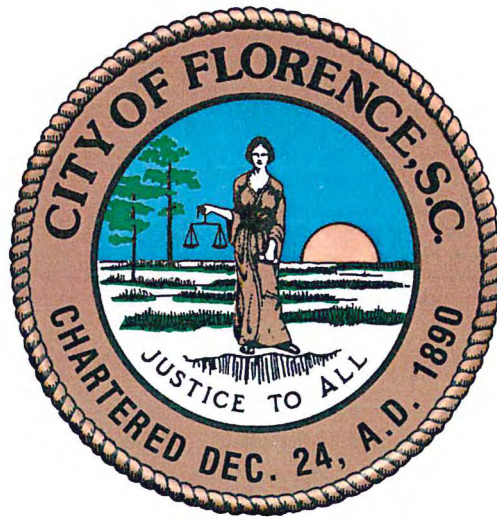


REGULAR MEETING
OF
FLORENCE CITY COUNCIL



COUNCIL CHAMBERS
324 W. EVANS STREET
FLORENCE, SOUTH CAROLINA

MONDAY
JANUARY 11, 2021
1:00 P.M.



**REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, JANUARY 11, 2021 – 1:00PM
CITY CENTER – COUNCIL CHAMBERS
324 WEST EVANS STREET
FLORENCE, SOUTH CAROLINA**

This meeting will be conducted through Zoom Video Conferencing

I. CALL TO ORDER

II. INVOCATION

Pledge of Allegiance to the American Flag

III. APPROVAL OF MINUTES

December 14, 2020 – Regular Meeting

IV. ORDINANCES IN POSITION

a. Bill No. 2020-42 – Second Reading

An Ordinance to annex and zone 15 acres on West Sumter Street and Pisgah Road, identified as a portion of Florence County Tax Map Parcel 00097-01-008.

b. Bill No. 2020-43 – Second Reading

An Ordinance to grant an easement on a portion of Florence County Tax Map Parcel 00102-01-161 to Duke Energy Progress, LLC, specifically 15 feet wide along the northern most property line fronting Alligator Road.

V. INTRODUCTION OF ORDINANCES

a. Bill No. 2021-01 – First Reading

An Ordinance to adopt a model business license ordinance in accordance with the business license bill (H4431) passed by the South Carolina Legislature in September 2020.

(Note: Staff has requested that this item be deferred.)

b. Bill No. 2021-02 – First Reading

An Ordinance to annex 4 parcels located at 1534, 1537, 1539, and 1543 North Sierra Range, identified as Florence County Tax Map Parcels 90096-02-005, 90096-01-008, 90096-01-017, and 90096-01-009.

VI. INTRODUCTION OF RESOLUTIONS

a. Resolution No. 2021-01

A Resolution pursuant to section I, II, and III of Ordinance No. 2020-28 to extend the emergency term and the application of said ordinance by an additional sixty (60) days.

b. Resolution No. 2021-02

A Resolution to designate an additional, third day for Christmas as an official holiday for the City of Florence.

VII. REPORTS TO COUNCIL

- a.** Appointments to Boards and Commissions

VIII. EXECUTIVE SESSION

- a.** The receipt of legal advice [30-4-70(a)(2)].
- b.** Discussion related to a personnel matter [30-4-70(a)(1)].

IX. ADJOURN



**REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, DECEMBER 14, 2020 – 1:00 P.M.
CITY CENTER – COUNCIL CHAMBERS
324 WEST EVANS STREET
FLORENCE, SOUTH CAROLINA
MEETING CONDUCTED THROUGH ZOOM VIDEO CONFERENCING**

MEMBERS PRESENT

Mayor Teresa Myers Ervin, Councilman George Jebaily, Councilwoman Pat Gibson-Hye Moore, Councilwoman Lethonia Barnes and Councilman Chaquez T. McCall.

ALSO PRESENT

Mr. Randall S. Osterman, City Manager; Mr. James W. Peterson, Jr., City Attorney; Mrs. Amanda P. Pope, Municipal Clerk; Mrs. Casey Moore, Assistant City Clerk; Mr. Scotty Davis, Deputy City Manager; Mr. Clint Moore, Assistant City Manager of Development; Mr. Kevin Yokim, Assistant City Manager of Administration/Finance; Chief Allen Heidler, Florence Police Department; Mr. Michael Hemingway, Director of Utilities; Mr. Chuck Pope, Director of Public Works; and Mr. Jerry Dudley, Director of Planning.

MEDIA PRESENT

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

CALL TO ORDER

Mayor Ervin called the December 14, 2020 regular meeting of Florence City Council to order at 1:05 p.m.

INVOCATION

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

APPROVAL OF MINUTES

Councilman Jebaily made a motion to adopt the minutes of the November 9, 2020 Regular City Council meeting and Councilwoman Moore seconded the motion. The minutes were unanimously adopted.

ELECTION OF MAYOR PRO TEMPORE

Mayor Ervin said at the last Council meeting, the previous Council deferred the election of Mayor Pro Tempore until the new Council was seated at this meeting. Mayor Ervin noted that the city currently has only five Councilmembers and is missing representatives from Districts One and Three. Mayor Ervin made a motion to elect an interim Mayor Pro Tempore to serve until the two vacant seats are filled at the March 30th Special Election. Councilman Jebaily called on Jim Peterson, City Attorney for clarification



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on the City Code of Ordinances, Section 2-23 and said he does not believe the city ordinance allows for this action to occur. Councilman Jebaily said the ordinance specifies the term for Mayor Pro Tempore.

Mr. Peterson took the podium and said SC State Code section 5-7-190 says the municipal council “shall elect from its membership a mayor pro tempore for a term of not more than two years.” Mr. Peterson further said a past council adopted an ordinance, outlined in section 2-23 of city code stating “the council shall, at the first meeting of the newly constituted council after any general election for city council, elect one of its members as mayor pro tempore for a term of two years.” Mr. Peterson said this section of code can be read two different ways:

- 1) City code says Council shall “elect one of its members as mayor pro tempore for a term of two years,” this interpretation has no leeway;
- 2) City code says, “at the first meeting of the newly constituted council after any general election for city council.” Mr. Peterson further elaborated that the March 30th election is a general election and would constitute a new council by filling the vacancies. This interpretation of city code could mean that the election of Mayor Pro tem could happen in April.

Mr. Peterson said the city is in an unusual situation and either of these interpretations would not be unlawful. He said he has been the city attorney since 1994 and has never seen this situation with two vacancies on City Council. Mr. Peterson acknowledged that he is not giving a very direct answer. He understands the reading that Councilman Jebaily is interpreting and it is difficult get around the very direct language in code that says “Council shall elect one of its members as mayor pro tempore for a term of two years.”

Councilman Jebaily mentioned the alternative (interpretation #2) approach. His understanding is that this would lead to another newly constituted council anytime a councilmember resigned, et cetera and this same issue would come up again and again. Councilman Jebaily said, historically, any time a councilmember has left council for any reason there has never been a revote on the Pro tem. In the past, once a Pro tem was elected, they served for two years.

Mr. Peterson said he believes what Councilman Jebaily says is correct and it is his guess that the thought of the previous Council that passed the ordinance was that after a general election in the fall, it would be two years before the next general election.

Councilman Jebaily said he thinks it would be appropriate to have a consultation with the newly elected councilmembers to see if they want to see a revote or if they are comfortable with the elected Pro tem. He said the clear reading of the statute is that the Pro tem serves for two years and historically it has never been for less than two years. If we were to change that now, we could see multiple elections for Pro tem as members come and go.

[Break due to power outage 1:17p.m. – 1:27p.m.]

Councilman Jebaily continued with his comments once the meeting resumed. He said he fully understands the Mayor’s concern with the two vacancies and said this is a practical matter as opposed to a legal matter – the practical matter being there are two councilmembers absent from the vote. He does not feel that it is legal to put into a motion language that would limit the term; however, he does feel that it is



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appropriate to consult with the members once elected to see if they wish for a revote and address it at that time.

Mayor Ervin stated there are individuals that have requested to speak on this matter.

Mr. Bryan Braddock connected to the meeting and said he is speaking on behalf of the constituents of District Three of which he is one of and is a candidate for the City Council seat. He said he likes what was initially presented by Mayor Ervin, which is to elect an interim Pro tem. He wants to make sure the citizens of Districts One and Three would have a voice in determining the Mayor Pro tem since it has such an impact on the whole city in the event of the Mayor's absence. He said it is his wish to see the election of Mayor Pro tem happen after the election in March.

Mr. Braddock asked what the process would be to initiate a new vote and if there was precedent for that to be done. Mayor Ervin said there is no precedent. Since there was objection to her initial motion to elect an interim Pro tem, the 5-member Council will move forward with electing a Pro tem today. She further explained that the individual elected to Pro tem would have to step down in April to allow for a new vote once District One and District Three seats are filled. Mayor Ervin asked the City Attorney if this is a correct interpretation.

Mr. Peterson said that is correct. If the Pro tem is elected to a two-year term, they would have to voluntarily resign their position in April to allow for a revote; however, this person would still have the opportunity to be re-elected as Pro tem.

Mr. Braddock requested that the elected Pro tem go on record stating they would be willing to resign in April to allow the other two districts the opportunity to add their voice in the determination of Mayor Pro tem.

Mr. William Schofield connected to the meeting and said he is also in favor of electing an interim Pro tem, as he does not feel there is a constituted Council. He referenced Section 2-20 of city code, which defines the composition of Council as "seven members, one of whom shall be the mayor." He said it is unprecedented for there to be only five members of council with two districts not being represented. Mr. Schofield also asked that the Pro tem go on record stating they would be willing to step down if the representatives of District One and District Three do not agree with the decision.

Councilman McCall said constituents of Districts One and Three also voted in the general election for the elected at-large positions. He asked Mr. Schofield if he believes voter's voices will not be heard from the three elected at-large members. Mr. Schofield stated an at-large position is just that, they represent the city as a whole; whereas, the district seats represent that specific district.

Councilman McCall inquired on the precedent that is being set, and asked Mr. Schofield if we should always ask the Pro tem to resign every time a vacant seat is filled on City Council. Mr. Schofield replied no. What he is suggesting is that we wait to elect a Pro tem after the two vacant seats are filled and the Pro tem will serve the two full years, regardless on if any other vacancies occur. Councilman McCall further asked Mr. Schofield if he thinks the Pro tem should be the longest running member of Council. Mr. Schofield replied the Pro tem has been the longest running member in the past, but it is not always the case.

Councilwoman Moore spoke, referencing all the talk around specific districts. She said she was elected to District Two, but in her heart, she serves all of Florence. Councilwoman Moore said she can not only



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worry about District Two, because then she would not be doing her job as a public servant. She further said when Council is voting on items or issues, they aren't voting by district but are voting as a whole.

Councilwoman Barnes spoke, saying she believes a precedent has already been set. She said the public has elected them to do a job and Council still must govern themselves and move forward even in unprecedented times. There will be times where Council sees deficiencies and people aren't in place, but Council must still govern themselves accordingly. She said they may get themselves into a mess by taking people's opinions on what should be done, when the ordinance in place states what Council should do. Councilwoman Barnes said she thinks Council needs to move forward and handle this business in hopes that the individual elected steps down in order to give the new councilmembers an opportunity.

Mayor Ervin opened the floor for nominations. Councilwoman Barnes nominated Councilman Jebaily and Councilman McCall nominated Councilwoman Moore.

Councilwoman Moore commented, stating she would be willing to step down at the April meeting after the election in the event she is elected. She further stated that she would serve in an interim capacity and would not accept being re-nominated at the April meeting.

Councilman McCall stated he wants to be unequivocal on the situation at hand. He said establishing precedent is very important in moving forward in a collaborative way, and politics should not be involved in who should be the next Mayor Pro tem. He further said the individual elected to Pro tem should step down and allow those of Districts One and Three to have a voice. He wants it to be unequivocal and on the record that the individual elected will resign. Councilman McCall noted Councilwoman Moore's willingness to resign as Pro tem and stated that he wants to vote for the longest running member of Council, but he wants it on record that this person will in fact resign if elected.

Councilman Jebaily said he also endorses the position of allowing members of Districts One and Three to participate and he has no problem resigning the position, but he would be honored to be re-nominated and elected to serve for the entirety of the two year term.

Mayor Ervin reminded Council of her initial motion, which was for Council to elect an interim Mayor Pro tem who would serve from December 2020 to April 2021, but there was objection to this motion. She said Council will be voting on a Mayor Pro tem for a term of 2 years and there is not anything to legally bind the elected individual into resigning.

Mayor Ervin closed the floor for nominations and called for a vote.

Voting yay for Councilman Jebaily were Councilwoman Barnes, Councilman Jebaily, and Councilman McCall.

Councilman Jebaily was elected to Mayor Pro Tempore by majority vote.

APPEARANCES BEFORE COUNCIL

Frank J. "Buddy" Brand II, Councilman, Florence County Council

Councilman Brand began by greeting the new Council and stated he never recalls a Florence County Councilman ever appearing before City Council throughout his entire 15-year service, but this Council will be seeing him frequently. He then challenged Council to work with the county to make for a much



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better working team. He said Florence is competing with Charleston, Greenville, Columbia and the rest of the southeast and the county, and the city must work together to compete with these. He said Florence has low cost housing, plenty of people that want to work, and two great educational facilities with Francis Marion University and Florence Darlington Technical College. He noted that Florence drives the county and said the relationship between the city and the county has faltered and needs to get back on track. He said we need to work together, not just for the city or for the county, but for the entire Pee Dee Region.

Councilman Brand stated that, in his first County Council meeting, he asked that the City-County Conference Committee be re-established, which is important in moving things forward.

Mayor Ervin thanked Councilman Brand for his appearance and agreed on the importance of the re-establishment of the City-County Conference Committee.

Councilman McCall expressed his enthusiasm in working with Councilman Brand and County Council, stating it will benefit everyone because if the City of Florence grows, the County grows, and the Pee Dee grows. He said he is particularly interested in working together to enhance the corridors into Florence.

Pro tem Jebaily thanked Councilman Brand and referenced an email dated December 3, 2020 from the City Manager stating that he was informed by Councilman Brand that certain streets located within the city limits will be paved using County Council infrastructure funds of \$1.2 million. The roads to be completed with these funds are Baker Lane, Lafayette Circle, Manchester Avenue, Lynwood Drive, Wisteria Drive, Brockington Drive, and Maynard Avenue. Councilman Brand said he can't take credit for this. He said this was penny money that James Schofield had not used and when asked by county management, Councilman Brand decided to use it on the worst streets.

Councilwoman Moore said she now has good working relationships with several members of County Council: Brand, Bradley, Mumford, Dorriety, Caudle as well as the Administrator, "Rusty" Smith.

Councilwoman Barnes said she is also looking forward to working with Councilman Brand, as well as County Council.

Community Members – To speak on the Black Lives Matter Mural

Mayor Ervin said there are several community members signed up to speak on the Black Lives Matter mural.

Ms. Martha Nance spoke first. She thanked Council for allowing her the opportunity to express her concerns. In expressing her concerns, she said the efforts, struggle and feelings of others are not being cast aside. Ms. Nance said a public road has been used for expression without the forethought that other groups or entities may desire to express their views or concerns on other public streets. She asked if a precedent has been set, or are we changing rules and creating new ones? She said that markings on public roads are for giving directions to drivers and pedestrians; whereas art is to be. Art on roads can be distracting to drivers as well as pedestrians, presenting a safety hazard which could result to harm in individuals and litigation against the City of Florence. Ms. Nance said prior to this, about 8-10 years ago, she also voiced her concerns on the markings of public roads, i.e. Jackson and Calhoun, to Mayor Wukela. She asked if the agreement to use non-permanent paint was ignored, and if the mural remains, then are we telling our citizens that they do not have to adhere to the original permits? She noted a lack of transparency prior to the painting of the mural and asked if the proposal was presented to the entire Council and was it open to the community for discussion before or after being submitted to the City



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Manager. Ms. Nance said public roads are funded by all taxpayers, therefore all representatives on City Council should be consulted and presented with proposals and all constituents should be given an opportunity for input.

Mr. Christopher McCray spoke next. He said he was speaking on behalf of the community, as well as the activist team and movement that placed the mural on Barnes Street. He said he is an active community member that wants to see Florence move forward. He said this art project was approved by a partnership of City Council Members, the City Manager and those that created the project. They followed all rules, regulations and protocol when it came to the materials used to complete the project. He said they followed the timeline presented by Council, the City Manager, and the Assistant City Manager who ensured they were in compliance with the rules and regulations with city and county legislation. This project was presented to the city by the citizens and for no reason did they believe this project would be temporary based on the life span of the materials used that were predetermined to be okay by the city. The project, based on the time, energy, effort and financial burden, was set to be an art fixture that would last based on the life of the materials used, not to be removed aside from the natural wear caused from traffic, elements and weather and he asked that Council vote on its permanency.

Mr. Wyleek Cummings spoke last. He said he is speaking on behalf of the entirety of the organizers, participants, and community members involved in the placing of the art. He said the artwork, designed by Florence native Mel Howard, was expressly and explicably initiated in the spirit of collaboration. The collaborative art project has brought together artists from the City of Florence, the Pee Dee and the southeastern region, community organizers, local and state politicians, and citizens of the city. Mr. Cummings said they are against any effort to remove the mural, other than the natural wear of traffic, weather, and elemental erosion. He acknowledged the city's desire to place a speed bump on the street and said it should not be an impediment to the mural. He said as citizens and constituents of the city, they too are desirous of equity in this matter. He noted that a full council is not yet in place but will be after the special election in March. He asked for a continuance on this matter and to allow the mural to remain at least until a full council is in place.

Mayor Ervin asked Mr. Cummings if he was the originator of the email that was sent to request the mural, to which Mr. Cummings replied yes. Mayor Ervin further asked if, within writings and sentiments expressed to the city, was it not presented/conveyed that the mural would wash away within 3-4 natural rain events. Mayor Ervin asked Mr. Osterman, City Manager if he had the letter available, to which Mr. Osterman replied he did.

Mr. Osterman approached the podium and read from the 2-page request: "the materials used to complete the project are biodegradable and are not meant to be a permanent fixture." Mr. Osterman said in the meetings they had with Mr. Cummings, it was asked what was meant by "not meant to be a permanent fixture." Mr. Osterman asked Mr. Cummings if he recalled saying that it would be temporary and would wash away with 3-4 rain events. Mr. Cummings said there was a misunderstanding and his interpretation of temporary and not permanent meant that natural traffic wear, weather and elemental erosion would impact the mural/paint. He said he didn't recall there being a specific period in which the mural would dissolve or go away. He further said there was never any consideration to use any material such as chalk that would wash away. Mr. Cummings said they met too many times throughout this process for it to be misunderstood or misinterpreted on anyone's part. He stated it wasn't until there were unnecessary concerns over the mural that sparked the need to go through the process of making it permanent. He reiterated his desire to wait until there is a full council to make a decision on the mural.



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Mayor Ervin addressed Mr. Cummings and said that in their personal conversations regarding the mural, one of the questions she asked him was on the temporariness of the mural and he stated to her that it would go away within 3-5 rain cycles. Mayor Ervin said if it were meant to be a permanent fixture, there was procedure that would have had to be followed. The reason he did not have to go through with that permitting and procedure is because it was expressed, both verbally and in writing, that the mural would not be a permanent fixture in the meetings with the City Manager, staff and former Mayor Wukela. Mayor Ervin apologized if this information was not comprehended. Mayor Ervin also referred to the speed bumps and said that project was factored in prior to the mural and they are for the safety of the children and pedestrians who utilize the Barnes Street campus. With no further comments, Mayor Ervin thanked Mr. Cummings for his appearance.

Mayor Ervin added that, based on the desire of the artists in the community, she has commissioned a Cultural Arts Committee that will be working together with business and educational leaders and will also include some of the artists that participated on the Black Lives Matter mural. They will be working on developing inclusive artwork that will be representative of Florence citizens to continue moving the community forward.

ORDINANCES IN POSITION

Bill No. 2020-37 – Second Reading

An ordinance to grant Florence County a permanent right-of-way easement on Dargan Street for the construction of a sidewalk.

Councilwoman Moore made a motion to adopt Bill No. 2020-37 on second reading and Pro tem Jebaily seconded the motion.

Council voted unanimously (5-0) to adopt Bill No. 2020-37.

Bill No. 2020-38 – Second Reading

An ordinance to annex and zone 2 acres on Jody Road, identified as Florence County Tax Map Parcels 00123-01-152 and 00123-01-R/W, and portions of Florence County Tax Map Parcels 00123-01-005 and 00123-01-006.

Councilwoman Moore made a motion to adopt Bill No. 2020-38 on second reading and Pro tem Jebaily seconded the motion.

Council voted unanimously (5-0) to adopt Bill No. 2020-38.

Bill No. 2020-39 – Second Reading

An ordinance to annex and zone 3553 Texas Road, identified as Florence County Tax Map Parcel 00741-01-007, and 695 Florida Drive, identified as Florence County Tax Map Parcel 00741-01-008.

Councilwoman Barnes made a motion to adopt Bill No. 2020-39 on second reading and Councilwoman Moore seconded the motion.

Council voted unanimously (5-0) to adopt Bill No. 2020-39.



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Bill No. 2020-40 – Second Reading

An ordinance to annex and zone 234 Shenandoah Lane, identified as Florence County Tax Map Parcel 90113-01-120.

Councilwoman Moore made a motion to adopt Bill No. 2020-40 on second reading and Councilwoman Barnes seconded the motion.

Council voted unanimously (5-0) to adopt Bill No. 2020-40.

INTRODUCTION OF ORDINANCES

Bill No. 2020-41 – First Reading

An ordinance to rezone from NC-15 to NC-10 a parcel located on Marion Avenue, identified as Florence County Tax Map Parcel 90067-03-014.

Councilwoman Moore made a motion to pass Bill No. 2020-41 on first reading and Councilwoman Barnes seconded the motion.

Mr. Dudley reported this parcel is currently zoned Neighborhood Conservation-15 (NC-15), which is characterized by single-family detached development with 15,000 square feet minimum lot areas and 100-foot lot widths. The proposed zoning of NC-10 is still characterized by single-family detached development but allows for smaller lots with 10,000 square feet minimum lot areas and 80-foot lot widths.

Mr. Dudley explained the flood plain issues with the site. Part of the parcel is located within the floodway in which no development can occur. Through local ordinance, there is also a riparian buffer of 20 feet outside of the floodway in which there could also be no development. Part of the parcel is also located within the 100-year floodplain and would be subject to floodplain development regulations, meaning the structure to be constructed is at least one foot above the base flood elevation. The remainder of the parcel is located outside the flood zone.

The purpose for the rezoning is to allow the subdivision of the property into three lots with two, smaller lots completely outside of the regulated Special Flood Hazard Area (SFHA) and a third, larger lot that would be subject to floodplain development regulations. Current zoning only allows for two lots, with only one lot being completely out of the floodplain.

Mr. Dudley spoke on concerns that were raised at the November meeting regarding sewer. He said the site was inspected and the sewer is approximately 7 feet in depth. Sewer at this location would place a negligible demand on the system.

Pro tem Jebaily asked for clarity on the proposed development of the third parcel. Mr. Dudley said development could happen on the third parcel, but it would have to meet floodplain development regulations. Pro tem Jebaily asked if all three parcels have equal ability to move sewer from the location. Mr. Michael Hemingway, Utilities Director, approached the podium to address the question. He said with the sewer being approximately 7 feet in depth, there is enough elevation for the sewer to not be impacted. Based on the elevation, stormwater is more likely to have an impact at this location rather than sewer.



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Pro tem Jebaily said he is all for the rezoning and construction on these parcels, but he does not want to approve something that will cause issues later on. He said Council needs know that staff has looked at this carefully and can say that stormwater and sewer will not be an issue at this location. Mr. Hemingway said there will be issues from a stormwater perspective to the third lot. Councilman Jebaily asked if Council can authorize the subdivision of two lots. Mr. Dudley said if the lot stays in its current zoning of NC-15, only two parcels would allow development. These plats can be approved administratively and do not require the approval of Council. Mr. Dudley explained lots one and two would become a little larger, with 15,000 square foot minimum lot.

Councilwoman Moore said citizens have come before Council over stormwater issues before and she doesn't want to create another problem for themselves by allowing the third lot to potentially be developed upon. She asked to defer this matter so the applicant can present them with something else.

Mr. Peterson approached the podium to make a few clarifications. He said if Council only wants to allow two lots, all they need to do is vote against the current rezoning request; it will not need to come back before Council unless more study is being requested. He further said that, from a zoning standpoint, it is perfectly legal for Council to accept the rezoning request. The third, potential lot is concerning because at least part of that home would be located in the flood zone. By allowing the rezoning, Council is allowing the developer to understand he's building a home that is at least partially located within the 100-year floodplain and all the problems that go along with that.

Pro tem Jebaily thanked Mr. Peterson for the clarification and reiterated his concerns and asked if staff has the confidence that the third lot can be developed in such a way that it's not going to be a problem for City Council or staff in the future. Mr. Dudley said the intent of the floodplain ordinance is to try to prevent as much construction in the floodplain as possible. If development does occur, it has to meet certain guidelines to prevent life loss and property loss. With the unprecedented rainfall that has occurred over the last several years, it is difficult to predict where flooding will occur in the city. Flooding in the city is very unpredictable and is localized, and it is difficult to predict if problems will occur on the third lot. Councilman Jebaily asked if staff has a recommendation on this proposal. Mr. Dudley said staff stayed neutral going through Planning Commission but the intent of the floodplain ordinance, as well as the Jefferies Creek Overlay District, is to prevent development within the floodplain.

Mayor Ervin said Mr. Louie Hopkins, the applicant, is on the line to speak on this matter and welcomed him to the meeting. Mr. Hopkins said he purchased the property about six months ago and spoke with the city about building 2-3 single family residences that matched the neighborhood. Mr. Hopkins said he's here today to hopefully get the two lots that have infrastructure and road access zoned to meet the neighborhood standards. At a later time, he may try to get approval for a third lot if he is able to get infrastructure to it.

Councilman McCall said he understands Mr. Hopkins is only wanting to develop lots one and two at this time. He asked Mr. Dudley if it is correct that if the zoning is approved, then the developer will not have to come back before Council to build on the third lot. Mr. Dudley said that is correct.

Council voted unanimously (5-0) to deny the rezoning request.



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Bill No. 2020-42 – First Reading

An Ordinance to annex and zone 15 acres on West Sumter Street and Pisgah Road, identified as a portion of Florence County Tax Map Parcel 00097-01-008.

Councilwoman Moore made a motion to pass Bill No. 2020-42 on first reading and Councilman McCall seconded the motion.

Mr. Dudley reported the proposed zoning is General Residential-3 (RG-3). City water and sewer services are currently unavailable but will be provided by the developer as part of the Cedar Crest extension/lift station project. The RG-3 zoning is in agreeance with the future land use map designation of Residential Suburban.

On November 10, 2020 the City of Florence Planning Commission held a public hearing on this matter and voted unanimously (9-0) to recommend the zoning request of RG-3, pending annexation.

City Staff recommends the annexation and concurs with the Planning Commission's recommendation to zone the property RG-3 as requested.

Council voted unanimously (5-0) to pass Bill No. 2020-42.

Bill No. 2020-43 – First Reading

An Ordinance to grant an easement on a portion of Florence County Tax Map Parcel 00102-01-161 to Duke Energy Progress, LLC, specifically 15 feet wide along the northern most property line fronting Alligator Road.

Pro tem Jebaily made a motion to pass Bill No. 2020-43 on first reading and Councilwoman Moore seconded the motion.

Mr. Clint Moore, Assistant City Manager of Development reported Duke Energy has requested this easement in relation to the Alligator Road widening project. This easement is approximately 15 feet in depth along the northern most property line adjacent to Alligator Road and will allow Duke Energy to have access to their utility lines in the event any maintenance is required. The property is the location of the Alligator Road water plant owned and operated by the City of Florence.

Council voted unanimously (5-0) to pass Bill No. 2020-43.

[Break: 3:10pm – 3:17pm]

REPORTS TO COUNCIL

Presentation of Audited Financial Statements

Mr. Kevin Yokim, Assistant City Manager of Finance/Administration said Council received a copy of the Comprehensive Annual Financial Report for the fiscal year ended June 30, 2020. He said connected to the meeting via Zoom is Mr. Tracy Huggins of Burch, Oxner, Seale Company, CPA's, PA. Mr. Huggins reported for the fiscal year ending June 30, 2020 the city had budgeted revenues of \$32,324,660 and actual revenues of \$35,633,900 in the General Fund. This resulted in a positive variance of \$3,309,240. Budgeted expenditures were (\$44,086,160) and actual expenditures were (\$46,007,513), leaving a negative variance of (\$1,921,353). The net other financing sources budgeted were \$11,761,500, which



**FLORENCE CITY COUNCIL
REGULAR MEETING – DECEMBER 14, 2020**

gives a zero budget. Actual net other financing sources were \$13,253,846 resulting in a positive variance of \$1,492,346. This leaves an actual excess in this year's budget of \$2,880,233. 54% of general fund revenue came from property tax credits and business licenses and franchise fees. The Governmental Funds fund balance analysis which details the unassigned fund balance in the general fund of \$18,301,481, an increase of \$591,705. Unassigned General Fund fund balance represents 40% of general fund expenditures. Total General Fund balance increased 10.5% over the past year.

Enterprise Funds: Operating revenues last year were \$39,613,664; operating expenses were (\$29,744,230); net non-operating expenses were (\$7,293,423); capital contributions were \$3,347,746; and net transfers out were (\$3,888,000) leaving a net income in the Enterprise Fund of \$2,035,757.

There being no questions, Council thanked Mr. Huggins for his report.

Mr. Yokim said some concerns arose over the financial situation of the city with the retirements of several key individuals. The city's auditor has given the city an unqualified opinion on its financial statements for the fiscal year ended June 30, 2020; and, as the audit report states, the city is in a strong financial position. He said the city is required by state law to have an audit of its financial statements performed annually by a certified public accountant. In addition, since the city annually spends more than \$750,000 in federal grant funds, federal law also requires the city to have an audit.

Annually, the city prepares a Comprehensive Annual Financial Report (CAFR). A CAFR includes much more than just the city's financial statements and the notes to those statements. The city annually submits its CAFR to the Government Finance Officers Association in order to be considered for the Certificate of Achievement for Excellence in Financial Reporting. The city has received this Certificate for the last 22 years in a row.

The city's CAFR is broken down into five sections: Introductory Section, Financial Section, Other Financial Information Section, Statistical Section, and Uniform Guidance Section. Mr. Yokim expanded on the Financial Section, stating that this section includes city's financial statements, the notes to the financial statements, and other required supplementary information. Some readers of these statements may get concerned when they see the negative unrestricted net position of (\$19,529,042) of the city's Governmental Activities; however, this is the result of the net pension liability of \$30,738,280, which represents the city's share of the SC Retirement System's liability. The city is required to disclose this liability even through it has no control over it. The city's more important numbers are the city's positive unassigned General Fund balance of \$18,301,481 which represents 40% of the city's General Fund expenditures; the city has a policy to have the general fund balance represent at least 30% of the city's General Fund expenditures.

Appointments to Boards and Commissions

FLATS Committee

Mayor Ervin deferred the appointment to this board until the two vacant Council seats are filled.

Design Review Board

Councilwoman Moore made a motion to appoint Joseph Healy to the Design Review Board. The motion carried unanimously.



**FLORENCE CITY COUNCIL
REGULAR MEETING – DECEMBER 14, 2020**

Construction and Maintenance Board of Adjustments and Appeals

Mayor Ervin made a motion to appoint Joe Linder to the Construction and Maintenance Board of Adjustments and Appeals. The motion carried unanimously.

EXECUTIVE SESSION

Council entered into Executive Session at 3:35 p.m. for a discussion related to a personnel matter and to provide an update on a proposed economic development project located within the downtown area.

Council reconvened Open Session at 3:58 p.m.

Mayor Ervin said there is no action required following Executive Session.

ADJOURN

Without objection, the Regular meeting of City Council was adjourned at 4:00 p.m.

Dated this 11th day of January 2021.

Amanda P. Pope, Municipal Clerk

Teresa Myers Ervin, Mayor

IV. a.
Bill No. 2020-42
Second Reading

FLORENCE CITY COUNCIL MEETING

DATE: December 14, 2020

AGENDA ITEM: Ordinance To Annex and Zone a parcel located on West Sumter Street at Pisgah Road, TMN 00097-01-008 (portion).

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex property located on West Sumter Street at the intersection with Pisgah Road and being a portion of Tax Map Number 00097-01-008, into the City of Florence and zone to RG-3, General Residential-3. The request is being made by the property owner.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On November 10, 2020, Planning Commission held a public hearing on this matter, and voted unanimously, 9-0, to recommend the zoning request of RG-3 General Residential-3.

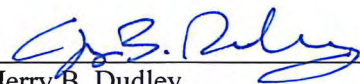
III. POINTS TO CONSIDER:

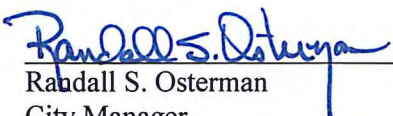
- (1) Request is being considered for first reading.
- (2) The property is intended to be developed as a single family subdivision.
- (3) City water and sewer services are currently unavailable, but will be provided by the developer as part of the Cedar Crest extension/lift station project (see Economic Feasibility Study, attached).
- (4) A Public Hearing for zoning was held at the November 10, 2020 Planning Commission meeting.
- (5) City staff recommends annexation and concurs with Planning Commission's recommendation to zone the property RG-3 General Residential-3.

IV. PERSONAL NOTES:

V. ATTACHMENTS:

- (1) Ordinance
- (2) Vicinity Map
- (3) Annexation Petition
- (4) Letter from Applicant
- (5) Economic Feasibility Study (Cedar Crest extension/lift station project)


Jerry B. Dudley
Planning Director


Randall S. Osterman
City Manager

ORDINANCE NO. 2021-_____

AN ORDINANCE TO ANNEX AND ZONE 15 ACRES LOCATED AT WEST SUMTER STREET AND PISGAH ROAD, TMN 00097-01-008 (PORTION).

WHEREAS, a Public Hearing was held in the Council Chambers on November 10, 2020 at 6:00 P.M. before the City of Florence Planning Commission via Zoom, and notice of said hearing was duly given;

WHEREAS, application by Florence West Properties, LLC, owner of TMN 00097-01-008, was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property be incorporated into the City limits of the City of Florence under the provisions of **Section 5-3-150(3) of the 1976 Code of Laws of South Carolina** and given the zoning district classification of RG-3:

The property requesting annexation is shown more specifically as a portion of Florence County Tax Map 00097, block 01, parcel 008 (15 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 _____, 2021

Approved as to form:

James W. Peterson, Jr.
City Attorney

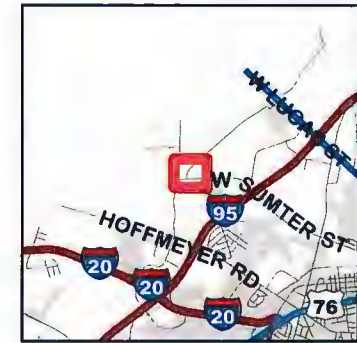
Teresa Myers Ervin,
Mayor

Attest:

Amanda P. Pope
Municipal Clerk

PC 2020-27

Vicinity Map - W. Sumter St. & Pisgah Rd.



Legend

-  City Limits
-  Parcels
-  Annexed Portion



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: 12/10/2020

STATE OF SOUTH CAROLINA)
COUNTY OF FLORENCE)

PETITION FOR ANNEXATION

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

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

1. The petitioners are the sole owner(s) of real estate in the County of Florence, State of South Carolina which property lies adjacent and contiguous to the corporate limits of the City of Florence.
2. That the petitioner(s) desires to annex the property more particularly described below:
Florence County Tax Map Number: 202104 05 0097-01-008
3. Annexation is being sought for the following purposes: To develop single family subdivision and obtain 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	<u>TBD</u>
Race	<u>N/A</u>
Total 18 and Over	<u>N/A</u>
Total Registered to Vote	<u>N/A</u>

Date: 10-13-20

Petitioner Signature: [Signature]

Date: _____

Petitioner Signature: _____

APPLICANT(S) (Please print or type): Name(s): Gary Finklea / Florence West Properties, LLC

Address: PO Box 1317, Florence, SC 29503

Telephone Number: 843-317-4900 [cell] 843-687-3568 [home]

Email Address: gfinklea@finklealaw.com

Certification as to ownership on the date of petition:	FOR OFFICIAL USE ONLY
Date: <u>10-13-2020</u>	<u>[Signature]</u>

FLORENCE WEST PROPERTIES, LLC

Post Office Box 1317
Florence, SC 29501

November 2, 2020

Steven H. Allen, Engineering Division Superintendent
City of Florence
218 W. Evans Street
Florence, SC 29501

Re: West Florence Properties
Our File No.: 20001GF

Dear Steven:

This is to confirm the owner is not requesting an independent water/sewer feasibility analysis as it relates to this site. The City has already factored contributing to the cost to extend water and sewer to this site in its overall economic feasibility analysis for the Cedar Crest extension/lift station project. We are not requesting feasibility be reconsidered as a stand-alone extension project. We understand any contribution is limited to that reserved for this extension in the Cedar Creek overall feasibility analysis (\$167,115.00) and any costs in excess of that amount shall be borne by the owner.

With kindest regards, I am

Very truly yours,



GARY I. FINKLEA
gfinklea@finklealaw.com

GIF/jeg

PROPOSED / ANTICIPATED DEVELOPMENT GROWTH DATA

GROWTH TIER - #1

Cedar Crest Phase-1&2	48 Lots	14.0 Acres	3.4 Density (Single Family)
Cedar Crest Phase-3&4	43 Lots	11.0 Acres	3.9 Density (Single Family)
00097-01-008 Phase-1	30 Lots	9.0 Acres	3.3 Density (Single Family)
00097-01-008 Phase-2	30 Lots	9.0 Acres	3.3 Density (Single Family)

GROWTH TIER - #2

00098-01-022 Remainder	196 Lots	59.3 Acres	3.3 Density (Single Family)
Final Buildout (Tier 1)	15 Lots	0.0 Acres	0.0 Density (Single-Family)

GROWTH TIER - #3

Future Developments	23 Lots	145.0 Acres	0.2 Density (Single Family) Assumption
	0 Lots	0.0 Acres	0.0 Density (Single Family)

NARRATIVE

Cedar Crest Developers, LLC is a local developer and the owner of an 84.6 acre tract of land (TM# 00098-01-022) that is located on the Southside of Sumter Street and just East of the intersection of Pisgah and N. Ebenezer Road. Currently there is no water or sewer along this portion of Sumter Street where the proposed subdivision is being developed. Per the City of Florence "Future Land Use" (map attached) this property and the surrounding areas would be zoned "Residential Sub-Urban" and this development would meet that designation. Currently, the developer has an approved set of site plans "ready for construction" for 25.5 acres of the 84.6 tract. The 25.5 acre development is being called Cedar Crest Subdivision, which is a proposed 91 lot single-family residential development that is expected to be constructed in 2 phases. For the purposes of this study it is being grouped into "Growth Tier #1" and it is anticipated to be completed and built out over the next 2-5 years. The remaining 59.1 acres will be developed in the future and is being grouped into "Growth Tier #2" and is projected to be developed and have a 60% buildout over the next 10 years. "Growth Tier #3" is the surrounding areas situated around the Cedar Crest S/D and build out is not completely known at this time, but a factor of growth has been accounted for in this study. Currently, the approved plans account for no gravity sewer being installed along Sumter Street. Minor adjustments to the design of the proposed sewer lift station may be warranted to allow for a greater reach of the proposed gravity sewer system that is being proposed by the developer. Also, coordination with the developer and their engineer will be necessary to properly plan the "Cedar Crest Expansion" to account for future sewer placement to the "Growth Tier #3" areas. It is recommended a discussion with the developer and their engineer take place to explore these issues in further detail. The plans do propose a 12" water main tie-in to the existing city water line at the intersection of Sumter and Pisgah and extending it past the second drive entrance to the proposed development. The developer is very interested in annexing the 84.6 acres and is currently working with adjacent land owners to obtain a path to provide a contiguous border.

ATTACHMENTS

Cedar Crest S/D & Growth Potential Map, Cedar Crest Sewer Lift Station Design Calculations, Bid Results (RWF Const. & Pigate Const.)

CONSTRUCTION COST					
Construction Cost is from developer's competitive bid from RWF Const. dated 09/11/2019	\$512,729	x	1	=	\$512,729
Construction Cost to provide sewer to 00097-01-008 (Formal Quote by RWF Const.)	\$167,115	x	1	=	\$167,115
CONSTRUCTION COST =					\$679,844

WATER TAP REVENUE							
GROWTH TIER - #1							
<i>90% buildout assumed within the next 2-5 years</i>							
48	X	$\frac{90\%}{(BUILD-OUT\%)}$	X	$\frac{\$630}{(FY20\ FEE)}$	X	$\frac{1}{(PV:0\%,2-YR.)}$ =	\$27,216
<i>Cedar Crest Phase-1&2</i>							
43	X	$\frac{90\%}{(BUILD-OUT\%)}$	X	$\frac{\$630}{(FY20\ FEE)}$	X	$\frac{0.7835}{(PV:5\%,5-YR.)}$ =	\$19,103
<i>Cedar Crest Phase-3&4</i>							
30	X	$\frac{90\%}{(BUILD-OUT\%)}$	X	$\frac{\$630}{(FY20\ FEE)}$	X	$\frac{1}{(PV:0\%,2-YR.)}$ =	\$17,010
<i>00097-01-008 Phase-1</i>							
30	X	$\frac{90\%}{(BUILD-OUT\%)}$	X	$\frac{\$630}{(FY20\ FEE)}$	X	$\frac{0.7835}{(PV:5\%,5-YR.)}$ =	\$13,327
<i>00097-01-008 Phase-2</i>							
GROWTH TIER - #2							
<i>60% buildout assumed would be developed within the next 10 years</i>							
196	X	$\frac{60\%}{(BUILD-OUT\%)}$	X	$\frac{\$630}{(FY20\ FEE)}$	X	$\frac{0.6139}{(PV:5\%,10-YR.)}$ =	\$45,483
<i>00098-01-022 Remainder</i>							
15	X	$\frac{100\%}{(BUILD-OUT\%)}$	X	$\frac{\$630}{(FY20\ FEE)}$	X	$\frac{0.6139}{(PV:5\%,10-YR.)}$ =	\$5,801
<i>Final Buildout (Tier 1)</i>							
GROWTH TIER - #3							
<i>10% buildout assumed would be developed within the next 20 years (within any given 5 year window)</i>							
23	X	$\frac{10\%}{(BUILD-OUT\%)}$	X	$\frac{\$630}{(FY20\ FEE)}$	X	$\frac{0.481}{(PV:5\%,15-YR.)}$ =	\$697
<i>Future Developments</i>							
WATER TAP REVENUE =							\$128,637

WATER USAGE BILLINGS:										
GROWTH TIER - #1										
<i>90% buildout assumed within the next 2-5 years</i>										
43	X	$\frac{\$25.05}{(FY21\ RATE)}$	X	$\frac{12}{(MONTHS)}$	X	$\frac{25\%}{(\%BILL=REVENUE)}$	X	$\frac{12.4622}{(PVA:5\%,20-YR.)}$	=	\$40,458
<i>Cedar Crest Phase-1&2</i>										
39	X	$\frac{\$25.05}{(FY21\ RATE)}$	X	$\frac{12}{(MONTHS)}$	X	$\frac{25\%}{(\%BILL=REVENUE)}$	X	$\frac{12.4622}{(PVA:5\%,20-YR.)}$	=	\$36,244
<i>Cedar Crest Phase-3&4</i>										
27	X	$\frac{\$25.05}{(FY21\ RATE)}$	X	$\frac{12}{(MONTHS)}$	X	$\frac{25\%}{(\%BILL=REVENUE)}$	X	$\frac{10.3797}{(PVA:5\%,15-YR.)}$	=	\$21,061
<i>00097-01-008 Phase-1</i>										
27	X	$\frac{\$25.05}{(FY21\ RATE)}$	X	$\frac{12}{(MONTHS)}$	X	$\frac{25\%}{(\%BILL=REVENUE)}$	X	$\frac{10.3797}{(PVA:5\%,15-YR.)}$	=	\$21,061
<i>00097-01-008 Phase-2</i>										
GROWTH TIER - #2										
<i>60% buildout assumed would be developed within the next 10 years</i>										
196	X	$\frac{60\%}{(BUILD-OUT\ \%)}$	X	$\frac{\$25.05}{(FY21\ RATE)}$	X	$\frac{12}{(MONTHS)}$	X	$\frac{25\%}{(\%BILL=REVENUE)}$	X	
<i>00098-01-022 Remainder</i>										
						$\frac{7.7217}{(PVA:5\%,10-YR.)}$	X	$\frac{0.6139}{(PV:5\%,10-YR.)}$	=	\$41,894
15	X	$\frac{100\%}{(BUILD-OUT\ \%)}$	X	$\frac{\$25.05}{(FY21\ RATE)}$	X	$\frac{12}{(MONTHS)}$	X	$\frac{25\%}{(REVENUE)}$	X	
<i>Final Buildout (Tier 1)</i>										
						$\frac{7.7217}{(PVA:5\%,10-YR.)}$	X	$\frac{0.6139}{(PV:5\%,10-YR.)}$	=	\$5,344
GROWTH TIER - #3										
<i>10% buildout assumed would be developed within the next 20 years (within any given 5 year window)</i>										
23	X	$\frac{10\%}{(BUILD-OUT\ \%)}$	X	$\frac{\$25.05}{(FY21\ RATE)}$	X	$\frac{12}{(MONTHS)}$	X	$\frac{25\%}{(REVENUE)}$	X	
<i>Future Developments</i>										
						$\frac{4.3295}{(PVA:5\%,5-YR.)}$	X	$\frac{0.481}{(PV:5\%,15-YR.)}$	=	\$360
WATER USAGE BILLINGS =										\$166,421

SEWER TAP REVENUE							
GROWTH TIER - #1							
<i>90% buildout assumed within the next 2-5 years</i>							
48	X	90% <small>(BUILD-OUT %)</small>	X	\$180 <small>(FY20 FEE)</small>	X	1 <small>(PV:0%,1-YR.)</small>	= \$7,776
<i>Cedar Crest Phase-1&2</i>							
43	X	90% <small>(BUILD-OUT %)</small>	X	\$180 <small>(FY20 FEE)</small>	X	0.7835 <small>(PV:5%,5-YR.)</small>	= \$5,458
<i>Cedar Crest Phase-3&4</i>							
30	X	90% <small>(BUILD-OUT %)</small>	X	\$180 <small>(FY20 FEE)</small>	X	1 <small>(PV:0%,1-YR.)</small>	= \$4,860
<i>00097-01-008 Phase-1</i>							
30	X	90% <small>(BUILD-OUT %)</small>	X	\$180 <small>(FY20 FEE)</small>	X	0.7835 <small>(PV:5%,5-YR.)</small>	= \$3,808
<i>00097-01-008 Phase-2</i>							
GROWTH TIER - #2							
<i>60% buildout assumed would be developed within the next 10 years</i>							
196	X	60% <small>(BUILD-OUT %)</small>	X	\$180 <small>(FY20 FEE)</small>	X	0.6139 <small>(PV:5%,10-YR.)</small>	= \$12,995
<i>00098-01-022 Remainder</i>							
15	X	100% <small>(BUILD-OUT %)</small>	X	\$180 <small>(FY20 FEE)</small>	X	0.6139 <small>(PV: 5%, 10-YR.)</small>	= \$1,658
<i>Final Buildout (Tier 1)</i>							
GROWTH TIER - #3							
<i>10% buildout assumed would be developed within the next 20 years (within any given 5 year window)</i>							
23	X	10% <small>(BUILD-OUT %)</small>	X	\$180 <small>(FY20 FEE)</small>	X	0.481 <small>(PV: 5%, 15-YR.)</small>	= \$199
<i>Future Developments</i>							
SEWER TAP REVENUE =							\$36,753

SEWER USAGE BILLINGS:										
GROWTH TIER - #1										
<i>90% buildout assumed within the next 2-5 years</i>										
43	X	\$43.35	X	12	X	30%	X	12.4622	=	\$84,018
<i>Cedar Crest Phase-1&2</i>		<i>(FY21 RATE)</i>		<i>(MONTHS)</i>		<i>(% BILL=REVENUE)</i>		<i>(PVA:5%,20-YR.)</i>		
39	X	\$43.35	X	12	X	30%	X	12.4622	=	\$75,266
<i>Cedar Crest Phase-3&4</i>		<i>(FY21 RATE)</i>		<i>(MONTHS)</i>		<i>(% BILL=REVENUE)</i>		<i>(PVA:5%,20-YR.)</i>		
30	X	\$43.35	X	12	X	30%	X	10.3797	=	\$48,596
<i>00097-01-008 Phase-1</i>		<i>(FY21 RATE)</i>		<i>(MONTHS)</i>		<i>(% BILL=REVENUE)</i>		<i>(PVA:5%,15-YR.)</i>		
30	X	\$43.35	X	12	X	30%	X	10.3797	=	\$48,596
<i>00097-01-008 Phase-2</i>		<i>(FY21 RATE)</i>		<i>(MONTHS)</i>		<i>(% BILL=REVENUE)</i>		<i>(PVA:5%,15-YR.)</i>		
GROWTH TIER - #2										
<i>60% buildout assumed would be developed within the next 10 years</i>										
196	X	60%	X	\$43.35	X	12	X	30%	X	
<i>00098-01-022 Remainder</i>		<i>(BUILD-OUT %)</i>		<i>(FY21 RATE)</i>		<i>(MONTHS)</i>		<i>(% BILL=REVENUE)</i>		
						7.7217	X	0.6139	=	\$86,998
						<i>(PVA:5%,10-YR.)</i>		<i>(PV:5%,10-YR.)</i>		
15	X	100%	X	\$43.35	X	12	X	30%	X	
<i>Final Buildout (Tier 1)</i>		<i>(BUILD-OUT %)</i>		<i>(FY21 RATE)</i>		<i>(MONTHS)</i>		<i>(% BILL=REVENUE)</i>		
						7.7217	X	0.6139	=	\$11,097
						<i>(PVA:5%,10-YR.)</i>		<i>(PV:5%,10-YR.)</i>		
GROWTH TIER - #3										
<i>10% buildout assumed would be developed within the next 20 years (within any given 5 year window)</i>										
23	X	10%	X	\$43.35	X	12	X	30%	X	
<i>Future Developments</i>		<i>(BUILD-OUT %)</i>		<i>(FY21 RATE)</i>		<i>(MONTHS)</i>		<i>(% BILL=REVENUE)</i>		
						4.3295	X	0.481	=	\$747
						<i>(PVA:5%,5-YR.)</i>		<i>(PV:5%,15-YR.)</i>		
SEWER USAGE BILLINGS =										\$355,317

ANALYSIS SUMMARY (20 YEAR PROJECTION)

WATER TAP REVENUE =	\$128,637
WATER USAGE BILLINGS =	\$166,421
TOTAL WATER REVENUE =	\$295,058

SEWER TAP REVENUE =	\$36,753
SEWER USAGE BILLINGS =	\$355,317
TOTAL SEWER REVENUE =	\$392,070

CONSTRUCTION COST =	\$679,844
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\$687,128	\$679,844	=	1.01
<i>ANTICIPATED REVENUE</i>	<i>ANTICIPATED COST</i>		<i>(REVENUE / COST) RATIO</i>

IF (REVENUE / COST) RATIO IS 1.00 OR GREATER	=	RECOMMEND PROJECT
--	----------	-------------------

IF (REVENUE / COST) RATIO IS 0.99 OR LESS	=	REJECT PROJECT
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FUNDS NEEDED TO MAKE PROJECT ECONOMICIALLY FEASIBLE	=	-\$7,284
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THE ABOVE ANALYSIS IS DESIGNED TO BE USED ONLY AS A GUIDE FOR THE STUDY OF ECONOMIC FEASIBILITY IN THE CONSIDERATION OF THE EXTENSION OF WATER AND/OR SEWER SERVICE TO A PROSPECTIVVE CUSTOMER(S) IN THE CITY'S SERVICE AREA.

May 19, 2020
END OF REPORT

IV. b.
Bill No. 2020-43
Second Reading

FLORENCE CITY COUNCIL MEETING

DATE: December 14, 2020

AGENDA ITEM: An ordinance to grant an easement on a portion of tax parcel 00102-01-161 to Duke Energy Progress, LLC, specifically 15' in depth along the northern most property line fronting Alligator Road.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

An ordinance to grant an easement on a portion of tax parcel 00102-01-161 to Duke Energy Progress, LLC, specifically 15' in depth along the northern most property line fronting Alligator Road.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:


- (1) This issue is before City Council for first reading.
- (2) It has not been considered, nor has any previous action been taken.

III. POINTS TO CONSIDER:


- (1) Request is being considered for first reading.
- (2) Section 2-26 of the Code of Ordinances states Council shall act by ordinance in all matters required by law to be done by ordinance, including the rights of any lands of the City.
- (3) The property is the location of the Alligator Road water plant owned and operated by the City of Florence.
- (4) A 15' deep easement along the entire road frontage of Alligator Road will be granted to Duke Energy (see Attachment B)
- (5) Duke Energy is requesting this easement to facilitate the widening of Alligator Road.

IV. ATTACHMENTS:

- (A) Ordinance
- (B) Location Map
- (C) Easement



Clint Moore
Assistant City Manager



Randall S. Osterman
City Manager

ORDINANCE NO. 2021-_____

AN ORDINANCE TO GRANT AN EASEMENT ON A PORTION OF TAX PARCEL 00102-01-161 TO DUKE ENERGY PROGRESS, LLC, SPECIFICALLY 15' IN DEPTH ALONG THE NORTHERN MOST PROPERTY LINE FRONTING ALLIGATOR ROAD.

WHEREAS, a request has been made for the City to grant an easement to Duke Energy Progress, LLC for their purposes of maintenance and access to their utility lines on the property identified as 00102-01-161, and;

WHEREAS, the easement will be approximately 15' in depth along the northern most property line adjacent to Alligator Road, and;

WHEREAS, the City Council of the City of Florence held first reading in the City Center Council Chambers on December 14, 2020 at 1:00 P.M., 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 grants an easement to Duke Energy Progress, LLC on the aforementioned property.
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. 2021 - _____

Page 2 – January 2021

ADOPTED THIS _____ DAY OF _____, 2021

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin
Mayor

Attest:

Amanda P. Pope
Municipal Clerk

Attachment B: Location Map



EASEMENT

SOUTH CAROLINA
FLORENCE COUNTY

Prepared By: Duke Energy Progress, LLC
Return To: Duke Energy Progress, LLC
Attn: Bill Foxworth
Re: Alligator Rd Phase II
Tract 91
PO Box 1241
Conway, SC 29528
Parcel: 00102-01-161

THIS EASEMENT ("Easement") is made this _____ day of _____, 20____
("Effective Date"), from CITY OF FLORENCE, ("GRANTOR," whether one or more), to Duke Energy Progress, LLC, a
North Carolina limited liability company ("DEP"); its successors, licensees, and assigns.

WITNESSETH:

THAT GRANTOR, for and in consideration of the sum of ONE DOLLAR (\$1.00), the receipt and sufficiency of which are hereby acknowledged, does hereby grant unto DEP, its successors, lessees, licensees, transferees, permittees, apportionees, and assigns, the perpetual right, privilege, and easement to go in and upon the land of GRANTOR situated in said County and State, described as follows: containing 1 acre more or less and being the land described in a deed from Barbara T. Mooney and Richard P. Proctor to City of Florence, dated October 12, 1999, recorded in Deed Book A575, Page 1053, Florence County Register of Deeds (the "Property"), LESS AND EXCEPT any prior out-conveyances, and to construct, reconstruct, operate, patrol, maintain, inspect, repair, replace, relocate, add to, modify and remove electric and/or communication facilities thereon including but not limited to, supporting structures such as poles, cables, wires, guy wires, anchors, underground conduits, enclosures/transformers, vaults and manholes, and other appurtenant apparatus and equipment (the "Facilities") within an easement area being fifteen (15) feet wide (the "Easement Area"), for the purpose of transmitting and distributing electrical energy and for communication purposes of DEP and Incumbent Local Exchange Carriers. The centerline of the Facilities shall be the center line of the Easement Area. **Grantor shall retain the right to use the Easement Area in any manner provided such use is not inconsistent with the rights granted herein to Grantee.**

The right, privilege and easement shall include the following rights granted to DEP: (a) ingress and egress over the Easement Area and over adjoining portions of the Property (using lanes, driveways and paved areas where practical as determined by DEP); (b) to relocate the Facilities and Easement Area on the Property to conform to any future highway or street relocation, widening or improvement; (c) to trim and keep clear from the Easement Area, now or at any time in the future, trees, limbs, undergrowth, structures or other obstructions, and to trim or clear dead, diseased, weak or leaning trees or limbs outside of the Easement Area which, in the opinion of DEP, might interfere with or fall upon the Facilities; (d) to install guy wires and anchors extending beyond the limits of the Easement Area; and (e) all other rights and privileges reasonably necessary or convenient for DEP's safe, reliable and efficient installation, operation, and maintenance of the Facilities and for the enjoyment and use of the Easement Area for the purposes described herein.

Notwithstanding anything to the contrary above, It is understood and agreed that:

1. The general location of the Easement Area is shown on the sketch attached hereto as Exhibit A and recorded herewith. The final and definitive location of the Easement Area shall become established by and upon the final installation and erection of the facilities by DEP in substantial compliance with Exhibit A hereto.

TO HAVE AND TO HOLD said rights, privilege, and easement unto DEP, its successors, licensees, and assigns, forever, and GRANTOR, for itself, its heirs, executors, administrators, successors, and assigns, covenants to and with DEP that GRANTOR is the lawful owner of the Property and the Easement Area in fee and has the right to convey said rights and Easement.

IN WITNESS WHEREOF, this EASEMENT has been executed by GRANTOR and is effective as of the Effective Date herein.

Witnesses:

CITY OF FLORENCE

BY: _____

ITS: _____

ATTEST:

_____, _____ Clerk

(Affix Official Seal)

STATE OF _____ }

COUNTY OF _____ }

I, _____, a Notary Public of _____ County, State of _____, certify that _____ personally appeared before me this day and made oath that he/she saw the within named _____, the _____ of CITY OF FLORENCE, sign the foregoing EASEMENT and _____, its City Clerk, attest the same, and said City of Florence, by said officials, seal said EASEMENT as its act and deed, deliver the same, and that he/she with _____ witnessed the execution thereof.

Sworn to before me, this _____ day
of _____, 20_____.

Notary Public

Print Name of Notary

Witness Signature





Funding #: PFP187512

Designed By: Len Blanton

Work Order #: 29468477

Design Completed: 12-09-19

Address:
Exhibit A
Southern Land Company
Alligator Rd. Widening
Florence, SC 29541
Florence County

Scale: 1" = 30'

Office Phone:

Cell Phone: 843-323-2870

Sheet #:



1838 Habersham Square
Suite B
Florence, SC 29501
LICENSURE #: 4286

LEGEND

- INSTALL (RED)
- REMOVE (GREEN)
- EXISTING TO REMAIN (BLUE)
- ABANDON (ORANGE)
- TEMPORARY (YELLOW)
- - - PERMANENT UTILITIES EASEMENT
- - - AERIAL UTILITIES EASEMENT

TYPICAL DE R/W EASEMENTS

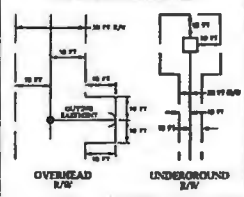
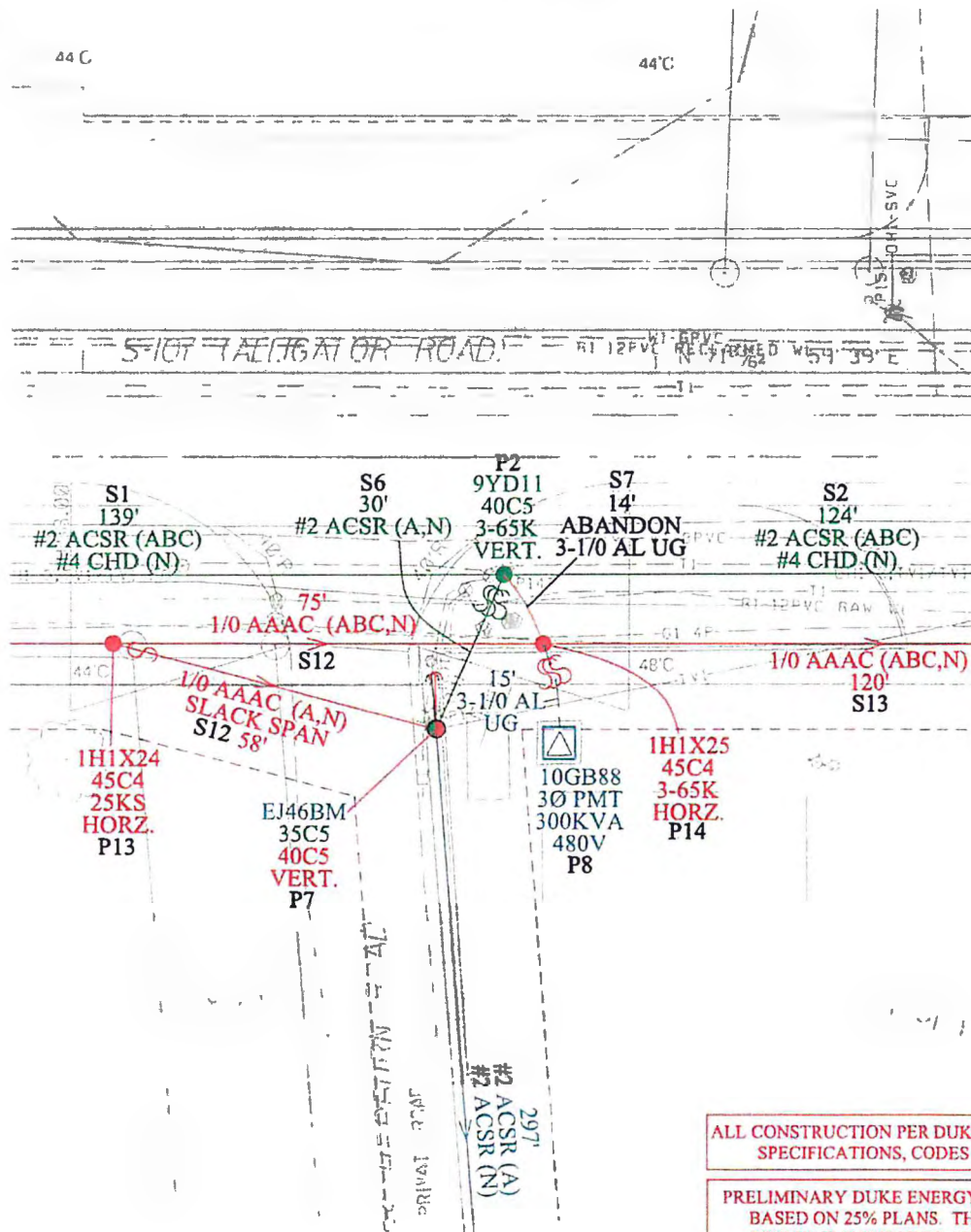


EXHIBIT A



ALL CONSTRUCTION PER DUKE ENERGY PROGRESS SPECIFICATIONS, CODES AND MANUALS.

PRELIMINARY DUKE ENERGY PROGRESS DESIGN BASED ON 25% PLANS. THIS PRELIMINARY DESIGN IS SUBJECT TO CHANGE BASED ON RIGHT-OF-WAY ACQUISITION, SCOPE CHANGES, FINAL PLAN CHANGES, COORDINATION WITH OTHER UTILITIES, ETC.

FLORENCE CITY COUNCIL MEETING

DATE: January 11, 2021

AGENDA ITEM: An ordinance to adopt a model business license ordinance in accordance with the business license bill (H4431) passed by the South Carolina Legislature in September 2020

DEPARTMENT: Finance

I. ISSUE UNDER CONSIDERATION

For City Council consideration is an ordinance to adopt a model business license ordinance in accordance with new state law.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

A. The Municipal Association of South Carolina (MASC) has drafted a model business license ordinance in order to comply with state law and is encouraging all municipalities to adopt this ordinance in its entirety, rather than municipalities attempting to amend their current ordinances to comply with state law.

B. State law now requires all municipalities adopt a common April 30th due date for business license renewal. The City's current due date is June 15th.

C. State law also requires each municipality to use the state-wide portal developed by MASC for the payment of business licenses. This new portal will allow a business with locations in different municipalities to make one payment for all its business licenses, rather than making a separate payment to each municipality.

III. POINTS TO CONSIDER

A. In 2021, since this is the year of adoption, the City will treat it as a transition year and will not charge a penalty for a late payment of a business license until after June 15th.

B. In addition, state law requires municipalities to recalibrate their business license fee schedule every other year, like the reassessment requirement for counties. The MASC is currently working on this recalibration for the City of Florence, but they have not yet completed their work.

IV. STAFF RECOMMENDATION

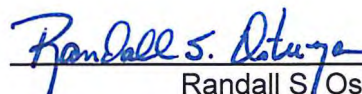
Staff recommends deferral of first reading of this ordinance until the February meeting. By that time the MASC should have completed its work on the recalibration of the City's business license fee schedule.

V. ATTACHMENTS

(NONE)



Kevin Yokim
Assistant City Manager



Randall S. Osterman
City Manager

FLORENCE CITY COUNCIL MEETING

DATE: January 11, 2021

AGENDA ITEM: Ordinance To Annex and Zone 1537 North Sierra Range, TMN 90096-01-008; 1543 North Sierra Range, TMN 90096-01-009; 1539 North Sierra Range, TMN 90096-01-017 and 1534 North Sierra Range, TMN 90096-02-005.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex property located at 1537 North Sierra Range, Tax Map Number 90096-01-008; 1543 North Sierra Range, Tax Map Number 90096-01-009; 1539 North Sierra Range, Tax Map Number 90096-01-017 and 1534 North Sierra Range, Tax Map Number 90096-02-005 into the City of Florence and zone to NC-6.1, Neighborhood Conservation 6.1. The request is being made by the property owners.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On December 8, 2020, Planning Commission held a public hearing on this matter, and voted unanimously, 6-0, to recommend the zoning request of NC-6.1, Neighborhood Conservation 6.1.

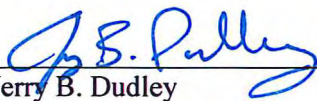
III. POINTS TO CONSIDER:

- (1) Request is being considered for first reading.
- (2) City water and sewer services are currently available; there is no cost to extend utility services.
- (3) City staff recommends annexation and concurs with Planning Commission's recommendation to zone the properties NC-6.1 Neighborhood Conservation 6.1.


IV. PERSONAL NOTES:

V. ATTACHMENTS:

- (1) Ordinance
- (2) Vicinity Map
- (3) Annexation Petitions



Jerry B. Dudley
Planning Director



Randall S. Osterman
City Manager

ORDINANCE NO. 2021-_____

AN ORDINANCE TO ANNEX AND ZONE 1537 NORTH SIERRA RANGE, TMN 90096-01-008; 1543 NORTH SIERRA RANGE, TMN 90096-01-009; 1539 NORTH SIERRA RANGE, TMN 90096-01-017 AND 1534 NORTH SIERRA RANGE, TMN 90096-02-005.

WHEREAS, a Public Hearing was held in the Council Chambers on December 8, 2020 at 6:00 P.M. before the City of Florence Planning Commission via Zoom, and notice of said hearing was duly given;

WHEREAS, application by Venca Sinclair, owner of TMN 90096-01-008, application by Thelma Brailey, owner of TMN 90096-01-009, application by Clyde Bradford, owner of TMN 90096-01-017 and application by Arthur and Delores Lawrence, owners of TMN 90096-02-005, was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid properties be incorporated into the City limits of the City of Florence under the provisions of **Section 5-3-150(3) of the 1976 Code of Laws of South Carolina** and given the zoning district classification of NC-6.1:

The properties requesting annexation are shown more specifically on Florence County Tax Maps 90096, block 01, parcel 008 (0.290981 acres), Florence County Tax Map 90096, block 01, parcel 009 (0.408708 acres), Florence County Tax Map 90096, block 01, parcel 017 (0.29047 acres), and Florence County Tax Map 90096, block 02, parcel 005 (0.268591 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 _____, 2021

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin,
Mayor

Attest:

Amanda P. Pope
Municipal Clerk

Vicinity Map: 1534, 1537, 1539, 1543 North Sierra Range



Legend

-  Manhole
-  Gravity Main
-  Water Mains
-  City Limits
-  Parcels
-  Parcels proposed for annexation



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.

50 25 0 50 Feet

Date: 1/6/2021

Attachment 3: Annexation Petitions

STATE OF SOUTH CAROLINA)

PETITION FOR ANNEXATION

COUNTY OF FLORENCE)

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

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

1. The petitioners are the sole owner(s) of real estate in the County of Florence, State of South Carolina which property lies adjacent and contiguous to the corporate limits of the City of Florence.

2. That the petitioner(s) desires to annex the property more particularly described below:

Florence County Tax Map Number:

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 3 Race B
Total 18 and Over 3 Total Registered to Vote 3

APPLICANT (S) (Please print or type):

Name(s): VENEA C. SINCLAIR

Address: 1537 N SIERRA RANGE

Telephone Numbers: 843-601-7939 [work] _____ [home]

Email Address: _____

Signature Venea Sinclair Date 11-6-20

Certification as to ownership on the date of petition:

Date 11/11/20

FOR OFFICIAL USE ONLY

Alfred Cassid

Attachment 3: Annexation Petition continue

STATE OF SOUTH CAROLINA)

PETITION FOR ANNEXATION

COUNTY OF FLORENCE)

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

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

1. The petitioners are the sole owner(s) of real estate in the County of Florence, State of South Carolina which property lies adjacent and contiguous to the corporate limits of the City of Florence.
2. That the petitioner(s) desires to annex the property more particularly described below:
Florence County Tax Map Number:
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	<u>1</u>	Race	<u>1</u>
Total 18 and Over	<u>1</u>	Total Registered to Vote	<u>1</u>

APPLICANT (S) (Please print or type):

Name(s): Thelma L Brailey
 Address: 1543 North Sierra Range, Florence SC 29501
 Telephone Numbers: (843) 665-7704 (work) (843) 665-7704 (home)
 Email Address: Lbrailey@live.com

Signature: Thelma L. Brailey Date: 9-23-2020

Certification as to ownership on the date of petition: Date <u>11/11/20</u>	FOR OFFICAL USE ONLY <u>Alfred Cardich</u>
--	---

Attachment 3: Annexation Petition continue

STATE OF SOUTH CAROLINA)

PETITION FOR ANNEXATION

COUNTY OF FLORENCE)

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

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

1. The petitioners are the sole owner(s) of real estate in the County of Florence, State of South Carolina which property lies adjacent and contiguous to the corporate limits of the City of Florence.
2. That the petitioner(s) desires to annex the property more particularly described below:
Florence County Tax Map Number:
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	<u>3</u>	Race	<u> </u>
Total 18 and Over	<u>3</u>	Total Registered to Vote	<u>3</u>

APPLICANT (S) (Please print or type):

Name(s): Clyde Bradford

Address: 1539 SIERRA RANGE

Telephone Numbers: 843 665 7940 [work] 843-665 7940 [home]

Email Address: -brad7662@gmail.com

Signature Clyde Bradford Date 10-16-2020

Certification as to ownership on the date of petition: Date <u>11/11/20</u>	FOR OFFICIAL USE ONLY <u>Alfred Card</u>
--	---

Attachment 3: Annexation Petition continue

STATE OF SOUTH CAROLINA)

PETITION FOR ANNEXATION

COUNTY OF FLORENCE)

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

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

- 1. The petitioners are the sole owner(s) of real estate in the County of Florence, State of South Carolina which property lies adjacent and contiguous to the corporate limits of the City of Florence.
- 2. That the petitioner(s) desires to annex the property more particularly described below:
Florence County Tax Map Number:
- 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	<u>2</u>	Race	<u>Black</u>
Total 18 and Over	<u>2</u>	Total Registered to Vote	<u>2</u>

APPLICANT (S) (Please print or type):

Name(s): LAWRENCE, DELORES + ARTHUR
 Address: 1322 Brandt Street, Greensboro, NC 27407
 Telephone Numbers: 336-312-5247 ^{mobile} 336-852-7115 [work] [home]
 Email Address: delores.lawrence68@yahoo.com

Signature Delores Lawrence Date 10-9-2020
Arthur Lawrence 10-9-2020

Certification as to ownership as the date of petition	FOR OFFICIAL USE ONLY
Date <u>10/17/20</u>	<u>[Signature]</u>

FLORENCE CITY COUNCIL MEETING

VI. a.
Resolution No.
2021-01

DATE: January 11, 2021
AGENDA ITEM: Resolution
DEPARTMENT/DIVISION: City Council

I. ISSUE UNDER CONSIDERATION

A Resolution pursuant to Section I., II., and III. of Ordinance No. 2020-28, to extend the emergency term and the application of said Ordinance by an additional sixty (60) days.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN


- A. On September 14, 2020 City Council adopted Emergency Ordinance No. 2020-28 to extend emergency measures put in place previously by Emergency Ordinances No. 2020-20, 2020-12, and 2020-13 to include the requirement established that individuals wear face coverings in establishments open to the public and foodservice establishments, and other matters related in response to the COVID-19 emergency.
- B. On November 9, 2020 City Council adopted Resolution No. 2020-21 to extend the term of Ordinance No. 2020-28 by an additional 60 days, with an expiration date of January 11, 2021.

III. POINTS TO CONSIDER

- A. The City has determined that conducting meetings in the ordinary course and in the usual manner would create a public health hazard by involving a gathering in which minimum social distancing could not be reliably observed.
- B. The Resolution will extend the emergency provisions, terms and conditions of Ordinance No. 2020-28 by an additional 60 days, to expire on March 12, 2021.

IV. ATTACHMENTS

- A. Proposed Resolution



Randall S. Osterman
City Manager

RESOLUTION NO. 2021-01

A RESOLUTION PURSUANT TO SECTION I.b, II.b, and III.b OF ORDINANCE NO. 2020-28 TO EXTEND THE EMERGENCY TERM AND THE APPLICATION OF SAID ORDINANCE BY AN ADDITIONAL SIXTY (60) DAYS.

1. Incident to adoption of the Resolution, City Council (“Council”) reiterates and adopts the findings of fact set out in Ordinance No. 2020-28 and specifically finds that the emergency situation created by the 2019 Novel Coronavirus (COVID-19) pandemic situation continues to exist.
2. City Council adopts this Resolution authorizing the extension of the emergency term and the provisions established by Ordinance No. 2020-28.

NOW, THEREFORE, BASED UPON THE FINDINGS OF FACT REFERENCED AND SET OUT ABOVE, IT IS HEREBY RESOLVED BY THE MAYOR AN CITY COUNCIL OF THE CITY OF FLORENCE, SOUTH CAROLINA AS FOLLOWS:

- a. The City hereby declares that the emergency situation created by the 2019 Novel Coronavirus (COVID-19) pandemic situation continues to exist, and, therefore, hereby extends the emergency provisions, terms and conditions established by Ordinance No. 2020-28 for an additional sixty (60) days with the new expiration date now being March 12, 2021.

AND IT IS SO RESOLVED THIS 11TH DAY OF JANUARY, 2021.

APPROVED AS TO FORM:

JAMES W. PETERSON, JR.
City Attorney

TERESA MYERS ERVIN
Mayor

ATTEST:

AMANDA P. POPE
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: January 11, 2021
AGENDA ITEM: Resolution
DEPARTMENT/DIVISION: City Council

I. ISSUE UNDER CONSIDERATION

A Resolution to designate an additional, third day for Christmas as an official holiday for the City of Florence.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

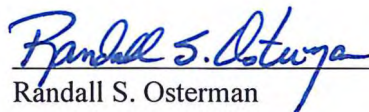
The city currently recognizes two days at Christmas as official holidays – Christmas Eve and Christmas Day.

III. POINTS TO CONSIDER

- A. City Council has historically authorized a third Christmas holiday for the city by placing the request into a motion on an annual basis.
- B. At the November 9, 2020 Regular Meeting of City Council, members of City Council requested that a third Christmas holiday become a permanent holiday for the city.

IV. ATTACHMENTS

Resolution



Randall S. Osterman
City Manager

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

RESOLUTION 2021-02

**A Resolution to designate a third day at Christmas as an official holiday
for the City of Florence**

WHEREAS, pursuant to South Carolina Code Section 53-5-10, the twenty-fourth, twenty-fifth, and twenty-sixth days of December in each year are legal holidays for the State; and

WHEREAS, Florence County offices also observe Christmas Eve, Christmas Day, and the day after Christmas as official holidays; and

WHEREAS, at the November 9, 2020 Regular Meeting of City Council, members of City Council requested a third Christmas holiday be a permanent holiday for the City of Florence; and

NOW, THEREFORE BE IT RESOLVED, the City Council of the City of Florence, South Carolina do hereby declare Christmas Eve, Christmas Day, and a third day determined by the City Manager as official holidays for the City of Florence.

RESOLVED THIS 11TH DAY OF JANUARY 2021.

Approved as to form:

JAMES W. PETERSON, JR.
CITY ATTORNEY

TERESA MYERS ERVIN
MAYOR

ATTEST:

AMANDA P. POPE
MUNICIPAL CLERK

FLORENCE CITY COUNCIL MEETING

VII.
Report to Council
Appt. to Boards

DATE: January 11, 2021
AGENDA ITEM: Report to Council
DEPARTMENT/DIVISION: City Council

I. ISSUE UNDER CONSIDERATION

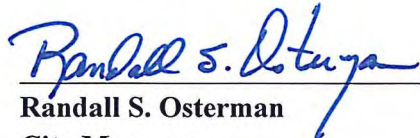
Council will consider nominations for City Boards and/or Commissions.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN


A. There is one (1) Board or Commission that has a vacancy.

III. ATTACHMENTS

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



Randall S. Osterman
City Manager



Scotty Davis
Deputy City Manager

SCHEDULE OF COUNCIL NOMINATIONS TO BOARDS AND COMMISSIONS - JANUARY 2021							
	District 1	District 2	District 3	At-Large 1	At-Large 2	At-Large-3	Mayor
	vacant	Moore	vacant	Jebaily	Barnes	McCall	Ervin
Planning Commission				x			

Councilwoman Moore made the last appointment at the December 14, 2020 Council meeting. Since District 3's seat is vacant, the next appointment will fall to Pro tem Jebaily

CITY OF FLORENCE PLANNING COMMISSION

I. NOMINATIONS:

There is one (1) vacancy* on Planning Commission.

*Jennifer Edwards has resigned her position on this Board

II. COUNCILMEMBER(S) TO MAKE NOMINATION:

- Pro tem Jebaily

III. APPLICANT(S):

- Shelanda Deas
- Mya Green
- Derek Lowe
- Lillian Walker

IV. ATTACHMENTS:

- Resignation transmittal
- Applications received

Casey Moore

From: Casey Moore
Sent: Wednesday, January 6, 2021 4:01 PM
To: Casey Moore
Subject: RE: Planning Commission

CAUTION: This email originated from outside the City of Florence. Maintain caution when opening external links/attachments

Hello Alane-

I am unsure of the proper person to contact, but since you are my main source of communication I am starting here.

I have decided to resign from the planning commission. I have enjoyed my service, but it is time for someone else to have the opportunity.

I will miss seeing you, the rest of the staff, and the other members of the commission. I am happy to drop off my copy of the Unified Development Ordinance to be passed on if that would be helpful.

My best to you for the holidays and in 2021!

Sincerely,
Jennifer Edwards



APPLICATION FOR BOARDS AND COMMISSIONS
CITY OF FLORENCE
SOUTH CAROLINA

Board or Commission for which you are applying: City of Florence Planning Commission			
Your Name (Last, First, Middle) Lowe, Derek, Geist		County Florence	Council District 3
Residential Address 490 Gloria Ct		City Florence	State. Zip Code South Carolina 29501
Mailing Address 507 W Cheves St		City Florence	State. Zip Code South Carolina 29501
Your Occupation- Title Insurance Agency Owner		Business Phone 8436671315	Residence Phone 8436658087
Employer Name Lowe Insurance Agency		E-mail Address derek@loweins.com	
Employer Address 507 W Cheves St		City Florence	State. Zip Code South Carolina 29501

General Qualifications

Are you a resident of the City? Yes No How Long? 1991

Why would you like to serve?

I want to represent my community and be a voice for like minded individuals that want to see Florence do better! I have a servants mentality and am ready to put the time and effort needed to make a positive impact.

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

NO

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

No

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

No.

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

I have been involved with the Chamber of Commerce, BNI, and Rotary Club for 2019/2020.

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

My goal is to help redevelop the surrounding downtown areas and improve the quality of local business's.

Making decisions that will improve the physical aspects of rundown areas and in turn driving more businesses and residents to this area are my primary objectives.

I certify that the information above is true and correct. DGL Initial 7/22/2020 Date
Information on this form will be considered public. DGL Initial 7/22/2020 Date

RETURN COMPLETED FORM TO:

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

FOR OFFICE USE ONLY

Received:	<u>7.22.20</u>
Appointed to:	
Date:	



APPLICATION FOR BOARDS AND COMMISSIONS
CITY OF FLORENCE
SOUTH CAROLINA

Board or Commission for which you are applying: City Of Florence Planning Commission			
Your Name (Last, First, Middle) Walker Lillian Lynn		County Florence	Council District City-3 County-8
Residential Address 2013 2nd Loop Road D16		City Florence	State South Carolina
Mailing Address		City	Zip Code 29501
Your Occupation- Title Special Services Specialist		Business Phone 843-309-3192	Residence Phone 843-610-8959
Employer Name PDCAP Head Start /EHS		E-mail Address lynn29560@gmail.com	
Employer Address 2327 Prosperity Way Suite 10		City Florence	State South Carolina
			Zip Code 29502

General Qualifications

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

Why would you like to serve?

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

I would like to be more involve in the city and what happens in our city, in regards to planning.

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

No

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

No

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

No

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

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

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

To be a committed team member and provide resources to make effective decisions regarding all decisions in better planning for our city.

I certify that the information above is true and correct. LLW Initial 06/10/2020 Date
Information on this form will be considered public. LLW Initial 06/10/2020 Date

RETURN COMPLETED FORM TO:

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

FOR OFFICE USE ONLY

Received:	<i>LLW 6.10.2020</i>
Appointed to:	
Date:	



APPLICATION FOR BOARDS AND COMMISSIONS
 CITY OF FLORENCE
 SOUTH CAROLINA

Board or Commission for which you are applying: City of Florence Planning Commission			
Your Name (Last, First, Middle) Deas, Shelanda Monicke		County Florence	Council District District One
Residential Address 405 Lawson Street	City Florence	State South Carolina	Zip Code 29501
Mailing Address 405 Lawson Street	City Florence	State South Carolina	Zip Code 29501
Your Occupation- Title RUSH Counselor	Business Phone 843-661-8184	Residence Phone 843-669-0864	
Employer Name Florence-Darlington Technical College		E-mail Address shelanda.deas@yahoo.com	
Employer Address 2715 West Lucas Street	City Florence	State South Carolina	Zip Code 29501

General Qualifications

Are you a resident of the City? Yes* No How Long? 15 YEARS

Why would you like to serve?

I am a Florentine and would like to continue to assist in improving the quality of life for the citizens of Florence, South Carolina.

I worked as a Florence County Planner and understand zoning and annexation issues.

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

City-County Civic Center Commission: Second Term Ended June 2020

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

City-County Civic Center Commission: Term 2012-2020

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

No I am not currently in a position of responsibility with an organization or board that has received or is seeking funding from the City of Florence.

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

I have and will continue to volunteer with several different community activities: Mentoring, Northwest Community, Junior League of Florence, The South Carolina Pecan Festival STEW ZONE, etc.

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

I would like to continue to enhance the quality of life for the citizens of Florence, South Carolina by continuing to plan for physical, social, and economic growth, development and redevelopment of Florence, South Carolina.

I certify that the information above is true and correct. SD Initial 07/07/2020 Date
 Information on this form will be considered public. SD Initial 07/07/2020 Date

RETURN COMPLETED FORM TO:

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

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Received:	CM 7-8-2020
Appointed to:	
Date:	



APPLICATION FOR BOARDS AND COMMISSIONS
CITY OF FLORENCE
SOUTH CAROLINA

* Address updated per applicant's request
(20)

Board or Commission for which you are applying: City of Florence Planning Commission			
Your Name (Last, First, Middle) Green, Mya		County Florence	Council District 1
Residential Address 933 Apple Grove		City Florence	State, Zip Code South Carolina 29501
Mailing Address		City	State, Zip Code South Carolina
Your Occupation- Title Attorney		Business Phone (843) 656-4417	Residence Phone (843) 230-2341
Employer Name Turner Padgett Graham & Laney, P.A.		E-mail Address myagreen94@gmail.com	
Employer Address 1831 W Evans Street		City Florence	State, Zip Code South Carolina 29501

General Qualifications

Are you a resident of the City? Yes No How Long? _____

Why would you like to serve?

I recently returned to the Pee Dee area after graduating from law school and practicing law for one year in Charleston. Contributing to the area's growth and development is very important to me as a young resident and attorney. I would like to implement ideas that would attract more young professionals to the area.

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

No.

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

No.

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

No.

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

Yes, I am a volunteer income tax preparer. I am also volunteering with SCCADVASA (the SC Coalition Against Domestic Violence and Sexual Assault), and I am a mock trial coach. Prior to returning home, I was a volunteer at the animal shelter in Charleston. I have also signed up to volunteer with the Florence Area Humane Society.

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

My goals include attracting more young professionals to the area who can contribute economically to the city's development. I would also like to provide more opportunities to the youth in the area that will lead to higher college enrollment & graduation rates. Additionally, I want to provide resources to residents that will contribute to their social and economic growth, which will in turn contribute to the city's social and economic growth.

I certify that the information above is true and correct. MG Initial 07/14/20 Date
Information on this form will be considered public. MG Initial 07/14/20 Date

RETURN COMPLETED FORM TO:

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

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Received:	7.14.2020
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Date:	