



**REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, NOVEMBER 8, 2021 – 1:00 P.M.
CITY CENTER – COUNCIL CHAMBERS
324 WEST EVANS STREET
FLORENCE, SOUTH CAROLINA**

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; Mr. Kevin Yokim, Assistant City Manager of Administration/Finance; Chief Allen Heidler, Florence Police Department; Chief Shannon Tanner, Florence Fire Department; Mr. Jerry Dudley, Director of Planning; Mrs. Jennifer Krawiec, Director of Human Resources; Mr. Michael Hemingway, Director of Utilities; Mrs. Amanda Pope, Director of Marketing/Communications and Municipal Services; and Mr. Chuck Pope, Director of Public Works.

MEDIA PRESENT

Mr. Matthew Christian of the Florence Morning News, Mr. Carlos Flores and Mrs. Tonya Brown of WPDE News, and Ms. Lacey Lee of WBTW News were present for the meeting.

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 November 8, 2021 regular meeting of Florence City Council to order at 1:00 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

Councilwoman Moore made a motion to adopt the minutes of the October 11, 2021 Regular Meeting and the November 1, 2021 Special Meeting and Councilwoman Barnes seconded the motion. The minutes were unanimously adopted.



APPEARANCE BEFORE COUNCIL

Reverend Leo Woodberry

Reverend Leo Woodberry and Mr. Anthony Hall with New Alpha CDC appeared before Council to speak on green infrastructure and cease fire zones in the city. Reverend Woodberry said weather related and disaster flooding continues to increase across the country. He said they have been working with the National Wildlife Federation and the SC Wildlife Federation and will be planting 1000 trees in Marion County and they also have several hundred trees they would like to plant in the city. The trees will be donated by New Alpha CDC and will become available in February. Reverend Woodberry said he'd like to meet with members of Council and the City Manager to work out the details.

Mr. Anthony Hall spoke on increased gun violence in Florence and the Pee Dee area and shared the following recommendations with Council: establish cease fire zones throughout the city in areas that are heavily populated or regularly visited by the public and establish cease fire stakeholders' groups comprised of non-profit entities.

Councilman Braddock asked if there are other cities that have cease fire zones and what is a cease fire zone comprised of. Reverend Woodberry said many cities are having discussions of cease fire zones and specifically mentioned Chicago. He said cease fire zones are areas that are frequented by the general public and places people gather. Cease fire zones would have heightened charges with different mandatory minimums. Potential cease fire zones can be identified, but policy change will need to occur on the state level in order to move forward with implementation.

Several Councilmembers spoke on making the community safer. Councilwoman Barnes said Council is on board with cleaning up the community and making it safer and the city will need to continue to build partnerships to make it happen. She asked when the next cease fire rally will be, and Reverend Woodberry replied it will be at Levy Park on November 20th from 12:00-4:00pm. Councilwoman Moore said it's up to the whole community to help, one organization can't do it all. Councilman Schofield said it takes a village to fix a community's problems. He said the majority of the violence is coming from children aged 12-20 and it takes the whole community to provide for and mentor these children. Mayor Ervin said in order to prevent violence the community will need to come together. She encouraged the community to join one of the various community associations and community watch groups and get to know your neighbors. She thanked Reverend Woodberry and Mr. Hall for their appearance.

ORDINANCES IN POSITION

Bill No. 2021-33 – Second Reading

An Ordinance to enter into a Development Agreement between the City of Florence and the developer of “The Bluffs at Mill Creek” and zone RG-3, Residential General-3, pending annexation, 106 acres located at Redbud Lane and Howe Springs Road, identified as Florence County Tax Map Parcel 00152-01-021, and authorizing the City Manager to execute all documents associated therewith.

Councilwoman Moore made a motion to adopt Bill No. 2021-33 on second reading and Councilwoman Barnes seconded the motion.

Council voted unanimously (7-0) to adopt Bill No. 2021-33.



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Bill No. 2021-34 – Second Reading

An Ordinance to rezone 257 North Coit Street from UR, Urban Residential, to DS, Destination/Select Use; identified as Florence County Tax Map Parcel 90073-05-005.

Councilman Schofield made a motion to adopt Bill No. 2021-34 on second reading and Councilman Braddock seconded the motion.

Councilwoman Moore said she is not opposed to the zoning; she is opposed to the proposed use of a tobacco store on the property.

Councilman McCall said he also disagrees with the proposed use, but he is voting for the rezoning because of the mistake that was made in placing the incorrect zoning on the property with the adoption of the Unified Development Ordinance.

Mayor Ervin said she will be voting for the rezoning. She said Council is simply rezoning the property back to its original zoning prior to the adoption of the Unified Development Ordinance.

Council voted 6-1 to adopt Bill No. 2021-34, with Councilwoman Moore voting against.

Bill No. 2021-35 – Second Reading

An Ordinance to rezone 802 Cherokee Road, 806 Cherokee Road, 812 Cherokee Road, and 810 Congaree Road from NC-6.1 to NC 6.3; identified as Florence County Tax Map Parcels 90064-11-006, 90064-11-007, 90064-11-013, and 90064-11-012.

Councilwoman Moore made a motion to adopt Bill No. 2021-35 on second reading and Councilman Schofield seconded the motion.

Council voted unanimously (7-0) to adopt Bill No. 2021-35.

INTRODUCTION OF ORDINANCES

Bill No. 2021-12 – First Reading

An Ordinance to annex and zone a portion of Lake Oakdale and the Lake Oakdale dam, identified as a portion of Florence County Tax Map Parcel 00751-01-049.

Mayor Ervin said the applicants have requested that this item be deferred. Without objection, this item was deferred.

Bill No. 2021-37 – First Reading

An Ordinance to declare surplus and donate a portion of city-owned property located at Florence County Tax Map Parcel 70012-20-002 in Timmons ville, SC to Florence County for the Timmons ville Rescue Squad.

Councilwoman Barnes Made a motion to pass Bill No. 2021-37 on first reading and Councilwoman Moore seconded the motion.

Mr. Scotty Davis, Deputy City Manager, reported this property was received when the city acquired the Timmons ville water and sewer system. The Timmons ville Rescue Squad building currently sits on a portion of this property. The city has no use for the property and Florence County has agreed to receive this donated property and donate it to the Timmons ville Rescue Squad.



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Council voted unanimously (7-0) to pass Bill No. 2021-37.

Bill No. 2021-38 – First Reading

An Ordinance to rezone 517 West Sumter Street from NC-6.2, Neighborhood Conservation-6.2, to CBD, Central Business District; identified as Florence County Tax Map Parcel 90072-07-001.

Councilwoman Moore made a motion to pass Bill No. 2021-38 and Councilwoman Barnes seconded the motion.

Mr. Jerry Dudley, Planning Director, reported this property is on the corner of Chase Street and West Sumter Street. The lot is currently vacant and is surrounded by residential zoning. The proposed zoning of Central Business District is a mixed-use zoning intended for development, redevelopment, and reuse of residential, commercial, and mixed-use buildings in Downtown. It is staff's opinion that the proposed zoning meets the definition of "spot zoning" and staff does not recommend the rezoning.

Planning Commission held a public hearing on this matter and voted unanimously to deny the rezoning request.

Pro tem Jebaily thanked Planning Commission and staff for identifying and addressing these spot zoning issues as they arise. He said this lot is among residential homes and rezoning it to a commercial use would have an adverse effect on the community.

Councilwoman Barnes said she received a phone call from a resident and the owner is operating the property as a business with food trucks.

Mayor Ervin said this is an area that has seen neighborhood redevelopment through investment. Old Carver Station and the R.N. Beck Center are right down the street. She also complimented staff and the Planning Commission for maintaining the neighborhoods.

Councilman Braddock asked if there is a fine or procedure to stop the food truck use of the property. Mr. Osterman replied the Codes Enforcement Division has the ability to enforce the misuse of the lot. They have already reached out to the owner of the property to advise them of the improper use, and they are currently on notice.

The motion to pass Bill No. 2021-38 failed. Council voted unanimously (7-0) to deny the rezoning request.

Bill No. 2021-39 – First/Final Reading

An Emergency Ordinance to replace the existing Emergency Ordinance 2021-30 in response to the COVID-19 emergency.

Councilwoman Moore made a motion to pass Bill No. 2021-39 and Councilwoman Barnes seconded the motion.

Pro tem Jebaily said he appreciates the opportunity to address this matter and look at where we were in September in comparison to where we are now. He said it is important to look at the measures the city has had in place and the effect they have had. Pro tem Jebaily referred to a chart from the Center of Disease Control's (CDC) website portraying the observed and forecasted weekly COVID-19 cases in Florence County since the beginning of the pandemic in March, 2020. The numbers reflected are the average active cases. Active case numbers have drastically decreased since the city kicked off their



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vaccination campaign and the passing of a Resolution to encourage masks indoors at the September meeting. According to the chart, in September 2021 there were 1,357 active cases and now there are 141 active cases. Pro tem Jebaily thanked and congratulated citizens for their role in doing the right thing. The vaccination rates have increased to approximately 63% and the CDC projections call for a continuous drop in active cases. Pro tem Jebaily said what we are doing is working and numbers are declining. While the projections are encouraging, caution is still needed as the holidays are approaching. Pro tem Jebaily made a motion to defer this Bill to next month and Councilwoman Barnes seconded the motion.

Councilwoman Moore said the goal was to reach a 70% vaccination rate, and we have not gotten there yet. She said we need to continue the existing emergency ordinance until the 70% is reached. The holidays could result in an incline of cases.

Mayor Ervin clarified that there is a Resolution further along in the agenda that will address the current emergency ordinance. The Bill currently being discussed will implement a mask ordinance throughout the whole city in public areas. The current ordinance mandates masks in city buildings, and the upcoming Resolution will address extending those measures.

Councilwoman Barnes said a mask mandate is not enforceable for gatherings in homes with family over the holidays. Encouraging testing and vaccinations will have a higher success rate than a mask mandate.

Mayor Ervin said she will be voting for masks because they are part of the four-prong process to protect against COVID-19, along with washing hands, social distancing and vaccination.

Pro tem Jebaily said they can all agree on the importance of wearing masks. There is a Resolution further down in the agenda that will extend the current emergency ordinance to require masks in city buildings. Voting to defer the current Bill does not change or undermine what is currently in place or the upcoming Resolution. He congratulated the community on doing what was asked by getting vaccinated, wearing masks, social distancing and washing hands.

Council voted (5-2) in favor of the motion to defer, with Councilwoman Moore and Mayor Ervin opposed. Bill No. 2021-39 was deferred.

INTRODUCTION OF RESOLUTIONS

Resolution No. 2021-38

A Resolution to proclaim Friday, December 3, 2021 as Arbor Day in the City of Florence.

Councilwoman Moore made a motion to adopt Resolution No. 2021-38 and Councilwoman Barnes seconded the motion.

Mr. Chuck Pope, Public Works Director, reported this Resolution is an annual event. The annual tree planting will occur on Friday, December 3rd and this year they will be planting a tree at the new fire station on Smith Drive. The Forestry Commission awarded the Parks and Beautification Commission with the city's 41st Tree City USA award. They also awarded the city with the growth award for the 16th year.

Council voted unanimously (7-0) to adopt Resolution No. 2021-38.

Resolution No. 2021-39

A Resolution by the City of Florence recognizing November as "Native American Heritage Month."



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Councilwoman Moore made a motion to adopt Resolution No. 2021-39 and Councilwoman Barnes seconded the motion.

Council voted unanimously (7-0) to adopt Resolution No. 2021-39.

Resolution No. 2021-40

A Resolution to strongly encourage residents to vaccinate against COVID-19 and to test for COVID-19 before they gather with friends and family for the holidays.

Councilman McCall made a motion to adopt Resolution No. 2021-40 and Pro tem Jebaily seconded the motion.

Councilman McCall read the Resolution into the record. Pro tem Jebaily thanked staff and the Marketing and Public Relations Committee of Council on their contributions to this Resolution and the vaccination campaign.

Council voted unanimously (7-0) to adopt Resolution No. 2021-40.

Resolution No. 2021-41

A Resolution to allow the City of Florence to lease city-owned property located at 719 Walnut Street to the Pee Dee CAA Partnership as part of their homeless prevention program.

Councilwoman Moore made a motion to defer Resolution No. 2021-41 in order to obtain further information and Mayor Ervin seconded the motion.

Council voted unanimously (7-0) to defer Resolution No. 2021-41.

Resolution No. 2021-42

A Resolution pursuant to Section 10 of Emergency Ordinance No. 2021-30 to extend the emergency term and application of said Ordinance by an additional sixty (60) days.

Pro tem Jebaily made a motion to adopt Resolution No. 2021-42 and Councilman Schofield seconded the motion.

Pro tem Jebaily read the Resolution into the record.

Council voted unanimously to adopt Resolution No. 2021-42.

Resolution No. 2021-43

A Resolution of City Council approving Downtown Redevelopment Grants for 2nd Quarter, FY22.

Mayor Ervin said this item will be discussed in Executive Session.

REPORTS TO COUNCIL

Mr. Frank Rainwater, Executive Director of the SC Department of Revenue and Fiscal Affairs

Mr. Rainwater appeared before Council to present information on the redistricting plan for the city. He said the law has changed since the last redistricting and he wants to advise Council on all the elements of



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redistricting. When redistricting, cities must meet the one person, one vote requirement in an attempt to equalize the districts. When looking at the city's data, there is very little change in population growth. At the end of each census, the populations should be within a 10% variance. According to census data, the city's numbers are lower than 5% and meet the one person, one vote requirement and there is no need for the city to redistrict. Since the last redistricting, provisions of the voting rights act have changed. There is no longer the requirement to achieve preclearance from the Department of Justice on the redistricting plan. Councils are now entirely responsible for their redistricting plans. When looking at redrawing a minority district, the courts decided you must look at the minority community compactness, determine if the minority community votes as a block and determine any crossover voters, which requires a statistical analysis of voting data. If there is a need to redistrict, there are things to consider: blocks cannot be split, districts must be contiguous, and districts should be as compact as possible. If Council does decide to redistrict, there must be a Resolution adopted in advance that states their goals, what the deviation is, and identifies the communities of interest.

Councilman Braddock asked who performs the statistical analysis. Mr. Rainwater said it can be done by many sources including in house, by statisticians, universities, as well as his firm. Councilman Braddock asked about the timeline. Mr. Rainwater said it would take about 3 weeks to complete a statistical analysis and this is a service they provide at no cost.

Appointments to Boards and Commissions

Mr. Scotty Davis, Deputy City Manager, presented the packet of appointments to Boards and Commissions to Council.

Board of Zoning Appeals

Councilman McCall made a motion to appoint Nathaniel Mitchell to the unexpired term of Randolph Hunter, to expire June 30, 2023. The motion carried unanimously.

Councilwoman Barnes deferred her appointment to the Board.

Construction & Maintenance Board of Adjustments and Appeals

Being no applicants, Mayor Ervin deferred her two nominations to the Board.

Aesthetics Advisory Committee

Councilman McCall made a motion to appoint LaTisha Jackson for an initial term of two years to begin immediately and expire on June 30, 2023. The motion carried unanimously.

Being no additional applicants, the remaining appointments were deferred.

Resilience and Sustainability Advisory Committee

Councilwoman Barnes made a motion to appoint Leo Woodberry to an initial term of one year to begin immediately and expire on June 30, 2022. The motion carried unanimously.

Being no additional applicants, the remaining appointments were deferred.

COMMITTEE REPORTS



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Business Development Committee, Chaired by Pro tem Jebaily

On behalf of the Business Development Committee, Pro tem Jebaily thanked everyone for their participation in the 17th annual SC Pecan Festival. He said the Pecan Festival has an economic impact of approximately \$2.5 million a year.

Pro tem Jebaily said the Committee spoke of conducting a Florence market study for the city and ways to recruit business to the area. They received an update on an industrial project Florence County is working on. There was also discussion on the status of the White Hawk Industrial Park.

Mayor Ervin recognized Councilwoman Moore as the founder of the SC Pecan Festival, which is now recognized by the state. Councilwoman Moore said she appreciates everyone that participates and volunteers in this event.

Community Development Committee, Chaired by Councilwoman Barnes

Councilwoman Barnes thanked the former Mayor, Council and staff for their diligence on making the Sav-A-Lot project happen in the community. The completion of this project has been great for the community and has given them a great boost in morale.

Mayor Ervin notated the importance of this store in the community. This area was a designated Food Desert, and this store is the product of various organizations coming together through partnerships.

Marketing and Public Relations Committee, Chaired by Councilman McCall

Councilman McCall said they are continuing work on the vaccination campaign. He said they received information on the results of the vaccination campaign and the cases have drastically decreased since its implementation. He thanked the citizens of Florence for answering the challenge. The city will continue to promote vaccinations through the end of the year. Councilman McCall also said the Committee voted to bring forth the Resolution to “Test Before You Gather” at today’s meeting and he thanked Council for their unanimous support of that Resolution.

EXECUTIVE SESSION

Mayor Ervin said Council will be entering into Executive Session for a discussion of matters related to a proposed economic development project and to receive legal advice on redistricting. Councilwoman Barnes made a motion to enter into Executive Session and Councilwoman Moore seconded the motion. Council entered into Executive Session at 2:52 p.m.

Council reconvened open session at 4:15 p.m. and took action on the following items:

Resolution No. 2021-43

A Resolution of City Council approving Downtown Redevelopment Grants for 2nd Quarter, FY22.

Pro tem Jebaily made a motion to adopt Resolution No. 2021-43 and Councilman Schofield seconded the motion.

Council voted unanimously (7-0) to adopt Resolution No. 2021-43.


ADJOURN



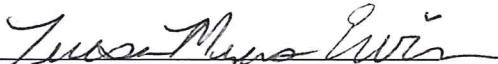
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Without objection, the November 8, 2021 Regular meeting of City Council was adjourned at 4:16 p.m.

Dated this 13th day of December 2021.



Casey C. Moore, Municipal Clerk



Teresa Myers Ervin, Mayor