



**REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, SEPTEMBER 12, 2022 – 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 Lethonia Barnes, Councilman Chaquez T. McCall, Councilman Bryan A. Braddock and Councilman C. William Schofield.

MEMBERS ABSENT

Councilwoman Pat Gibson-Hye Moore

ALSO PRESENT

Mr. Randall S. Osterman, City Manager; Mr. Scotty Davis, Deputy City Manager; Mr. James W. Peterson, Jr., City Attorney; Mrs. Casey Moore, Municipal Clerk; 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; Mrs. Jennifer Krawiec, Director of Human Resources; Mr. Jerry Dudley, Director of Planning; 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. Chris Day of the Florence Morning News was 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 September 12, 2022 regular meeting of Florence City Council to order at 1:02 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



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Councilwoman Barnes made a motion to adopt the minutes of the August 8, 2022 regular meeting and the September 1, 2022 special meeting and Councilman Schofield seconded the motion. The minutes were unanimously adopted.

APPEARANCES BEFORE COUNCIL

Ms. Jenny Boulware, Manager – Main Street South Carolina

Ms. Jenny Boulware appeared before Council to present the Main Street South Carolina Outstanding Special Project award to the City of Florence, City Council and the Downtown Development office for the South Carolina Pecan Music and Food Festival rebranding. This award recognizes an innovative project that advances the downtown commercial district revitalization effort. Founded in 2003, the Festival has grown dramatically over the past 17 years. The Pecan Festival was canceled in 2020 allowing staff the opportunity to fully evaluate the event, which led to a complete rebrand. Ms. Boulware said the South Carolina Main Street awards program celebrates exceptional entrepreneurs, organizations and preservationists in main street communities across the state.

Mayor Ervin took the opportunity to acknowledge and thank Councilwoman Moore for her role in the Pecan Festival over the years as an original founder of the festival.

Pro tem Jebaily spoke and thanked the downtown development team for their efforts in the rebranding.

Mr. Charlie Barrineau, Field Services Manager – Municipal Association of South Carolina

Mr. Charlie Barrineau appeared before Council to present the City with the 2022 Joseph P. Riley Jr. Award in the economic development category for the Food, Artisan, and Warehouse District.

Ms. Debra Runion

Ms. Debra Runion appeared before Council to speak on violence in the community. She said gun violence is in Florence and Florence leaders are working to reduce the incidences of gun violence. She commended Councilwoman Barnes and Councilman McCall for the town hall hosted in February in which many workable solutions were brought forth and commended the task force between the City Police Department and the Florence County Sheriff's Office for their efforts to curb crime. She said the community expects leaders to provide safety in the community and to set the example of unity, kindness and harmony. Ms. Runion expressed her disappointment in a councilmember that agreed with comments that were made at the July Council meeting by a speaker. She said the community expects City Councilmembers to be proactive against community violence and lead the way with respect, cooperation and unity and not just agree upon things being said.

Mr. Kermit Moore

Mr. Kermit Moore appeared before Council to speak on a buyback program and dilapidated homes in the City. He spoke on the buyback program first, saying the program would buy back weapons in order to get them off the streets. He said one gun of the street is one gun you no longer have to worry about.

Mr. Moore also spoke of dilapidated homes and mentioned the obstacles the city has contacting out of town property owners regarding their lots. He suggested a tax be placed on these vacant and dilapidated properties in order to clean them up. The community shouldn't have to suffer because a few won't do what needs to be done.



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Mayor Ervin said the Rental Registry does address some of the issues Mr. Moore spoke of, particularly in rental homes.

Pro tem Jebaily said the buyback of guns is a program other cities throughout the country have had success with and asked Mr. Randy Osterman, City Manager, and Police Chief Allen Heidler if they would look at a program for Florence and report back to Council.

Councilwoman Barnes said a gun buyback program was discussed at one of their Town Hall meetings and they are currently looking into grants that may be able to provide some assistance. As far as dilapidated homes, staff has been working hard to clean up properties in the city but there are difficulties identifying heirs sometimes.

Chief Heidler approached the podium and spoke of the buyback program. The City has applied for a grant to assist with the buyback program. The City has also conducted research on buyback programs and the vast amount of studies indicate that gun buyback programs do not decrease crime or gun violence; however, it is a viable process if it gets guns off the streets.

Pro tem Jebaily asked Chief Heidler to provide a public service announcement to tell people about taking care of the guns they own due to the number of break-ins that have been occurring. Chief Heidler said guns should be secured in a fixed, locked container in the vehicle. Much of the theft is from unlocked and unsecured vehicles.

Mr. Bob Skelton

Mr. Bob Skelton appeared before Council to speak on Winning America and suicide awareness. Winning America is a nonprofit to create a pathway for changes in how we see, treat and value others by encouraging, building up, and uniting. More people are dying on purpose than by accident and raising awareness should be at the forefront. Mr. Skelton spoke of a program that he intends to take statewide that will raise awareness of suicide, provide training on how to see the signs, and provide solutions to individuals thinking about suicide.

ORDINANCES IN POSITION

Bill No. 2022-27 – Second Reading

An Ordinance to annex and zone NC-6.1 the parcel located at 206 East Shenandoah Lane and identified as Florence County Tax Map Parcel 90113-01-050.

Pro tem Jebaily made a motion to adopt Bill No. 2022-27 on second reading and Councilwoman Barnes seconded the motion.

Council voted 6-0 in favor of the motion. Bill No. 2022-27 was adopted on second reading.

Bill No. 2022-29 – Second Reading

An Ordinance to annex and zone NC-6.1 the parcel located at 3350 Clark Branch Road and identified as Florence County Tax Map Parcel 00098-01-002.

Councilman Schofield made a motion to adopt Bill No. 2022-29 on second reading and Councilman McCall seconded the motion.

Council voted 6-0 in favor of the motion. Bill No. 2022-29 was adopted on second reading.



INTRODUCTION OF ORDINANCES

Bill No. 2022-23 – First Reading

An Ordinance to amend the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2022 and ending June 30, 2023.

Pro tem Jebaily made a motion to pass Bill No. 2022-23 on first reading and Councilman McCall seconded the motion.

Mr. Kevin Yokim, Assistant City Manager of Finance/Administration, reported the proposed ordinance will amend the budget to appropriate funding for “early purchases” that were requested from department directors in the FY 2022-2023 budget, but were removed in order to balance the budget. Savings from the previous fiscal year will fund these purchases in the current year budget.

This Bill was first before Council at the August meeting, at which time Council voted to refer the item to the Finance, Audit and Budget Committee for review. Councilman McCall said the Committee reviewed the proposal and the Committee recommends approval.

Councilwoman Barnes said there was a mix-up in the meeting in which the Committee was looking at the wrong ordinance when they recommended approval and she requested that the Committee take a look at it again.

Pro tem Jebaily asked Mr. Jim Peterson, City Attorney, if Councilwoman Barnes can address questions on the ordinance in the interim between first reading and second reading and Mr. Peterson replied yes.

Council voted 5-1 in favor of the motion, with Councilwoman Barnes voting against. Bill No. 2022-23 was passed on first reading.

Bill No. 2022-24 – First Reading

An Ordinance to amend the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2022 and ending June 30, 2023.

Pro tem Jebaily made a motion to pass Bill No. 2022-24 on first reading and Councilman Schofield seconded the motion.

Mr. Yokim reported the proposed ordinance will appropriate funding for “carry overs” that were funded in last year’s budget but were unable to be purchased for various reasons. These items will be carried forward and included in the current year budget. Many of the purchase orders for these items have already been processed and, in some instances, some of the items have already been received. This Bill was also referred to the Finance, Audit and Budget Committee for review and the Committee recommended approval.

Councilman Braddock asked if staff could attend the next Finance, Audit and Budget Committee to make a report. Mr. Yokim replied staff could attend and the next meeting is September 28th which will allow time prior to second reading.

Council voted 6-0 in favor of the motion. Bill No. 2022-24 passed on first reading.

Bill No. 2022-28 – First Reading



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An Ordinance to annex and zone AC and OSR the parcels located at 2507 West Palmetto Street and identified as Florence County Tax Map Parcels 00100-01-002 and 00100-01-147.

Councilman Schofield made a motion to pass Bill No. 2022-28 on first reading and Councilman Braddock seconded the motion.

Mr. Jerry Dudley, Planning Director, reported this property is adjacent to Naturally Outdoors on West Palmetto Street. The Activity Center (AC) zoning is being requested for the developable portion and the Open Space and Recreation (OSR) zoning is being requested for the portion of the parcel in the floodplain. The original proposal was two separate parcels; however, the parcels were recently combined in order to comply with the water and sewer requirements. The zoning remained separated so that it is in agreeance with the future land use and also protect the floodplain associated with Jeffries Creek. Planning Commission held a public hearing on this matter and voted to recommend the zoning designations of AC and OSR.

Council voted 6-0 in favor of the motion. Bill No. 2022-28 was passed on first reading.

Bill No. 2022-30 – First Reading

An Ordinance authorizing the conveyance of the real estate known as Florence County Tax Map Parcel 90167-02-008, described more fully on Exhibit “A” to be attached to the Ordinance, said property to be utilized pursuant to the terms and conditions set out in the Conditional Grant and Development Agreement attached hereto as Exhibit “B” and approved hereby.

Mayor Ervin said this item will be discussed in Executive Session, which received no objection.

Bill No. 2022-31 – First Reading

An Ordinance to amend Article I of Chapter 13 of the City of Florence Code of Ordinances to update the code provisions regarding business licensing.

Mayor Ervin said this item will be discussed in Executive Session, which received no objection.

Bill No. 2022-32 – First Reading

An Ordinance to amend Article I of Chapter 10 of the City of Florence Code of Ordinances to update the code provisions regarding noise within the City of Florence.

Mayor Ervin said this item will be discussed in Executive Session, which received no objection.

Bill No. 2022-33 – First Reading

An Ordinance to amend Article I and II of Chapter 12 of the City of Florence Code of Ordinances entitled “Municipal Utilities”.

Councilman McCall made a motion to pass Bill No. 2022-33 on first reading and Councilwoman Barnes seconded the motion.

Mr. Michael Hemingway, Utilities Director, reported the proposed changes to code are required in order to be in compliance with state regulations. These changes are consistent with changes implemented by the United States Environmental Protection Agency (US EPA) and the South Carolina Department of Health and Environmental Control (SCDHEC).

INTRODUCTION OF RESOLUTIONS



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Resolution No. 2022-27

A Resolution to recognize the 2021 Dixie Youth World Series Champions.

Pro tem Jebaily made a motion to adopt Resolution No. 2022-27 and Councilwoman Barnes seconded the motion.

Councilman Schofield read the Resolution and presented it to Mr. Brandon Collins, head coach. Coach Collins thanked Council for recognizing the team for this great accomplishment.

Council voted 6-0 in favor of the motion. Resolution No. 2022-27 was adopted.

Resolution No. 2022-28

A Resolution to support Suicide Prevention Awareness Month and recognize The Jonathan Foundation for their efforts to raise awareness in youth suicide.

Councilman Braddock made a motion to adopt Resolution No. 2022-28 and Councilman Schofield seconded the motion.

Councilman Braddock read the Resolution and presented it to Mrs. Lynn Bulloch, president of the Jonathan Foundation and mother. Mrs. Bulloch spoke of the Jonathan Foundation and their work within the community. She said she lost her son to suicide in 2011 and thanked Council for bringing suicide awareness to the forefront.

Council voted 6-0 in favor of the motion. Resolution No. 2022-28 was adopted.

Resolution No. 2022-29

A Resolution to recognize Hispanic Heritage Month.

Pro tem Jebaily made a motion to adopt Resolution No. 2022-29 and Councilman Schofield seconded the motion.

Councilman McCall read the Resolution and presented it to Ms. Annette Diaz, Director of International Ministries at Trinity EPC. Trinity has been an advocate for the Florence Hispanic community for the past 22 years and provides a place of worship to the Hispanic community in the City of Florence.

Council voted 6-0 in favor of the motion. Resolution No. 2022-29 was adopted.

REPORTS TO COUNCIL

Appointments to Boards and Commissions

Mr. Davis presented the packet of appointments to Boards and Commissions to Council.

Construction and Maintenance Board of Adjustments and Appeals

Mayor Ervin made a motion to appoint Harry Cook. Without objection, Harry Cook was appointed to the Construction and Maintenance Board of Adjustments and Appeals for a term to begin immediately and expire on June 30, 2025.

Being no additional applicants, Mayor Ervin deferred remaining nominations for this Board.



Parks and Beautification Commission

Being no applicants, Pro tem Jebaily deferred nominations for this Board.

Public Safety Citizen's Review Board

Pro tem Jebaily made a motion to appoint Wattie Snowden. Without objection, Wattie Snowden was appointed to the Public Safety Citizen's Review Board for a term to begin immediately and expire on June 30, 2023.

COMMITTEE REPORTS

Business Development Committee, Chaired by Pro tem Jebaily

Pro tem Jebaily said the Committee discussed potential state funding the City may qualify for in regard to stormwater. The Committee received updates on several projects. Project Urban Square demolition is underway, the developer for the Baroody Townhome project is waiting on pricing, and The Lost Cajun project is underway with hopes to be open by the Pecan Festival. The noise ordinance currently before Council was discussed, as well as 175 North Dargan Street and the Nofal building at 127 West Evans Street. The Committee also received a list of all residential properties annexed into the City since 2018 and discussed the asset management plan's timeline.

Community Development Committee, Chaired by Councilwoman Barnes

Councilwoman Barnes said there is nothing to report today.

Marketing and Public Relations Committee, Chaired by Councilman Braddock

Councilman Braddock said the Committee discussed the impact and success of the vaccination campaign. Conversation continued on the annexation plan and providing information to citizens that may be interested in annexing. The City is also considering making application to All American City and the Committee discussed potential areas of focus. The Committee also had discussion on the City's social media and highlighting things going on in the City.

Finance, Audit and Budget Committee, Chaired by Councilman McCall

Councilman McCall said the Committee received information on the budget amendments on the current agenda and they will be receiving additional information from staff at their next meeting, prior to second reading of the Ordinances.

Councilman Schofield announced his resignation to the Finance, Audit and Budget Committee. Councilman McCall made a motion to nominate Councilman Braddock as Councilman Schofield's replacement on the Committee and Pro tem Jebaily seconded the motion. Councilman Braddock was appointed to the Finance, Audit and Budget Committee by unanimous vote (6-0).

EXECUTIVE SESSION



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Mayor Ervin said Council will be entering into Executive Session for a discussion of matters related to a proposed Economic Development Project located within the Historic Overlay District, the receipt of legal advice relating to the proposed business license ordinance and the receipt of legal advice relating to the proposed noise ordinance.

Without objection, Council entered into Executive Session at 2:30 p.m.

Council reconvened Open Session at 3:45 p.m. and took action on the following items:

Bill No. 2022-30 – First Reading

An Ordinance authorizing the conveyance of the real estate known as Florence County Tax Map Parcel 90167-02-008, described more fully on Exhibit “A” to be attached to the Ordinance, said property to be utilized pursuant to the terms and conditions set out in the Conditional Grant and Development Agreement attached hereto as Exhibit “B” and approved hereby.

Pro tem Jebaily made a motion to pass Bill No. 2022-30 on first reading and Councilman Braddock seconded the motion.

Council voted 6-0 in favor of the motion. Bill No. 2022-30 was passed on first reading.

Bill No. 2022-31 – First Reading

An Ordinance to amend Article I of Chapter 13 of the City of Florence Code of Ordinances to update the code provisions regarding business licensing.

Councilman Braddock made a motion to pass Bill No. 2022-31 on first reading and Councilman Schofield seconded the motion.

Pro tem Jebaily recused himself from the vote due to a conflict of interest (a copy of the recusal statement is attached and made part of the minutes).

Council voted 5-0 in favor of the motion, with Pro tem Jebaily having recused himself. Bill No. 2022-31 passed on first reading.

Bill No. 2022-32 – First Reading


An Ordinance to amend Article I of Chapter 10 of the City of Florence Code of Ordinances to update the code provisions regarding noise within the City of Florence.


Pro tem Jebaily requested that this item be withdrawn from the agenda. Without objection, Bill No. 2022-32 was withdrawn from the agenda.

ADJOURN

Without objection, the September 12, 2022 Regular meeting of City Council was adjourned at 3:48 p.m.

Dated this 10th day of October 2022.


Casey C. Moore, Municipal Clerk


Teresa Myers Ervin, Mayor

RECUSAL STATEMENT

Member Name: George Jebaily

Meeting Date: 9.12.2022

Agenda Item: Bill No. Section 2022 Number: 31

Topic: Business Lic. ordinance amendment

The Ethics Act, SC Code §8-13-700, provides that no public official may knowingly use his office to obtain an economic interest for himself, a family member of his immediate family, an individual with whom he is associated, or a business with which he is associated. No public official may make, participate in making, or influence a governmental decision in which he or any such person or business has an economic interest. Failure to recuse oneself from an issue in which there is or may be conflict of interest is the sole responsibility of the council member (1991 Op. Atty. Gen. No. 91-37.) A written statement describing the matter requiring action and the nature of the potential conflict of interest is required.

Justification to Recuse:

Professionally employed by or under contract with principal

Owns or has vested interest in principal or property

Other: Potential conflict of interest
with the ~~proposed~~ proposed exception

Date: 9/12/22 George Jebaily
Member

Approved by Parliamentarian: [Signature]