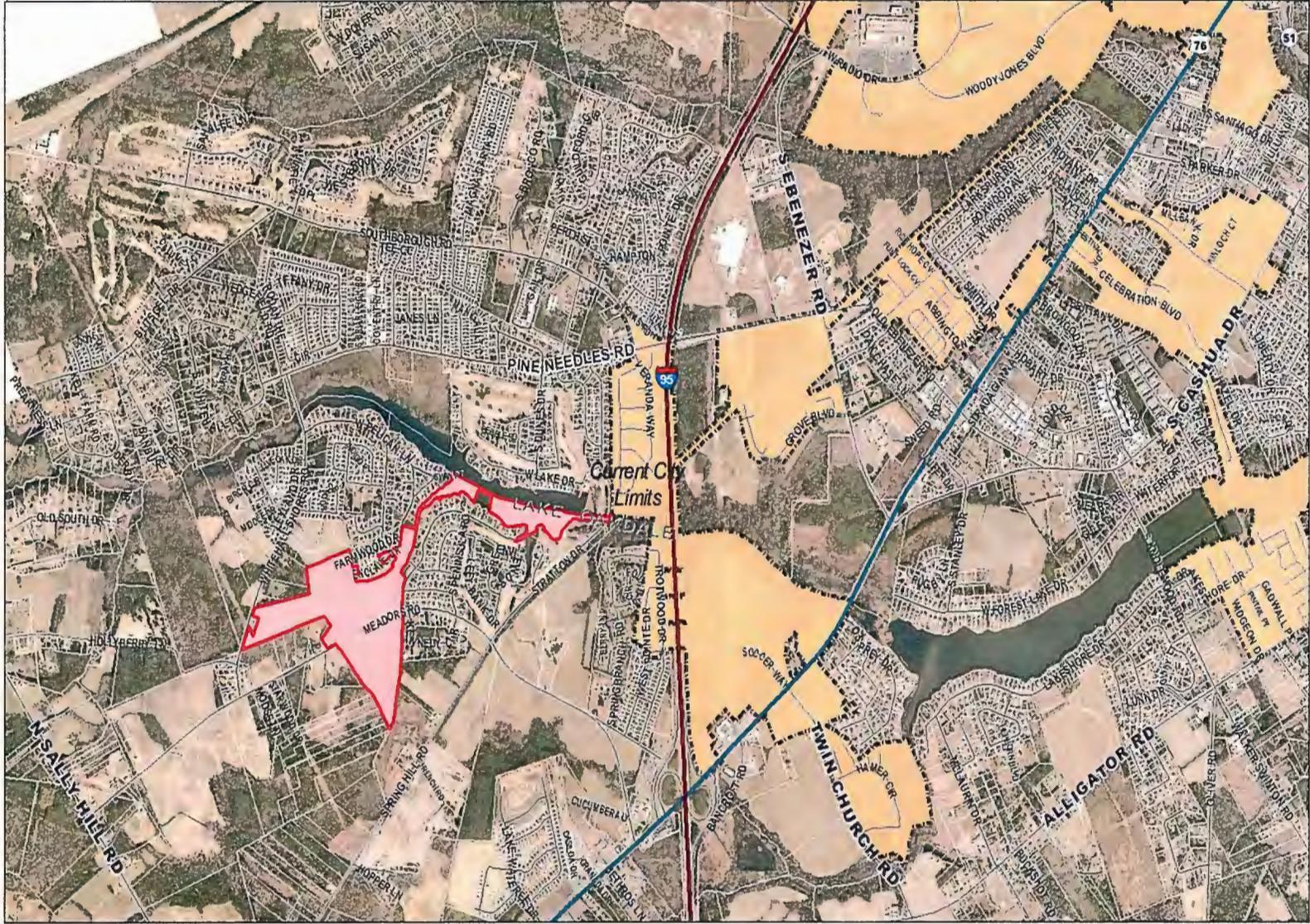

Jerry Dudley
Planning Manager


Andrew H. Griffin
City Manager

ATTACHMENT 2: VICINITY MAP OF PROPOSED ZONING DESIGNATIONS

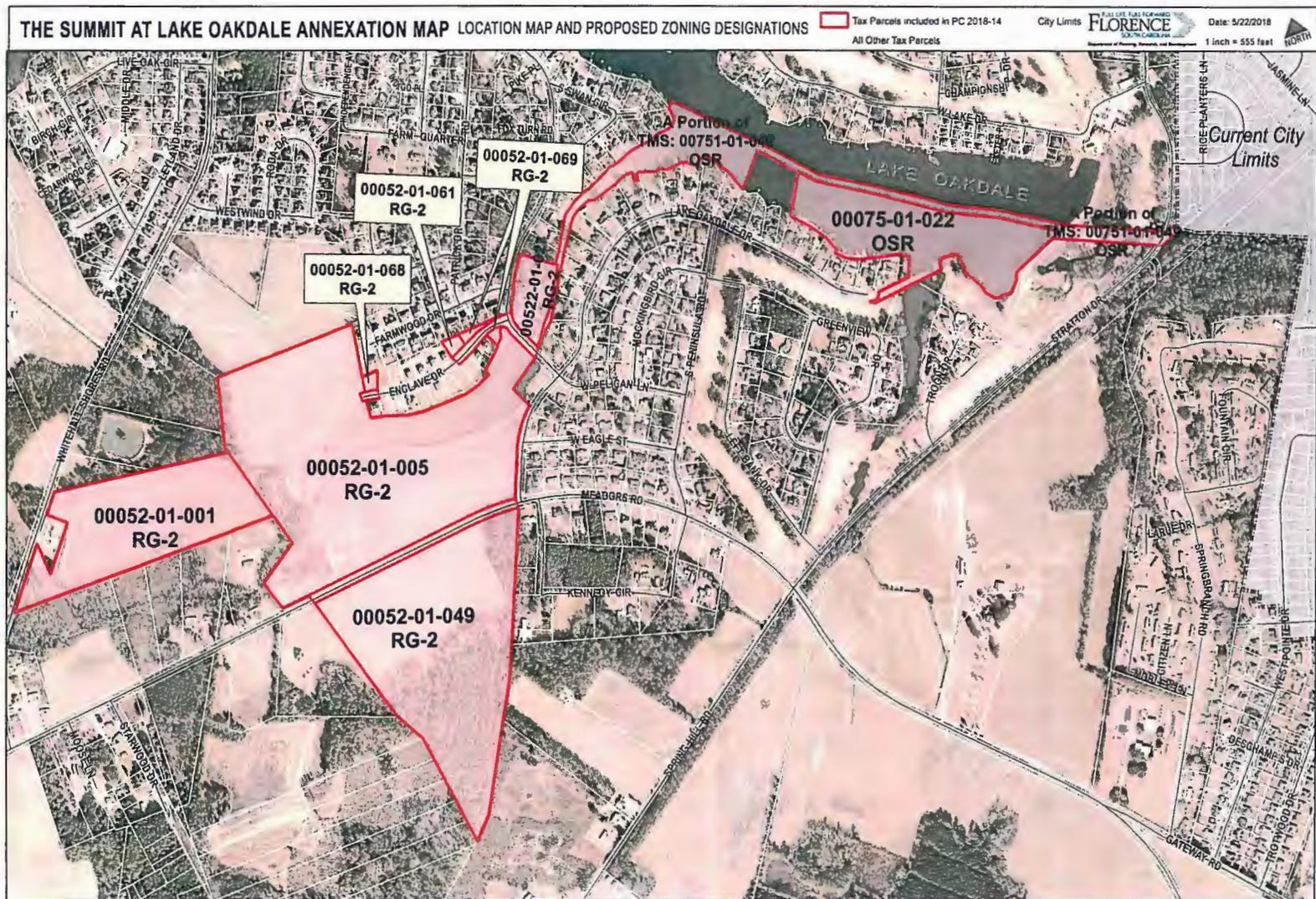
Proposed Annexation
City Limits
All Other Tax Parcels

FLORENCE
SOUTH CAROLINA
Date: 6/6/2018
Scale: 1 inch = 1,734 feet
NORTH

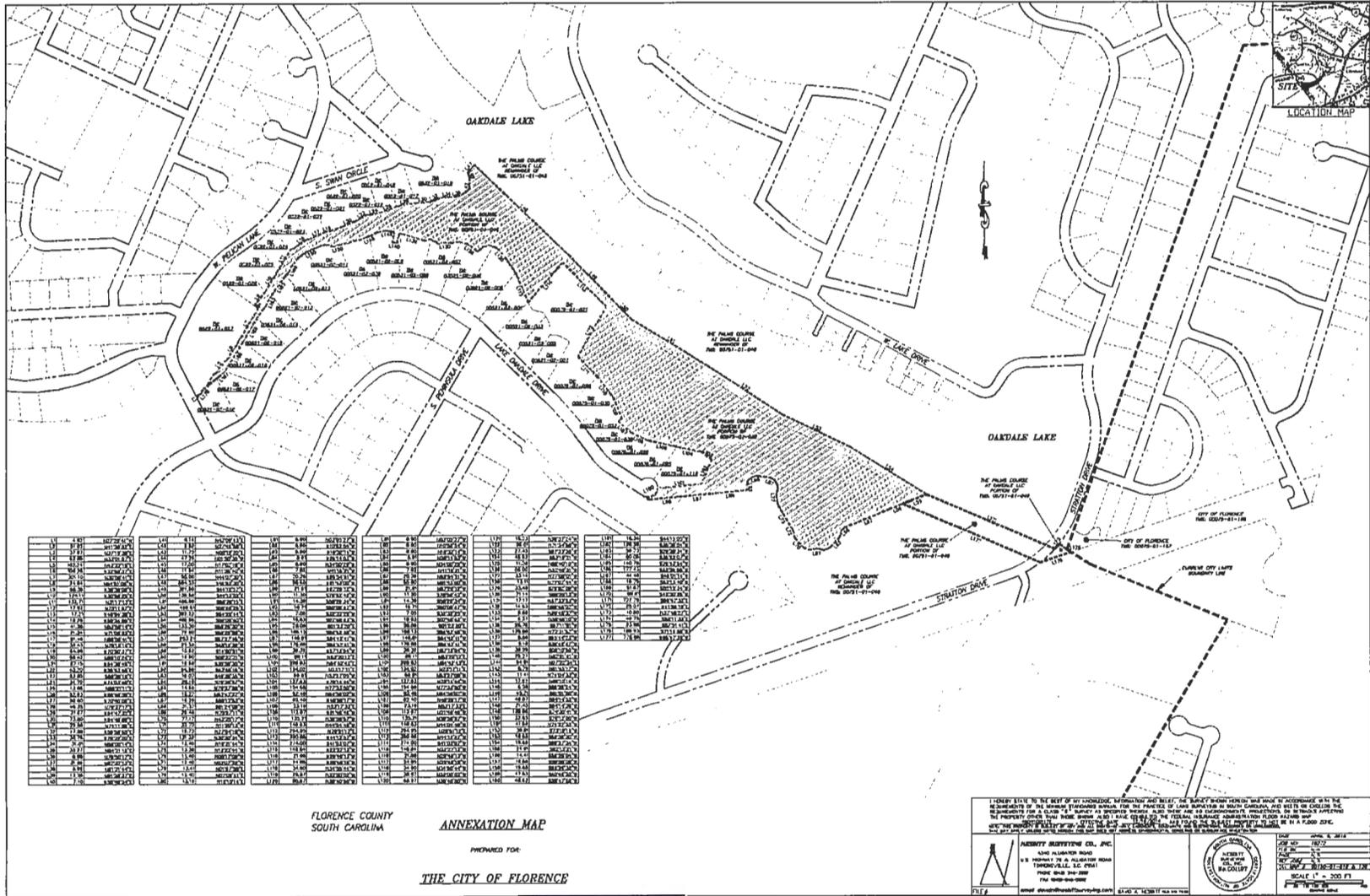


Attachment 2: Vicinity map of proposed annexation

Attachment 3: Location map of proposed annexation and zoning designations



Attachment 4: Annexation map for TMP's 00075-01-022 and a portion of 00751-01-049



Attachment 5: Petition of Annexation Form – Finklea Law Firm

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 00052-01-001
00522-01-027

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

Benefits of City Services & Governance

- 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 4-17-18

FINKLEA LAW FIRM P.A.
Spring Place, F/Bo Gacy Finkle
By _____
Petitioner

Date _____

Petitioner _____

* The Petitioner requests the City to provide or cost share in a community lift station

Certification as to ownership on the date of petition.

FOR OFFICIAL USE ONLY

Date 4/19/18

Alfred Cassidy

Attachment 5: Petition of Annexation Form – The Palms Course

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:

A portion of
 Florence County Tax Map 00751-01-049 and 00751-01-022
 See attached sketch

3. Annexation is being sought for the following purposes:

to provide connectivity to adjoining tracts to the city
 limits to promote property growth & development

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 4-17-18

The Palms Course AT OAKDALE, LLC
 By: [Signature]
 Petitioner

Date _____

Petitioner

Certification, as to ownership on the date of petition:	FOR OFFICIAL USE ONLY
Date 4/19/18	[Signature]

Attachment 5: Petition of Annexation Form – South Florence Developers, 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 00052-01-005 &
00052-01-049, 061, 068 & 069

3. Annexation is being sought for the following purposes:

Benefits of City Services & Governance

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 _____

South Florence Developers, LLC
By: [Signature]
Petitioner

Date 4.17.18

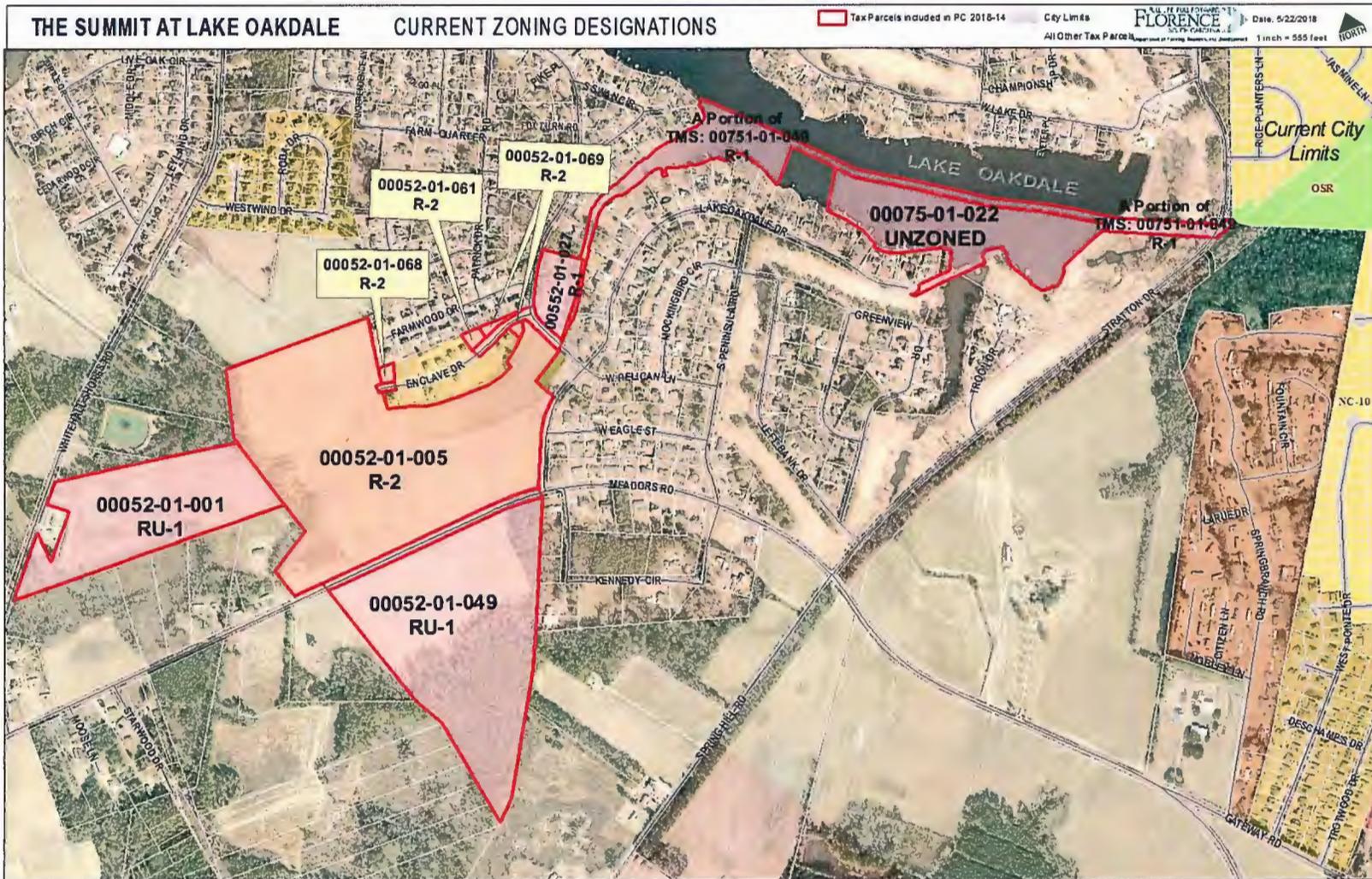
Date _____

Petitioner

* The Petitioner requests the City provide or cost share in a Community Art Station

Certification as to ownership on the date of petition:	FOR OFFICIAL USE ONLY
Date 4/19/18	[Signature]

Attachment 7: Current zoning map



ORDINANCE NO. 2018 _____

AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY FINKLEA LAW FIRM, THE PALMS COURSE AND SOUTH FLORENCE DEVELOPERS, LLC, TMN 00052-01-001, 00052-01-005, 00052-01-049, 00052-01-061, 00052-01-068, 00052-01-069, 00075-01-022, 00552-01-027, and portions of TMN 00751-01-049

WHEREAS, a Public Hearing was held in the Council Chambers on May 8, 2018 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, application by Finklea Law Firm, owner of TMN's 00052-01-001, and 00552-01-207 to be zoned RG-2, and application by The Palms Course, owner of TMN's 00075-01-022, and portions of TMN 00751-01-049 to be zoned OSR, and application by South Florence Developers, LLC, owner of TMN's 00052-01-005, 00052-01-049, 00052-01-061, 00052-01-068, and 00052-01-069 to be zoned RG-2, 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 RG-2, Residential General District and OSR, Open Space Recreational:

The properties requesting annexation are shown more specifically on Florence County Tax Map 00052, block 01, parcel 001 (20.413209 acres), Florence County Tax Map 00052, block 01, parcel 005 (50.099722 acres), Florence County Tax Map 00052, block 01, parcel 049 (35.910721 acres), Florence County Tax Map 00052, block 01, parcel 061 (0.311589 acres), Florence County Tax Map 00052, block 01, parcel 068 (0.262575 acres), Florence County Tax Map 00052, block 01, parcel 069 (0.427413 acres), Florence County Tax Map 00075, block 01, parcel 022 (16.161918 acres), Florence County Tax Map 00552, block 01, parcel 027 (3.068032 acres), and portions of Florence County Tax Map 00751, block 01, parcel 049 (11.59 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.**

EXECUTED ON ONE (1) ADDITIONAL PAGE

Ordinance No. 2018 - _____
Page 2 – June 2018

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: October 8, 2018
AGENDA ITEM: Ordinance – First Reading
DEPARTMENT/DIVISION: Finance

I. ISSUE UNDER CONSIDERATION

An ordinance authorizing the City's recovery of collection costs related to delinquent debts collected pursuant to the Setoff Debt Collection Act.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

A. On October 11, 1993 City Council adopted a resolution authorizing the City's participation in the Setoff Debt Collection Program pursuant to the state Setoff Debt Collection Act to be coordinated by the Municipal Association of South Carolina.

B. The Setoff Debt program provides for the collection of delinquent debts owed to the City through the withholding of SC state income tax refunds by the SC Department of Revenue pursuant to information provided by the City and coordinated through MASC.

C. The resolution adopted in 1993 also provided that the City of Florence would impose a \$25.00 administrative fee per account to defray internal costs of collection for delinquent debts that are sought to be collected as provided in the State Setoff Debt Collection Act.

D. In 2006, MASC required that all participating municipalities that incorporated an administrative fee in the original resolution update this process by adopting an ordinance imposing this administrative fee.

E. The City adopted this required ordinance on September 11, 2006 (see **Attachment 1**). The administrative fee remained at \$25, the amount that has been charged by the City since authorization of the Setoff Debt Collection program in 1993.

F. The ordinance served as a supplement to the enabling resolution adopted in 1993 by City Council.

III. POINTS TO CONSIDER

A. MASC recently conducted a thorough review of the required Setoff Debt documents to include the resolution and related agreement authorizing MASC to act as the claimant agent for the City and the ordinance pertaining to the City's recovery of an administrative fee.

B. Administrative and procedural changes have been made to the documents to ensure that participants stay compliant with the Setoff Debt Collection Act and to continue to allow MASC to serve on their behalf to submit debts to the SC Department of Revenue.

Recovery of Collection Cost Ordinance for Setoff Debt Program – Page 2

C. As part of this process, and to continue participation by the City in the Setoff Debt collection program, MASC requires that the City update its ordinance pertaining to the City's recovery of an administrative fee.

D. The administrative fee, charged since 1993 in the amount of \$25, will remain unchanged.

E. MASC has informed all participating municipalities with an administrative fee that the ordinance must be adopted and a certified copy forwarded to them by November 15, 2018.

IV. STAFF RECOMMENDATION

Staff recommends the approval and adoption of the proposed ordinance.

V. ATTACHMENTS

- A. Proposed Ordinance
- B. **Attachment 1** – 2006 Setoff Debt Ordinance Authorizing the City's collection costs recovery



Thomas W. Chandler
Finance Director



Andrew H. Griffin
City Manager

ORDINANCE NO. _____

AN ORDINANCE RELATING TO THE RECOVERY OF COLLECTION COSTS AS A PART OF DELINQUENT DEBTS COLLECTED PURSUANT TO THE SETOFF DEBT COLLECTION ACT

WHEREAS the City of Florence is a claimant agency as defined in the Setoff Debt Collection Act, S.C. Code Ann. § 12-56-10, et seq. (the Act) and is therefore entitled to utilize the procedures set out in the Act to collect delinquent debts owed to the City of Florence, and

WHEREAS, “delinquent debt” is defined in the Act to include “collection costs, court costs, fines, penalties, and interest which have accrued through contract, subrogation, tort, operation of law, or any other legal theory regardless of whether there is an outstanding judgment for that sum which is legally collectible and for which a collection effort has been or is being made,” and

WHEREAS, the City of Florence has contracted with the Municipal Association of South Carolina to submit claims on its behalf to the SC Department of Revenue pursuant to the Act, and

WHEREAS, the Municipal Association of South Carolina charges an administrative fee for the services it provides pursuant to the Act, and

WHEREAS, the administrative fee charged by the Municipal Association of South Carolina is a cost of collection incurred by the City of Florence that arises through contract, and is therefore properly considered as a part of the delinquent debt owed to the City of Florence as that term is defined in the Act, and

WHEREAS, the City of Florence also incurs internal costs in preparing and transmitting information to the Municipal Association, which costs are also collection costs that are a part of the delinquent debt owed to the City of Florence, and

WHEREAS, the City of Florence may desire to recover its internal costs of collection by adding such costs to the delinquent debt.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Florence, South Carolina as follows:

1. The City of Florence may impose a collection cost of up to \$25.00 to defray its internal costs of collection for any delinquent debts that are sought to be collected pursuant to the provisions of the Setoff Debt Collection Act, S.C. Code Ann. § 12-5610 et. seq. This cost is hereby declared to be a collection cost that arises by operation of law and shall be added to the delinquent debt and recovered from the debtor.
2. The City of Florence hereby declares that the administrative fee charged by the Municipal Association of South Carolina is also a collection cost to the City, which shall also be added to the delinquent debt and recovered from the debtor.
3. All Ordinances in conflict with this Ordinance are hereby repealed.

4. This Ordinance shall be effective on the date of final reading, provided however, that this ordinance is declared to be consistent with prior law and practice and shall not be construed to mean that any fees previously charged to debtors as costs of collection under the Act were not properly authorized or properly charged to the debtor.

This ordinance shall become effective upon adoption.

ADOPTED THIS _____ DAY OF _____, 2018.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela,
Mayor

Attest:

Dianne Rowan
Municipal Clerk

First Reading Approval: _____

Final Reading Approval: _____

ORDINANCE NO. 2006-37

AN ORDINANCE RELATING TO THE RECOVERY OF COLLECTION COSTS AS A PART OF DELINQUENT DEBTS COLLECTED PURSUANT TO THE SETOFF DEBT COLLECTION ACT

WHEREAS, the City of Florence, South Carolina, is a claimant agency as defined in the Setoff Debt Collection Act, SC Code Ann. § 12-56-10, et seq. (the Act) and is therefore entitled to utilize the procedures set out in the Act to collect delinquent debts owed to the City of Florence, and

WHEREAS, “delinquent debt” is defined in the Act to include “collection costs, court costs, fines, penalties, and interest which have accrued through contract, subrogation, tort, operation of law, or any legal theory regardless of whether there is an outstanding judgment for that sum which is legally collectible and for which a collection effort has been or is being made,” and

WHEREAS, the City of Florence has contracted with the Municipal Association of South Carolina to submit claims on its behalf to the SC Department of Revenue pursuant to the Act, and

WHEREAS, the Municipal Association of South Carolina charges a fee for the services it provides pursuant to the Act, and

WHEREAS, the fee charged by the Municipal Association of South Carolina is a cost of collection incurred by the City of Florence that arises through contract, and is therefore properly considered as a part of the delinquent debt owed to the City of Florence as that term is defined in the Act, and

WHEREAS, the City of Florence also incurs internal costs in preparing and transmitting information to the Municipal Association, which costs are also collection costs that are a part of the delinquent debt owed to the City of Florence, and

WHEREAS, the City of Florence desires to recover its internal costs of collection by charging a fee that will be added to the delinquent debt.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Florence, South Carolina as follows:

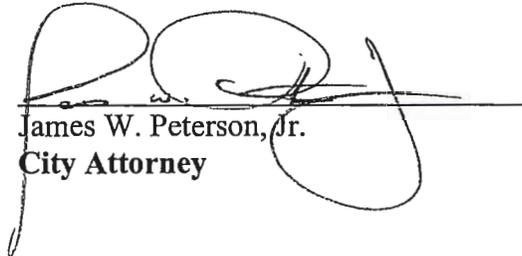
1. The City of Florence hereby imposes an administrative fee in the amount of \$25.00 to defray its internal costs of collection for any delinquent debts that are sought to be collected pursuant to the provisions of the Setoff Debt Collection Act, S.C. Code Ann. § 12-56-10 et seq. This fee is hereby declared to be a collection cost that arises by operation of law and shall be added to the delinquent debt and recovered from the debtor.
2. The City of Florence hereby declares that the administrative fee charged by the Municipal Association of South Carolina is also a collection cost to the City, which shall also be added to the delinquent debt and recovered from the debtor.
3. All Ordinances in conflict with this Ordinance are hereby repealed.

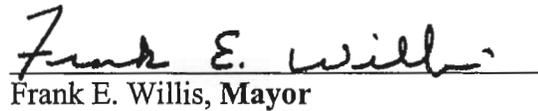
4. This Ordinance shall be effective on the date of final reading, provided however, that this ordinance is declared to be consistent with prior law and practice and shall not be construed to mean that any fees previously charged to debtors as costs of collection under the Act were not properly authorized or properly charged to the debtor.

This ordinance shall become effective upon adoption.

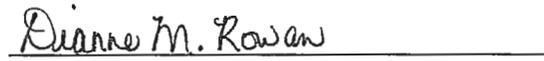
ADOPTED THIS 11th DAY OF September, 2006.

Approved as to form:


James W. Peterson, Jr.
City Attorney


Frank E. Willis, Mayor

Attest:


Dianne Rowan
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: October 8, 2018

AGENDA ITEM: An ordinance authorizing the issuance of a General Obligation Bond Anticipation Note – First Reading

DEPARTMENT: Finance

I. ISSUE UNDER CONSIDERATION

For City Council consideration is an ordinance authorizing the issuance and sale of a General Obligation Bond Anticipation Note in an amount not exceeding \$7,100,000 to be used to reimburse funds expended by the City to defray the costs of certain economic and development efforts in the City's downtown area, and other matters related thereto.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

A. City Council has recently been informed of a significant development project in the City's Downtown Redevelopment District.

B. This development, which is anticipated to result in a private investment of over \$40 million and a public investment of approximately \$17 million, will contribute to the growing investment and development in downtown Florence, and will have an appreciable impact on job creation and the generation of substantial fees and related revenues for the City.

C. On September 10, 2018 City Council approved a resolution declaring the City's intent to make reimbursement for funds advanced by the City from bond obligations issued to pay for costs of certain economic and development efforts in the City's downtown.

III. POINTS TO CONSIDER

A. As City Council was informed at the September 2018 Council meeting, the economic development project will require that the City issue bonds to defray costs that include, but are not limited to, property acquisitions, parking, building demolition, and streetscape additions and improvements.

B. To date, the City has incurred certain significant land acquisition costs and anticipates within the next several months additional expenses for property acquisition, building demolition and infrastructure design.

C. Costs for parking construction and streetscape additions and improvements related to this economic development project are anticipated to occur in 2019.

D. To reimburse the City for the costs incurred to date, the City's financial advisor has recommended that the City issue a short-term, interim financing in the form of a Bond Anticipation Note (BAN).

E. This funding, to be issued for up to one year, would provide interim funding as reimbursement of monies already expended by the City for the economic development project.

F. It is anticipated that a long-term financing would be issued by the City in 2019 to repay the short-term BAN and to fund additional costs by the City for parking construction and streetscape development.

G. Staff is working with the City's financial advisor and bond attorney to obtain competitive bank proposals for the BAN based on the timetable outlined in the attached Financing Schedule.

H. Adoption of an ordinance authorizing the issuance of General Obligation Bond Anticipation Note is required prior to the issuance and sale of these bonds.

IV. STAFF RECOMMENDATION

Staff recommends approval and adoption of the proposed ordinance to provide for the issuance of General Obligation Bond Anticipation Note, and other matters related thereto.

V. ATTACHMENTS

A. An Ordinance authorizing the issuance of a Bond Anticipation Note.

B. The proposed financing schedule for the borrowing.



Thomas W. Chandler
Finance Director



Andrew H. Griffin
City Manager

AN ORDINANCE

TO PROVIDE FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION BOND ANTICIPATION NOTES OF THE CITY OF FLORENCE, SOUTH CAROLINA IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$7,100,000, THE PROCEEDS OF WHICH SHALL BE USED TO DEFRAY THE COST OF CERTAIN ECONOMIC AND DEVELOPMENT EFFORTS IN THE CITY'S DOWNTOWN AREA; TO PAY COSTS OF ISSUANCE; TO PROVIDE FOR THE PAYMENT THEREOF; AND OTHER MATTERS RELATING THERETO.

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

As an incident to the enactment of this Ordinance and the issuance of the notes provided for herein, the City Council of the City of Florence, South Carolina ("**City Council**"), the governing body of the City of Florence, South Carolina (the "**City**"), finds that the facts set forth herein exist and the statements made with respect thereto are true and correct.

WHEREAS, by virtue of the Municipal Bond Act (Article 5, Chapter 21, Title 5 Code of Laws of South Carolina 1976, as amended) and Section 11-27-40 of the Code of Laws of South Carolina 1976, as amended (the "**Enabling Act**"), the City Council is authorized to issue general obligation bonds of the City for any purpose which is a public purpose and a corporate purpose of the City in any amount not exceeding the constitutional debt limit applicable to the City; and

WHEREAS, by Section 11-17-10 to 11-17-120, inclusive, of the Code of Laws of South Carolina 1976, as amended (the "**BAN Act**"), the City Council is authorized to issue notes in anticipation of the issuance of general obligation bonds; and

WHEREAS, pursuant to the authorizations of Article X of the South Carolina Constitution and the Enabling Act and the BAN Act, the City Council has determined to defray the cost of certain economic and development efforts in the City's downtown area including, but not limited to, property acquisitions, parking, building demolition and streetscape additions and improvements (the "**Project**"); and

WHEREAS, certain of the economic and development aspects of the Project include both public and private parties and therefore merit the analysis set forth in *Byrd v. County of Florence* (281 S.C. 402, 315 SE2d 804, 1984) to determine if the Project satisfies the public purpose requirement of the South Carolina Constitution; and

WHEREAS, that analysis requires that City Council "first determine the ultimate goal or benefit to the public intended by the project. Second...whether public or private parties will be the primary beneficiaries. Third, the speculative nature of the project must be considered. Fourth...analyze and balance the probability that the public interest will be ultimately served and to what degree;" and

WHEREAS, City Council has considered how the proceeds of the Notes will be expended and satisfies such four-part test and therefore finds that the Project is a public purpose as required by the South Carolina Constitution.

NOW, THEREFORE, on the basis of the foregoing authorizations and for the purpose of raising the sum of not exceeding \$7,100,000 to be expended to defray the cost of the Project and to pay costs of issuance, the City Council enacts this Ordinance to effect the issuance and sale of the City's not exceeding \$2,900,000 General Obligation Bond Anticipation Note, Taxable Series 2018A (the "**Series 2018A Note**")

and not exceeding \$4,200,000 General Obligation Bond Anticipation Note, Tax-Exempt Series 2018B (the "Series 2018B Note" and, together with the Series 2018A Note, the "Notes").

ARTICLE I

ISSUANCE OF NOTES

Section 1 Authorization of Notes.

Pursuant to the provisions of the Enabling Act and the BAN Act and for the purposes set forth above, there shall be issued the Series 2018A Note and the Series 2018B Note. The Notes shall be originally dated the date of their delivery and shall be in fully-registered form, and shall be payable, both principal and interest, no more than one year from the date of delivery of the Notes as determined by the Mayor.

Section 14 of Article X of the South Carolina Constitution provides that a city may incur general obligation indebtedness without referendum if such indebtedness, together with then outstanding indebtedness subject to the limitation, does not exceed 8% of the assessed value of all taxable property in the City. The most recent final assessed value of all taxable property in the City is not less than \$173,026,301. Eight percent of this sum equals \$13,842,104. Outstanding indebtedness subject to the 8% limit is \$6,046,942. Consequently, the City may incur the Notes without referendum.

Section 2 Award of Notes.

Upon the receipt of bids for the Notes, the Mayor shall award the Notes to the bidder or bidders based substantially on lowest total financing cost (including both interest cost and fees and expenses but reserves the right to select the bid for each of the Notes that best meets the needs of the City. In that regard, the Mayor is authorized to negotiate with the bidders such matters as prepayment provisions and to award the Notes at the sale thereof in accordance with the provisions of this Section. The Mayor is further authorized to take such further action as may be necessary in connection with the delivery of the Notes, his signature to serve as conclusive evidence of approval of such action. The Notes may be awarded separately. The right is reserved to reject all proposals.

Section 3 Interest Rate on Notes.

The Notes shall be sold at a price of not less than par, but any premium offered must be paid in cash as a part of the purchase price.

For the purposes of this Section, interest cost shall mean the aggregate of interest on the Notes from the dated date of the Notes, less any sum named by way of premium.

Section 4 Medium of Payment.

Both the principal of and interest on the Notes shall be payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for the payment of public and private debts.

Section 5 Place of Payments.

Principal of and interest on the Notes, when due, shall be payable at such office as is determined by the Mayor.

Section 6 Execution of Notes.

The Notes shall be executed in the name of the City by the Mayor by his manual signature, and attested by the Clerk, by her manual signature, and the seal of the City shall be impressed or reproduced on the Notes. The Notes shall be executed in respect of any manual signature by the person or persons holding office when the Notes are ready for delivery. The execution of the Notes in this fashion shall be valid and effectual notwithstanding changes in the personnel of any of the above offices subsequent to their execution. No authentication of the Notes is required.

Section 7 Form of Notes.

The Notes shall be issued in fully registered form, and all principal and interest due thereunder shall be payable only to the registered owner thereof. The form of the Notes shall be substantially as set forth in Exhibit A attached hereto and made a part of this Ordinance.

ARTICLE II

SECURITY FOR NOTES

Section 1 Pledge of Full Faith, Credit, and Taxing Power.

For the payment of the principal of and interest on the Notes when due, the full faith, credit, and taxing power of the City are irrevocably pledged. It is specifically provided, however, in lieu of the foregoing pledge, principal and interest on the Notes may be paid from any other funds applicable therefor for the payment of the Notes.

[The Series 2018B Note is a "qualified tax-exempt obligation" pursuant to Section 265(b)(3)(B) of the Internal Revenue Code of 1986, as amended].

ARTICLE III

SALE OF NOTES; DISPOSITION OF PROCEEDS OF SALE

Section 1 Sale of Notes.

Bids shall be received until such time and date at such place as may be selected by the Mayor.

Section 2 Disposition of Proceeds of Sale of Notes.

The proceeds derived from the sale of the Notes issued pursuant to this Ordinance shall be deposited with the Finance Director of the City and shall be expended and made use of by the City Council as permitted by the BAN Act.

ARTICLE IV

STATE TAX EXEMPTION OF NOTES; FEDERAL TAX EXEMPTION OF THE SERIES 2018B NOTE

Section 1 State Tax Exemption of Notes; Federal Tax Exemption of the Series 2018B Note.

Both the principal of and interest on the Notes shall be exempt from all state, county, municipal, school district and all other taxes or assessments of the State of South Carolina, direct or indirect, general or special whether imposed for the purpose of general revenue or otherwise, except inheritance, estate, transfer or certain franchise taxes. The Series 2018B Note shall be excludable from gross income for federal income tax purposes under existing statutes, regulations and judicial decisions.

Section 2 Compliance with the Internal Revenue Code of 1986.

The City shall not take any action or permit or suffer any action to be taken if the result of the same would be to cause the Series 2018B Note to be "Federally guaranteed" within the meaning of Section 149(b) of the Code and the Regulations promulgated thereunder.

The City will comply with all requirements of the Internal Revenue Code of 1986 (the "**Code**") in order to preserve the tax-exempt status of the Series 2018B Note, including without limitation, (i) the requirement to file the information report with the Internal Revenue Service, and (ii) the requirement to rebate certain arbitrage earnings to the United States Government pursuant to Section 148(f) of the Code. In this connection, the City covenants to execute any and all agreements, certificates and other documentation as it may be advised by bond counsel will enable it to comply with this Section.

The City hereby represents and covenants that it will not take any action which will, or fail to take any action which failure will, cause interest on the Series 2018B Note to become includable in the gross income of the bidder thereof for federal income tax purposes pursuant to the provisions of the Code and regulations promulgated thereunder in effect on the original issue date of the Series 2018B Note.

Section 3 Ability to Meet Arbitrage Requirements.

Careful consideration has been given to the time in which the expenditures will be made. It has been ascertained that all of the money received from the proceeds of the Series 2018B Note will be expended within the limitations imposed by Section 148 of the Code and the Treasury regulations promulgated pursuant thereto.

ARTICLE V

MISCELLANEOUS

Section 1 Execution of Closing Documents and Certificates.

The Mayor and the Clerk are fully authorized and empowered to take such further action and to execute and deliver such closing documents and certificates as may be necessary and proper in order to complete the issuance of the Notes herein authorized and the action of such officers or any one or more of them in executing and delivering any of such documents, in such form as he or they shall approve, is hereby fully authorized, their signature to be conclusive evidence of such approval.

Section 2 Benefits of Ordinance Limited to the City and Holder of the Notes.

With the exception of rights or benefits herein expressly conferred, nothing expressed or mentioned in or to be implied from this Ordinance or the Notes is intended or should be construed to confer upon or give to any person other than the City and the holder of the Notes, any legal or equitable right, remedy or claim under or by reason of or in respect to this Ordinance or any covenant, condition, stipulation, promise, agreement or provision herein contained. This Ordinance and all of the covenants, conditions, stipulations, promises, agreements and provisions hereof are intended to be and shall be for and inure to the sole and exclusive benefit of the City and the holder from time to time of the Notes as herein and therein provided.

Section 3 Ordinance Binding Upon Successors or Assigns of the City.

All the terms, provisions, conditions, covenants, warranties and agreements contained in this Ordinance shall be binding upon the successors and assigns of the City and shall inure to the benefit of the holder of the Notes.

Section 4 Effect of Saturdays, Sundays and Legal Holidays.

Whenever this Ordinance requires any action to be taken on a Saturday, Sunday, legal holiday or bank holiday in the State of South Carolina, such action shall be taken on the first business day occurring thereafter. Whenever in this Ordinance the time within which any action is required to be taken or within which any right will lapse or expire shall terminate on a Saturday, Sunday, legal holiday or bank holiday, in the State of South Carolina, such time shall continue to run until midnight on the next succeeding business day.

Section 5 Partial Invalidity.

(a) If any one or more of the covenants or agreements or portions thereof provided in this Ordinance on the part of the City to be performed should be determined by a court of competent jurisdiction to be contrary to law, then such covenant or covenants, or such agreement or agreements, or such portions thereof, shall be deemed severable from the remaining covenants and agreement or portions thereof provided in this Ordinance and the invalidity thereof shall in no way affect the validity of the other provisions of this Ordinance or of the Notes, but the holders of the Notes shall retain all the rights and benefits accorded to them hereunder and under any applicable provisions of law.

(b) If any provisions of this Ordinance shall be held or deemed to be or shall, in fact, be inoperative or unenforceable or invalid as applied in any particular case in any jurisdiction or jurisdictions or in all jurisdictions, or in all cases because it conflicts with any constitution or statute or rule of public policy, or for any other reason, such circumstances shall not have the effect of rendering the provision in question inoperative or unenforceable or invalid in any other case or circumstance, or of rendering any other provision or provisions herein contained inoperative or unenforceable or invalid to any extent whatever.

Section 6 Law and Place of Enforcement of the Ordinance.

This Ordinance shall be construed and interpreted in accordance with the laws of the State of South Carolina, and all suits and actions arising out of this Ordinance shall be instituted in a court of competent jurisdiction in such State.

DONE IN MEETING DULY ASSEMBLED, this ____ day of November, 2018.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela
Mayor

Attest:

Dianne Rowan
Municipal Clerk

First Reading: October 8, 2018
Second Reading: November __, 2018

UNITED STATES OF AMERICA
STATE OF SOUTH CAROLINA
CITY OF FLORENCE
GENERAL OBLIGATION BOND ANTICIPATION NOTE,
[TAXABLE SERIES 2018A/TAX-EXEMPT SERIES 2018B]

NO. R-1

Interest Rate (____%)

Original Date of Issue:

Registered Owner:

Principal Sum: _____ Dollars

KNOW ALL MEN BY THESE PRESENTS, that the **CITY OF FLORENCE, SOUTH CAROLINA** (the "City"), a body politic and corporate and a municipal corporation under the laws of the State of South Carolina, is justly indebted, and, for value received, hereby promises to pay to the Registered Owner or registered assigns hereof the Principal Sum set forth above, together on _____, 2019, and interest (computed on the basis of a 360-day year consisting of twelve 30-day months) on such Principal Sum from the Original Debt of Issue set forth above, at the Interest Rate per annum specified above. The principal of and interest on this note, when due, shall be payable at the principal office of _____, in the City of _____, State of _____. Both the principal of and interest on this note are payable in any coin or currency of the United States of America which is, at the time of payment, legal tender for the payment of public and private debts.

This Note is issued in anticipation of the issuance of general obligation bonds and is payable both principal and interest from the proceeds thereof. It shall at all times be lawful for the City to utilize any other funds applicable therefor for the payment of the principal and interest on the Note. For the prompt payment hereof, both principal and interest, as the same shall become due, the full faith, credit and taxing power of the City.

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

[This Note is a "qualified tax-exempt obligation" pursuant to Section 265(b)(3)(B) of the Internal Revenue Code of 1986, as amended.]

This Note is issued pursuant to and for purposes authorized by the Municipal Bond Act (Article 5, Chapter 21, Title 5, Code of Laws of South Carolina 1976, as amended) and Section 11-27-40 of the Code of Laws of South Carolina 1976, as amended, and an Ordinance (the "**Ordinance**"), enacted by the City Council of the City of Florence, South Carolina, in order to obtain funds with which to defray the cost of certain economic and development efforts in the City's downtown area including, but not limited to,

property acquisitions, parking, building demolition and streetscape additions and improvements, together with costs of issuance.

[The Note shall not be subject to prepayment prior to maturity].

All principal, interest or other amounts due hereunder shall be payable only to the Registered Owner hereof. This note may not be transferred or assigned. Any purported assignment in contravention of the foregoing requirements shall be, as to the City, absolutely null and void. The person in whose name this note shall be registered shall be deemed and regarded as the absolute owner hereof for all purposes, and payment of the principal of and interest on this note shall be made only to or upon the order of the Registered Owner or his legal representative. All such payments shall be valid and effective to satisfy and discharge the liability of the City upon this note to the extent of the sum or sums so paid. No person other than the Registered Owner shall have any right to receive payments, pursue remedies, enforce obligations or exercise or enjoy any other rights under this note against the City. Notwithstanding the foregoing, nothing herein shall limit the rights of a person having a beneficial interest in this note as against a person (including the Registered Owner) other than the City, as in the case where Registered Owner is a trustee or nominee for two or more beneficial owners of an interest in this note.

IT IS HEREBY CERTIFIED AND RECITED that all acts, conditions, and things required by the Constitution and Laws of the State of South Carolina to exist, to happen, and to be performed precedent to or in the issuance of this note exist, have happened, and have been done and performed in regular and due time, form, and manner; that the total indebtedness of the City, including this note, does not exceed any constitutional or statutory limitation thereon; and that provision has been made for the levy and collection of sufficient taxes, without limit, for the payment of the principal and interest hereof, as the same shall fall due.

IN WITNESS WHEREOF, THE CITY OF FLORENCE, SOUTH CAROLINA, has caused this Note to be signed in its name by the Mayor of the City of Florence, by his manual signature, attested by the Clerk of the City Council of the City of Florence, by her manual signature, under the Seal of the City of Florence impressed or reproduced hereon, and this Note to be dated the ____ day of December, 2018.

CITY OF FLORENCE, SOUTH CAROLINA

(SEAL)

By: _____
Mayor

ATTEST:

Clerk of City Council

STATE OF SOUTH CAROLINA)
)
COUNTY OF FLORENCE)

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

That the foregoing is a true, correct and verbatim copy of an Ordinance unanimously adopted by the said City Council, having been read at two duly called and regularly held meetings at which a quorum attended and remained throughout on each of October 8 and November __, 2018.

That the said Ordinance is now in full force and effect and has not been modified, amended, repealed or rescinded.

IN WITNESS WHEREOF, I have hereunto set my Hand this ____ day of November, 2018.

Municipal Clerk

CITY OF FLORENCE, SOUTH CAROLINA
 General Obligation Bond Anticipation Note, \$2,850,000* Series 2018A (Taxable)
 \$4,150,000* Series 2018B (Tax-exempt)
 FINANCING SCHEDULE

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

DATE	TASK	RESPONSIBILITY
September 15	▪ Circulate draft of Bank RFP	FTA
October 8	▪ City Council gives 1st reading	City
October 15	▪ First Tryon distributes Notice of Sale/Bank RFP to Banks	FTA/BC
November 5	▪ Bank proposals due to the City	FTA
November 12	▪ City Council gives 2nd reading [Meeting Date To Be Confirmed]	City
November 13	▪ Publish Notice of Adoption	BC
December 4	▪ Close GO BAN Issue	Working Group

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

RESPONSIBILITY LEGEND:

Role	Entity	Defined
Issuer	City of Florence, South Carolina	"City"
Bond Counsel	Haynsworth Sinkler Boyd	"BC"
Financial Advisor	First Tryon Advisors	"FTA"
Bank	TBD	"B"
Bank's Counsel	TBD	"BKC"

FLORENCE CITY COUNCIL MEETING

DATE: October 8, 2018

AGENDA ITEM: Ordinance to Annex and Zone Property Owned by David and Kristen Moss, TMN 01221-01-307

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex property located at 2481 Parsons Gate., Tax Map Number 01221-01-307, into the City of Florence and zone to (NC-15), Neighborhood Conservation-15 District. The request is being made by the property owners, David and Kristen Moss.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

(1) On September 11, 2018 Planning Commission held a public hearing on this matter, and voted unanimously, 7-0 to recommend the zoning request of (NC-15), Neighborhood Conservation-15 District.

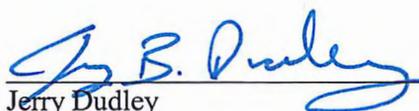
III. POINTS TO CONSIDER:

- (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

Attachment 2

Vicinity Map: 2481 Parsons Gate Florence, SC 29501



Legend

- City Limits
- Parcels



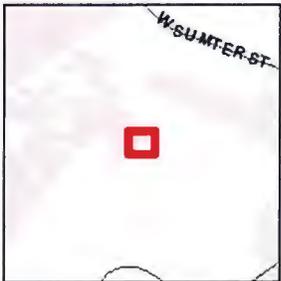
DISCLAIMER:
 The City of Florence Department of Planning, Research, and Development data represented on this map is the product of compilation, as produced by others. It is provided for informational purposes only and the City of Florence makes no representation as to its accuracy. Its use without field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

60 30 0 60 Feet

Date: 10/2/2011

Attachment 3

Location Map: 2481 Parsons Gate Florence, SC 29501



Legend

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



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



Date: 10/2/2013

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

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

city services

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

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

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

Date Aug. 10, 2018

Trister D. Moss
Petitioner

Date _____

Petitioner

Certification as to ownership on the date of petition:	FOR OFFICIAL USE ONLY
Date <u>8/10/18</u>	<i>Alfred Casady</i>

ORDINANCE NO. 2018 _____

AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY DAVID AND KRISTEN MOSS, TMN 01221-01-307

WHEREAS, a Public Hearing was held in the Council Chambers on September 11, 2018 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, application by David and Kristen Moss, owner of TMN 01221-01-307, 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 307 (0.606066 acres).

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

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

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

- 1. That an Ordinance is hereby adopted annexing into the City Limits of the City of Florence the aforesaid 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: October 8, 2018

AGENDA ITEM: Resolution

DEPARTMENT/DIVISION: Finance

I. ISSUE UNDER CONSIDERATION

A. A Resolution Authorizing the Municipal Association of South Carolina to act as the Claimant Agent for the City of Florence, SC for the collection of debt in accordance with the Setoff Debt Collection Act.

B. This resolution serves to incorporate administrative and procedural updates to the Setoff Debt participation agreement adopted by City Council and in effect since 1993.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

A. On October 11, 1993 City Council adopted a resolution authorizing the City's participation in the Setoff Debt Collection Program pursuant to the state Setoff Debt Collection Act to be coordinated by the Municipal Association of South Carolina ("MASC") (see **Attachment 1**). A participation agreement was entered between the City and MASC following adoption of the resolution (see **Attachment 2**).

B. The Setoff Debt program provides for the collection of delinquent debts owed to the City through the withholding of SC state income tax refunds by the SC Department of Revenue pursuant to information provided by the City and coordinated through MASC.

III. POINTS TO CONSIDER

A. MASC recently conducted a thorough review of the required Setoff Debt documents to include the resolution and related participation agreement authorizing MASC to act as the claimant agent for the City.

B. Administrative and procedural changes have been made to the documents to ensure that participants stay compliant with the Setoff Debt Collection Act and to continue to allow MASC to serve on their behalf to submit debts to the SC Department of Revenue.

C. Both the proposed resolution and participation agreement incorporate these revised administrative and procedural processes.

D. For the City to continue participation in the Setoff Debt collection program, MASC requires that the City update its resolution and related participation agreement.

E. MASC has informed all participating municipalities that the resolution must be adopted and forwarded to them by November 15, 2018.

IV. STAFF RECOMMENDATION

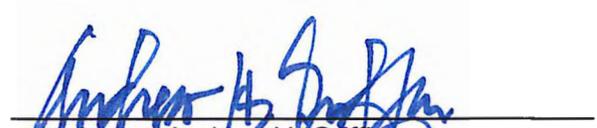
Staff recommends the approval and adoption of the proposed resolution and related agreement.

V. ATTACHMENTS

- A. Updated Resolution
- B. Updated Participation Agreement
- C. **Attachment 1** – 1993 Setoff Debt Resolution
- D. **Attachment 2** – 1993 Participation Agreement



Thomas W. Chandler
Finance Director



Andrew H. Griffin
City Manager

RESOLUTION NO. _____

A RESOLUTION TO AUTHORIZE THE MUNICIPAL ASSOCIATION OF SOUTH CAROLINA TO ACT AS CLAIMANT AGENCY FOR THE COLLECTION OF DEBT ON BEHALF OF THE CITY OF FLORENCE, SC IN ACCORDANCE WITH THE SETOFF DEBT COLLECTION ACT.

WHEREAS, the Setoff Debt Collection Act (S.C. Code Ann. §12-56-10) allows the South Carolina Department of Revenue to render assistance in the collection of debt owed to political subdivisions of the State; and

WHEREAS, the Municipal Association of South Carolina will act as a claimant agency as provided by S.C. Code Ann. §12-56-10 for political subdivisions in South Carolina; and

WHEREAS, the City of Florence desires to participate in the Setoff Debt Collection Program of the Municipal Association.

NOW THEREFORE, BE IT RESOLVED, that the City of Florence authorizes the City Manager to enter into an agreement with the Municipal Association of South Carolina for the collection of debt owed the City of Florence.

BE IT FURTHER RESOLVED, that the City of Florence indemnifies the Municipal Association of South Carolina to the extent permitted by law against any injuries, actions, liabilities or proceedings arising from performance under the setoff debt provisions.

RESOLVED THIS _____ DAY OF _____, 2018.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela,
Mayor

Attest:

Dianne Rowan
Municipal Clerk

AGREEMENT

To Authorize the Municipal Association of South Carolina to Act as Claimant Agency In Accordance With the Setoff Debt Collection Act

State of South Carolina

This agreement made and entered into this _____ day of _____ 2018, between the Municipal Association of South Carolina and the City of Florence, South Carolina (the Participant).

Witnesseth: That for the consideration hereinafter set forth, the Association and the Participant agree that:

1. The Association will act as claimant agency in accordance with the Setoff Debt Collection Act (§12-56-10 et seq.).
2. The Participant will send a postage prepaid letter to each debtor at the address provided to the participant when the debt was incurred or to the debtor's last known address to inform the debtor of its intention to have the Association collect the debt owed under the Setoff Debt Collection Act. The debtor will be given thirty (30) days' notice to pay the debt or file a written protest before it is submitted to the Association. The notice to the debtor shall contain all information and be in the form required by S.C. Code Ann §12-56-62, as currently in effect or as it may be subsequently amended.
3. The Participant will establish a procedure for review of a protest in accordance with the S.C. Code Ann. §12-56-65, as currently in effect or as it may be subsequently amended.
4. The Participant will provide the Association, in a form prescribed by the Association, a certified list of claims before a designated date in December of each year.
5. The Association will compile these claims, including applicable costs and fees as charged by the Participant or by the Association, and submit them to the South Carolina Department of Revenue on or before the date required by the South Carolina Department of Revenue.
 - The South Carolina Department of Revenue will retain \$25 for each successful setoff to defray its collection cost. This fee is in addition to the original debt amount and to the extent such a fee is authorized by law.
 - The Association will retain \$25 for each successful setoff to defray its collection cost. This fee is in addition to the original debt amount and to the extent such a fee is authorized by law.
 - The Association will return all monies including any Participant cost, minus the SCDOR and MASC fee to the Participant.
6. The Participant indemnifies the Association to the extent permitted by law against any injuries, actions, liabilities or proceedings arising from performance under the S.C. Setoff Debt Collection Act, S.C. Code §12-56-10, et seq. or otherwise relating to this agreement.

7. This agreement shall remain in full force and effect until terminated by either party upon giving at least ninety (90) days' notice in writing to the other party. Any claims being processed shall remain covered by this agreement until canceled by the South Carolina Department of Revenue. The Participant shall annually certify to the Association that the Participant has complied with all requirements of the Setoff Debt Collection Act, and that the claims submitted to the Association are valid debts not subject to any pending protest or appeal.

MUNICIPAL ASSOCIATION OF SOUTH CAROLINA

By: _____
J. Wayne George
Executive Director

Name of Participant: **City of Florence, South Carolina**

By: _____
Andrew H. Griffin
City Manager

Date: _____

STATE OF SOUTH CAROLINA
COUNTY OF FLORENCE

RESOLUTION NO. 93-30

A RESOLUTION TO AUTHORIZE THE MUNICIPAL ASSOCIATION OF SOUTH CAROLINA TO ACT AS CLAIMANT AGENT FOR THE CITY OF FLORENCE FOR THE COLLECTION OF DEBT IN ACCORDANCE WITH THE SETOFF DEBT COLLECTION ACT OF 1988.

WHEREAS, the Setoff Debt Collection Act of 1988 (Section 12-54-410) allows the South Carolina Tax Commission to render assistance in the collection of debt owing to political subdivisions of the State; and

WHEREAS, the Municipal Association of South Carolina will act as the claimant agent for municipalities in South Carolina; and

WHEREAS, the City of Florence desires to participate in the Setoff Debt Collection Program of the Municipal Association;

NOW, THEREFORE, BE IT RESOLVED, that the City of Florence authorizes the Mayor to enter into an agreement with the Municipal Association of South Carolina for the collection of debt owed this municipality.

BE IT FURTHER RESOLVED, that the City of Florence indemnifies the Municipal Association of South Carolina to the extent permitted by law against any injuries, actions, liabilities or proceedings arising from performance under the setoff debt provisions.

BE IT FURTHER RESOLVED, that the City of Florence will impose an administrative fee of \$25.00 (twenty-five and no/hundredths dollars) per account submitted to the Municipal Association of South Carolina for the purpose of defraying additional collection expenses incurred by the City in the administration of the Setoff Debt Collection Program.

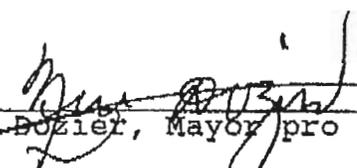
RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FLORENCE THIS
11th DAY OF October, 1993.

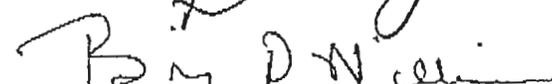
Approved as to form:

Patricia Singleton Parr
City Attorney

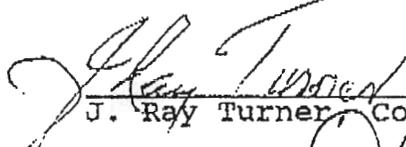


Haigh Porter, Mayor

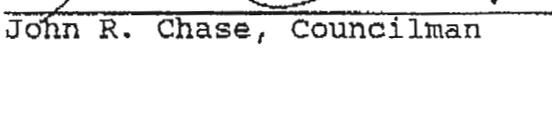

Ben Bozier, Mayor pro tem


Billy D. Williams, Councilman

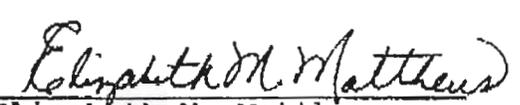

Edward Robinson, Councilman


J. Ray Turner, Councilman


John R. Chase, Councilman


John R. Outlaw, Councilman

ATTEST:


Elizabeth M. Matthews
Municipal Clerk

AGREEMENT

To Authorize The Municipal Association Of South Carolina To Act As Claimant Agent In Accordance With The Setoff Debt Collection Act Of 1988

State of South Carolina

This agreement made and entered into this eleventh day of October,
1993, between the Municipal Association of South Carolina and the City/Town of _____
Florence

Witnesseth: That for the consideration hereinafter set forth, the Association and the City/Town agree that:

1. The Association will act as claimant agent for the City/Town of Florence in accordance with the Setoff Debt Collection Act of 1988 (Section 12-54-410).
2. The City/Town will send a certified letter to each debtor's last known address to inform the debtor of its intention to have the Association collect the debt owed under the Setoff Debt Collection Act of 1988. The debtor will be given thirty days notice to pay the debt before it is submitted to the Association.
3. The City/Town will establish a procedure for review of protest by the debtor both prior to submission of the debt and after setoff collection.
4. The City/Town will provide the Association, in a form prescribed by the Association, a certified list of claims before a designated date in December of each year.
5. The Association will compile the claims from municipalities and submit them to the South Carolina Department of Revenue prior to December 31 of each year.
6. The South Carolina Department of Revenue will retain \$25.00 for each successful setoff to defray its collection cost.
7. The Association will retain \$25.00 for each successful setoff to defray its collection cost.
8. The Association will return to the City/Town the amount of the claim minus its \$25.00 collection cost.
9. The City/Town indemnifies the Association to the extent permitted by law against any injuries, actions, liabilities or proceedings arising from performance under the setoff debt provisions.

10. This agreement shall remain in full force and effect until terminated by either party upon giving at least ninety (90) days notice in writing to the other party. Any claims being processed shall remain covered by this agreement until cancelled by the South Carolina Department of Revenue.

MUNICIPAL ASSOCIATION OF SOUTH CAROLINA

By: Howard E. Duvall, Jr.
Howard E. Duvall, Jr.
Executive Director

City/Town of Florence

By: John A. Pote
Mayor

Date: October 11, 1993

***IX. Report to Council
Boards & Commissions***

FLORENCE CITY COUNCIL MEETING

DATE: October 8, 2018

AGENDA ITEM: Report to Council / Boards & Commissions

DEPARTMENT/DIVISION: City Council

I. ISSUE UNDER CONSIDERATION:

Council will consider nominations for the Zoning Board of Appeals, the Parks and Beautification Commission and the Planning Commission

II. CURRENT STATAUS / PREVIOUS ACTION TAKEN:

There is one vacancy on the Zoning Board of Appeals, one vacancy on the Parks and Beautification Commission and one vacancy on the Planning Commission


Andrew H. Griffin
City Manager

SCHEDULE OF COUNCIL NOMINATIONS TO BOARDS AND COMMISSIONS - October 2018

	District 1	District 2	District 3	At-Large 1	At-Large 2	At-Large 3	Mayor	
	Ervin	Moore	Brand	Jebaily	Wms-Blake	Willis	Wukela	Currently Serving
City of Florence Zoning Board of Appeals	X							Vacancy - Scott Kozacki
Parks and Beautification Commission	X							Vacancy - John Jebaily
City of Florence Planning Commission				X				Vacancy - Mr. Simon Lee has resigned

City of Florence Board of Zoning Appeals

Current Board Member

Status

**Councilmember to
make appointment**

Vacancy

Scott Kozacki resigned

Councilwoman Ervin

Attachments:

Letters of interest from current board member
Applications received



CITY ADMINISTRATION

TEL: (843) 665-3113

FAX: (843) 665-3110

May 30, 2018

Mr. Scott Kozacki
P. O. Box 1909
Florence, SC 29503

Dear Mr. Kozacki:

Our records indicate that your term on the City of Florence Board of Zoning Appeals will expire on June 30, 2018. City Council will begin reviewing the vacancies on the Boards and Commissions at their July meeting.

If you wish to be considered for reappointment to the City of Florence Board of Zoning Appeals or if you would like to discontinue serving, please indicate your choice by marking the appropriate blank below. **Please sign and return this letter to our office.**

The City of Florence appreciates your past service on this Board. If you have any questions regarding this appointment, please feel free to contact me.

Sincerely,

Drew Griffin
City Manager

I would like to be considered for reappointment to the City of Florence Board of Zoning Appeals.

I do not want to be considered for reappointment to the City of Florence Board of Zoning Appeals. **AT THIS TIME. UNEXPECTED MEDICAL CONDITIONS OF FAMILY MEMBERS NOW PREVENT ME FROM DOING SO. HOWEVER, I WOULD BE WILLING TO AGAIN SERVE IN THE FUTURE.**

Mr. Scott Kozacki

Parks and Beautification Commission

Current Board Member

Status

**Councilmember to
make appointment**

Vacancy

John Jebaily has resigned

Councilwoman Ervin

Attachments:

Letters of interest from current board member
Applications received

Appointees

Roger Malfatti
Chairman

Nikki Player
Vice-Chairman

Alexis Fleming

Cecil Floyd

Thomasina Foster

Jerry Lee Keith, Jr.

Scott Murphy

Walter Sallenger

George Scipio, III

Timothy Waters

Veterans Park Committee

Barry Wingard
Chairman

Bruce Mallick
Vice-Chairman

Donnie Carter

James McLaughlin

Michael Montrose

Carlos Washington

June 6, 2018

Timothy Waters
602 Stackley Street
Florence, SC 29501

Dear Mr. Waters:

The City of Florence Parks and Beautification Commission would like to thank you for your service as a Commission member.

As stated in the City of Florence, Code of Ordinances, Section 2-47 (c), "Any member of a board or commission who fails to attend three (3) consecutive meetings or attends less than fifty (50) percent of the meetings during the course of a one-year appointment commencing with the date of appointment, shall be removed from the commission after due notice by the chairman of the board of commission".

This letter will serve to notify you that you have been removed from the Parks and Beautification Commission as provide for in Section 2 -47 (c), of the City of Florence Code of Ordinances due to having missed more than fifty percent of the required meetings.

Again, thank you for your service as a commission member and we wish you well going forward.

Sincerely,

Roger A. Malfatti

Roger Malfatti
Chairman



APPLICATION FOR BOARDS AND COMMISSIONS CITY OF FLORENCE SOUTH CAROLINA

Board or Commission for which you are applying: Parks and Beautification Commission			
Your Name (Last, First, Middle) Herbert, Karen Marie	County Florence	Council District 03	
Residential Address 1822 Brandon Dr.	City Florence	State South Carolina	Zip Code 29505
Mailing Address 1822 Brandon Dr.	City Florence	State South Carolina	Zip Code 29505
Your Occupation- Title Tutor (part-time)	Business Phone 843-661-8281	Residence Phone 843-245-6560	
Employer Name Florence Darlington Technical College	E-Mail Address karen.herbert@fdtc.edu		
Employer Address 2715 W. Lucas St.	City Florence	State South Carolina	Zip Code 29502

General Qualifications

Are you a resident of the City? Yes No How long? 18 years

Why would you like to serve?

I feel that a strong Parks & Rec system leads to a strong city that can bring a better quality of life to our citizens. The more we have to do here, the less time (and money) spent at the beach.

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

No

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

No

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

No

Are you involved in any community activities? If yes, please list:

I am a member of the League of Women Voters and recently partnered with Rep. Terry Alexander to present the Pee Dee Education Symposium on August 2nd.

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

To continue to build on the success of downtown Florence with additional attractions for families, to make sure our parks are well maintained and safe, especially in areas that have been neglected.

Please initial and date below:

KMH 8/17/18 I certify that the information above is true and correct.

KMH 8/17/18 I understand that the information on this form will be considered public information.

Karen M. Herbert

RETURN COMPLETED FORM TO:

Office of the City Clerk
City of Florence, City Center
324 W. Evans Street
Florence, SC 29501
Phone: (843) 665-3113 Fax: (843) 665-3110
Email: drowan@cityofflorence.com

OFFICE USE ONLY

Received:	<u>Aug. 21, 2018</u>
Appointed to:	
Date:	



APPLICATION FOR BOARDS AND
COMMISSIONS CITY OF FLORENCE
SOUTH CAROLINA

Board or Commission for which you are applying: Parks and Beautification Commission			
Your Name (Last, First, Middle) New, Brian	County Florence	Council District District 3	
Residential Address 1725 Progress Street	City Florence	State South Carolina	Zip Code 29501
Mailing Address 1725 Progress Street	City Florence	State South Carolina	Zip Code 29501
Your Occupation- Title CEO of Florence Family YMCA	Business Phone 843-665-1234	Residence Phone 843-661-6719	
Employer Name Florence Family YMCA	E-Mail Address bnew@florenceymca.org		
Employer Address 1700 Rutherford Drive	City Florence	State South Carolina	Zip Code 29505

General Qualifications

Are you a resident of the City? Yes No How long? 30 years

Why would you like to serve?

As the Director of a non-profit community organization I feel it is important to be involved in the community beyond my job and I feel that this is another avenue to give back to the community.

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

No

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

No

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

Yes, the Florence Family YMCA has received funding in the past for help with giving low income children free swimming lessons, but it has not sought or received any funds for a number of years.

Are you involved in any community activities? If yes, please list:

Yes, I am a member of Florence West Rotary, the Mayor's coalition, Eat Smart/Move More, I Play (inclusive play for all children) and I am a Chamber Ambassador.

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

I would like to see the Parks and Trails in Florence continue to improve in an effort to encourage families to spend more time outside engaging in healthy activities.

Please initial and date below:

B&V 8-17-18 I certify that the information above is true and correct.

B&V 8-17-18 I understand that the information on this form will be considered public information.

RETURN COMPLETED FORM TO:

Office of the City Clerk
City of Florence, City Center
324 W. Evans Street
Florence, SC 29501
Phone: (843) 665-3113 Fax: (843) 665-3110
Email: drowan@cityofflorence.com

OFFICE USE ONLY

Received:	<u>Aug. 21, 2018</u>
Appointed to:	
Date:	



APPLICATION FOR BOARDS AND COMMISSIONS CITY OF FLORENCE SOUTH CAROLINA

Board or Commission for which you are applying: Parks and Beautification Commission			
Your Name (Last, First, Middle) Roberts, Ron	County Florence	Council District South Florence-Alligator Road	
Residential Address 3204 Spiral Lane	City Florence	State South Carolina	Zip Code 29502
Mailing Address PO BOX 7551	City Florence	State South Carolina	Zip Code 29502
Your Occupation- Title Counselor	Business Phone 843-661-8084	Residence Phone 843-453-3372	
Employer Name FDTC	E-Mail Address RON.ROBERTS@FDTC.EDU		
Employer Address NA	City Florence	State South Carolina	Zip Code 29502

General Qualifications

Are you a resident of the City? Yes No How long? 10 years

Why would you like to serve?
To give back to the community and to make a difference

Do you presently serve on any Commissions/Boards of the City/County/State? If yes, please list below:
no

Have you formerly served on any Commissions/Boards of the City/County/State? If yes, please list below:
no

Are you currently in a position of responsibility with an organization or board that has received or is seeking funding from the City of Florence? If yes, list the position and date:
no

Are you involved in any community activities? If yes, please list:
Yes, Church, work and community events

What are your goals and objectives if appointed to the Commission/Board?
To help build the community and to make a difference

Please initial and date below:

RR 09/27/2017 I certify that the information above is true and correct.

INITIAL DATE
RR 09/27/2017 I understand that the information on this form will be considered public information.
INITIAL DATE

RETURN COMPLETED FORM TO:

Office of the City Clerk
City of Florence, City Center
324 W. Evans Street
Florence, SC 29501
Phone: (843) 665-3113 Fax: (843) 665-3110
Email: drowan@cityofflorence.com

OFFICE USE ONLY

Received:	
Appointed to:	
Date:	

City of Florence Planning Commission

Current Board Member

Status

**Councilmember to
make appointment**

Vacancy

Simon Lee has resigned

Councilman Jebaily

Attachments:

Letters of interest from current board member
Applications received

**IX. b.
Accommodations Tax
Funds Appropriations**

FLORENCE CITY COUNCIL MEETING

DATE: October 8, 2018
AGENDA ITEM: Accommodations Tax
DEPARTMENT/DIVISION: Finance

I. ISSUE UNDER CONSIDERATION

Appropriation of Accommodations Tax funds for FY 2018-19.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

No previous action has been taken by City Council for FY 2018-19 Accommodations Tax funding requests.

III. POINTS TO CONSIDER

The recommendations of the Accommodations Tax Advisory Committee are attached.

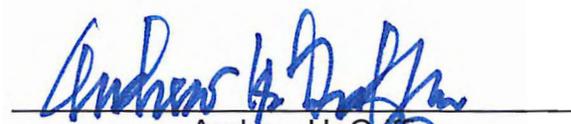
IV. OPTIONS

- A. Approve the recommendation of the Advisory Committee.
- B. Adjust appropriations.

V. ATTACHMENTS

A memo and related information from Accommodations Tax Advisory Committee is attached for City Council review.


Thomas W. Chandler
Finance Director


Andrew H. Griffin
City Manager



City of Florence, SC Memorandum

To: Mayor Wukela and Members of City Council

From: City of Florence Accommodations Tax Advisory Committee

Subject: **Accommodations Tax Funding Recommendations for FY 2018-19**

Date: October 8, 2018

The Accommodations Tax Advisory Committee held meetings in August and September 2018 for the purpose of receiving and evaluating Accommodations Tax funding requests for fiscal year 2018-2019. Requests were received from twenty-six (26) organizations requesting "65% funds" and one (1) organization requesting "30% funding.

The Committee has studied these requests carefully, examining closely the critical needs expressed by the representatives of the requesting agencies, and evaluating the impact these agencies have on the tourism in the Florence community.

Preliminary projections indicate that approximately \$535,000 of the "65% funds" will be available for allocation to requesting agencies and an additional \$246,000 for tourism promotion in the "30% funds."

The Accommodations Tax Advisory Committee is again recommending to City Council that the 2018-2019 appropriations to the various arts organizations be routed through the Florence Regional Arts Alliance to enable that organization to receive additional grant funding through the South Carolina Arts Commission. The Florence Regional Arts Alliance will then disburse the Accommodations Tax funds directly to the funded arts organizations in the amounts appropriated by City Council. This arrangement enables the Arts Alliance to substantially increase its level of grant funding from the South Carolina Arts Commission for its Small Grants Program which benefits a large number of arts organizations in the Florence area. The organizations/events which will be funded in this manner include: **The Masterworks Choir, Florence Little Theatre, Florence Symphony Orchestra, Arts International Festival, Sankofa Festival, SC Dance Theatre, Lucky Shamrock Festival, and the Kickin' Chicken Wing and Chili Cookoff** in addition to the independent funding of the Florence Area Arts Alliance.

Attached you will find the Accommodations Tax Requests for FY 2018-2019 report listing all organizations requesting funds for this year; the amount of funding received by these organizations for FY 2017-18; the amount of funds requested by the organizations for FY 2018-19; and the recommendations of the Advisory Committee (**Attachment 1**). You will also find attached an Accommodations Tax Financial Report for fiscal year ending June 30, 2018 (**Attachment 2**). In addition, an Accommodations Tax Projection of Receipts for FY 2018-19 is included for your information (**Attachment 3**). Also enclosed is a copy of the public notice printed in the local newspaper providing information concerning application for Accommodations Tax Funding (**Attachment 4**).

**CITY OF FLORENCE, SC
ACCOMMODATIONS TAX REQUESTS, RECOMMENDATIONS AND APPROPRIATIONS REPORT
FISCAL YEAR 2018-19**

	ORGANIZATION	Appropriated 2017-18	Requested 2018-19	Committee Recommended ¹	Appropriated 2018-19
A. 30% Funds for Tourism Promotion					
1.	Florence Convention & Visitors Bureau	<u>\$245,000</u>	<u>\$235,000</u>	<u>\$235,000</u> ²	
B. 65% Funds					
1.	Florence Regional Arts Alliance & Pee Dee Arts	\$13,300	\$15,500	\$10,300	
2.	The Masterworks Choir, Inc.	\$4,500	\$5,000	\$3,300	
3.	Florence Little Theatre	\$16,500	\$20,000	\$11,600	
4.	Florence Symphony Orchestra	\$9,300	\$12,500	\$7,100	
5.	Arts International Festival	\$17,900	\$25,000	\$13,200	
6.	Sankofa Festival	\$5,800	\$10,000	\$5,600	
7.	SC Dance Theatre	\$6,400	\$10,000	\$4,700	
8.	Lucky Shamrock Festival	\$600	\$2,500	\$400	
9.	Kickin' Chicken Wing and Chili Cookoff	\$900	\$2,000	\$600	
10.	Florence Museum	\$26,100	\$35,000	\$20,400	
11.	Carolina Classic Basketball Tournament	\$6,900	\$8,000	\$5,300	
12.	Freedom Florence, FTC, Soccer Complex & Gym	\$68,400	\$85,000	\$56,200	
13.	Florence Convention & Visitors Bureau	\$148,900	\$195,000	\$144,800	
14.	Florence Tennis Association	\$15,000	\$15,000	\$14,200	
15.	South Carolina Pecan Festival	\$27,200	\$35,000	\$18,400	
16.	Florence Center	\$90,400	\$200,000	\$101,700	
17.	Florence International Basketball Tournament	\$20,700	\$35,000	\$19,000	
18.	Car Haulers Parade	\$8,200	\$10,000	\$7,100	
19.	Florence Area Sports Council	\$20,500	\$30,000	\$19,300	
20.	Pee Dee Tourism Commission	\$18,100	\$20,000	\$15,900	
21.	SC Senior Sports Classic	\$4,500	\$5,000	\$4,000	
22.	Hwy 52 Frontage Road Beautification	\$8,100	\$10,000	\$6,700	

**CITY OF FLORENCE, SC
ACCOMMODATIONS TAX REQUESTS, RECOMMENDATIONS AND APPROPRIATIONS REPORT
FISCAL YEAR 2018-19**

ORGANIZATION	Appropriated 2017-18	Requested 2018-19	Committee Recommended ¹	Appropriated 2018-19
23. PDRTA Hotel Shuttle Service	\$50,900	\$31,565	\$16,700	
24. Miss Pee Dee & Miss Pee Dee Teen Pageant	\$900	\$3,500	\$1,400	
25. Wilson High Alumni Assn Homecoming Event	\$0	\$81,736	\$26,500	
26. Museum of the Moon Touring Artwork	<u>\$0</u>	<u>\$2,500</u>	<u>\$600</u>	
Total - 65% Funds	<u>\$590,000</u>	<u>\$904,801</u>	<u>\$535,000</u>	

Note 1: There were no carryover funds from FY 2017-18. It is anticipated that the amount available for distribution to the requesting agencies of "65% funds" will be approximately \$535,000. The "30% funds" for tourism promotion is estimated to be approximately \$246,000.

Note 2: The "30% funds" appropriation to the Florence Convention & Visitors Bureau includes \$15,000 designated specifically to the Civic Center for tourism marketing and promotion expenses, and an additional \$9,000 for a Business Development Fund to help promote the Civic Center for educational, religious, and other conferences.

**City of Florence, SC
Accommodations Tax Financial Report
Fiscal Year Ending June 30, 2018**

Total Accommodations Funds Received	\$833,598.51 *
Plus Carryover Funds from Prior Year	\$58,913.18
Plus Interest Earned	\$25.21
Less General Fund Standard Allocation	<u>-\$25,000.00</u>
Balance	\$867,536.90
Less 5% Funds Paid to General Fund	-\$40,429.91
Less 30% Funds Paid for Advertising/Promotion	-\$242,579.56
Balance = 65% Funds Available for Tourism	\$584,527.43
Less Appropriations Paid to Tourism Agencies	<u>-\$584,527.43</u>
TOTAL Year End Balance	\$0.00

*FY 2017-18 Accommodation Tax Funds Received from SC State Treasurer:

Quarter 1 Ending 09/30/2017:	\$227,189.25
Quarter 2 Ending 12/31/2017:	\$176,599.29
Quarter 3 Ending 03/31/2018:	\$154,984.48
Quarter 4 Ending 06/30/2018:	<u>\$274,825.49</u>
FY 2017-18 Accommodations Tax Total	\$833,598.51

FY 2009-10 Accommodations Tax Total	\$413,541.60	
FY 2010-11 Accommodations Tax Total	\$460,920.52	11.46%
FY 2011-12 Accommodations Tax Total	\$546,189.70	18.50%
FY 2012-13 Accommodations Tax Total	\$562,319.58	2.95%
FY 2013-14 Accommodations Tax Total	\$646,886.86	15.04%
FY 2014-15 Accommodations Tax Total	\$621,595.34	-3.91%
FY 2015-16 Accommodations Tax Total	\$701,155.09	12.80%
FY 2016-17 Accommodations Tax Total	\$807,888.48	15.22%
FY 2017-18 Accommodations Tax Total	\$833,598.51	3.18%

Attachment 2

**City of Florence, SC
Accommodations Tax
Projections for FY 2018-19**

Accommodations Tax Funds Projected	\$848,186.48
Less \$25,000 to General Fund	-\$25,000.00
Subtotal	\$823,186.48
Less 5% of Balance to General Fund	-\$41,159.32
Less 30% of balance to Advertising/Promotion	-\$246,955.95
Balance for 65% Funds Distribution	\$535,071.21
Plus Carryover from Prior Year	<u>\$0.00</u>
Total Available for Tourism Expenditures	\$535,071.21

**City of Florence, SC
PUBLIC NOTICE**

The City of Florence has fiscal year 2018-2019 Accommodations Tax application packets available for distribution to agencies with a not-for-profit designation interested in applying for funding to be used for the purpose of tourism promotion, specifically to attract and provide for tourists in the Florence area. Requests for application packets should be addressed to Finance Director, City of Florence, Finance Department, 3rd Floor, 324 West Evans Street, Florence, South Carolina 29501-3430, Telephone 665-3162. **Applications must be received by the City of Florence no later than Friday, July 20, 2018 to be eligible for funding consideration.**

1104-22 01

2C → SUNDAY, JULY 1, 2018 → www.scnw.com