



**SPECIAL MEETING OF FLORENCE CITY COUNCIL
THURSDAY, MAY 13, 2021 – 4:00 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, Mayor Pro Tempore George Jebaily, Councilwoman Pat Gibson-Hye Moore, Councilwoman Lethonia Barnes, Councilman Chaquez T. McCall, Councilman Bryan A. Braddock and Councilman C. William Schofield.

ALSO PRESENT

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

MEDIA PRESENT

Notices of this special 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 May 13, 2021 special meeting of Florence City Council to order at 4:12 p.m.

INVOCATION

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

Following the invocation Mayor Ervin said Council will be entering into Executive Session.

EXECUTIVE SESSION

Councilwoman Moore made a motion to enter into Executive Session and Councilwoman Barnes seconded the motion. Without objection, Council entered into Executive Session at 4:14 p.m. for the receipt of legal advice.

Council reconvened Open Session at 5:02 p.m. and took action on the following item:

INTRODUCTION OF RESOLUTIONS



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Resolution No. 2021-15

A Resolution to address the provisions of Ordinance No. 2021-08 regarding the use of Face Coverings in response to Executive Order 2021-23 issued by the Governor on May 11, 2021.

Councilman McCall made a motion to adopt “Option A” of the Resolution and Councilwoman Moore seconded the motion.

Councilman McCall said option “A” of the Resolution encourages the continued use of face coverings throughout the city and mandates the use of face coverings in public buildings operated by the City of Florence. He said he wished there were a better option to choose from, but he does not wish to utilize city resources in litigation with the state. The city should show leadership in moving the city forward by following science. He said the city, as well as the other municipalities in the state, have had their home rule power taken away with the executive order issued by the Governor, leaving them with very few options. He said he understands that option “A” may cause confusion; however, this option shows leadership and that the city is following science by mandating masks in city buildings and strongly encouraging them throughout the city.

Pro tem Jebaily explained the situation at hand. He said the two Resolution options that were presented to Council are in response to the Governor’s Executive Order. He said for over a year, the city has had the mask mandate in place and over that time Florence has seen huge spikes in the number of cases. In January, Florence County had over 200 cases per day with multiple deaths per day. He said this is a deadly disease and was a scary time for those impacted by the virus. The face mask ordinance and social distancing has helped save many lives; however, people becoming vaccinated has resulted in a significant decrease in numbers. This week, nationwide, there was over a 20% reduction in new COVID cases simply because 100 million people have been vaccinated. Pro tem Jebaily addressed the Florence community, saying 43% of the people in the state have received their first vaccine shot and 35% have had both shots but 70-80% is the goal. The CDC released today that people fully vaccinated are now able to go without facemasks both indoors and outdoors. Both option “A” and option “B” remove the face covering mandate throughout the city; however, option “B” has no face covering mandate while option “A” mandates the wearing of face coverings in city operated buildings. Pro tem Jebaily said option “A” could cause confusion because the CDC says a mask is no longer necessary if they are vaccinated and the city ordinance says it is not required in other businesses throughout the city; therefore, there is less risk for confusion with option “B”. He said the city will continue to encourage businesses and their employees to wear face masks and the city would be better served by being consistent with the other businesses in the city. For those reasons, Pro tem Jebaily said he prefers option “B”.

Councilwoman Barnes said her first option would be for the current face covering ordinance to remain in effect, but this option is not on the table. She said the general public is being told they do not have to wear a mask throughout the city, but it is sending a double, confusing message by requiring a mask to enter city buildings. She said we either need to mandate mask wearing for all or lift the requirement for all. She said she prefers option “B” and ended her discussion by encouraging citizens to get vaccinated.

Councilman Braddock said Councilman McCall mentioned following the science. He said the city has asked people to do that for the past year – to wear a mask and socially distance. Today, the CDC released a statement saying it is no longer necessary for vaccinated individuals to wear a mask indoors or outdoors. He said option “A” is going against the science by continuing to require individuals to wear masks and Council should not pass an ordinance that exempts the very science that Council has been following to put them in place. He also estimated 4-6 cases within the city and 12 in the County and said that is .00012% of the population in Florence County with COVID. At this point, Council should be celebrating



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the citizens of Florence for following the ordinance. City operated buildings are the public's buildings and option "B" will be telling the public they cannot enter without a mask, even though they have done everything that has been asked of them to protect themselves and others from COVID. He said this is sending a mixed signal and asked at what point does Council say it is okay to not wear a mask.

Councilwoman Moore said her main concern is safety. She stated the federal building is more public than the City Center building and they are requiring masks for entry. She said many people do enter the city's building and it is a matter of making it safe for the employees. There is no way to know who is vaccinated and it is keeping the employees safe by requiring people to wear masks inside the building. Councilwoman Moore said she seconded the motion for option "A", and she stands behind option "A".

Councilman McCall said he would like to hear the Mayor's opinion, since she has a medical degree and has seen the effects of COVID firsthand as a nurse. Mayor Ervin said she wants the public to be clearly informed. She stated that COVID-19 has not been conquered yet and it continues to mutate. She encouraged citizens to get vaccinated. A vaccine decreases an individual's chance of getting COVID and they will not get as sick if they do contract it. She said the numbers are saying that 40% of the population has been vaccinated, but the numbers must reach 75% or more and it is too soon to relax efforts. She said she supports option "A" in order to protect city employees and she feels other businesses will be doing the same.

Councilwoman Barnes said she wishes the city could continue with the city-wide mask mandate; however, option "A" is going to cause confusion and it's sending a mixed message.

Pro tem Jebaily said wearing masks has been extremely effective at preventing COVID-19 and Council is only in this position because of the Governor's Executive Order. He asked Mr. Jim Peterson, City Attorney, if Council adopts option "A" and the downward trend continues, would Council be able to consider option "B" at the next Council meeting in June, to which Mr. Peterson replied yes. Mr. Peterson said the original face covering ordinance, along with each amendment/extension, has always recognized that the COVID-19 situation is ever evolving. Pro tem Jebaily said he is changing his position and requested that if option "A" is adopted, to keep option "B" at the forefront and revisit it at June's Council meeting.

Councilman McCall said he wished the face covering mandate city-wide could continue; however, the Executive Order issued by the Governor does not make that possible. Option "A" allows employee protection and Council does have the authority to mandate face coverings in city buildings.

Councilman Braddock said the issue of potential confusion keeps arising. With option "A", there are 8 different exceptions to the ordinance: religious beliefs, medical conditions, and some that could be subjective. He said revisiting the ordinance at the June meeting in just a few weeks is going to cause further confusion. He asked for clarity on what Council will use as their basis moving forward that allows for the change from option "A" to option "B". Councilwoman Moore said Council would be monitoring trends, if the numbers started to trend upward again then a City-wide mandate may be back on the table or they may consider option "B" if the numbers trend down, but right now it is still uncertain.

Councilman McCall acknowledged that the few weeks to the June meeting is not enough time and said the consideration of option "B" should be pushed back to the July meeting. He then made a motion to amend the original motion to adopt option "A" and consider option "B" at the July meeting after they have more information and Pro tem Jebaily seconded the motion to amend.



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Councilwoman Moore said she agrees with the amendment, saying it will allow enough time to monitor the trends.

Council voted 6-1 to approve the amendment to the motion, with Councilman Braddock voting nay.

Councilman McCall made a motion to adopt Resolution No. 2021-15 – option “A”, as amended to revisit option “B” at the July meeting, and Councilwoman Moore seconded the motion. Council voted 4-3 in favor of the motion, with Mayor Ervin, Pro tem Jebaily, Councilwoman Moore and Councilman McCall voting yay and Councilman Braddock, Councilman Schofield and Councilwoman Barnes voting nay.

ADJOURN

Without objection, the May 13, 2021 Special meeting of City Council was adjourned at 5:44 p.m.

Dated this 14th day of June 2021.

Casey C. Moore, Municipal Clerk

Teresa Myers Ervin, Mayor