



**REGULAR MEETING OF FLORENCE CITY COUNCIL  
MONDAY, JUNE 12, 2023 – 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, Councilwoman LaShonda NeSmith-Jackson and Councilman J. Lawrence Smith, II

**ALSO PRESENT**

Mr. Randall S. Osterman, City Manager; Mr. Scotty Davis, Deputy City Manager; Mr. Benjamin T. Zeigler, City Attorney; Mrs. Casey Moore, Municipal Clerk; Mr. Clint Moore, Assistant City Manager of Development; Chief Allen Heidler, Florence Police Department; Chief Shannon Tanner, Florence Fire Department; Mrs. Jennifer Krawiec, Director of Human Resources; Mr. Michael Hemingway, Director of Utility Planning and Economic Development; Mr. Jerry Dudley, Director of Utilities; Mrs. Amanda Pope, Director of Marketing/Communications and Municipal Services; Mr. Chuck Pope, Director of Public Works and Mr. Kevin Rawlinson, Chief Financial Officer

**MEDIA PRESENT**

Mr. Christian Smith with the Florence Morning News, Mr. Seth Taylor with the Post and Courier, and Mrs. Tonya Brown with WPDE 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 June 12, 2023 regular meeting of Florence City Council to order at 1:00 p.m.

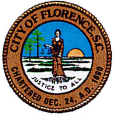
**INVOCATION**

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

**APPROVAL OF MINUTES**

Councilwoman NeSmith-Jackson made a motion to adopt the minutes of the April 24, 2023 work session and the May 8, 2023 regular meeting and Councilman Braddock seconded the motion. The minutes were unanimously adopted.

**ADDENDUMS TO THE AGENDA**



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**Bill No. 2023-25 – First Reading**

**An Ordinance to repeal and replace portions of Sections 3-2, 3-7, and 3-11 of the Code of Ordinances of the City of Florence entitled “Definitions”, “Public Nuisance”, “Dangerous/Vicious Animal Enforcement”, and other matters relating thereto.**

**Resolution No. 2023-34**

**A Resolution of Recognition for the contributions of Divine Acts of Kindness in the City of Florence.**

There are two addendums to the agenda for Council’s consideration. Councilwoman NeSmith-Jackson made a motion to add Bill No. 2023-25 and Resolution No. 2023-34 to the June 12, 2023 agenda and Councilman Braddock seconded the motion.

Council voted unanimously to add Bill No. 2023-25 and Resolution No. 2023-34 to the June 12, 2023 agenda for the regular meeting of City Council.

**PUBLIC HEARING**

**A Public Hearing will be held to receive input on the City of Florence Fiscal Year Budget 2023-2024.**

Mayor Ervin opened the public hearing at 1:03pm. Being no one to speak, Mayor Ervin closed the public hearing at 1:03pm.

**APPEARANCES BEFORE COUNCIL**

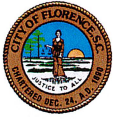
**Dr. Yolonda Echols**

Dr. Yolonda Echols appeared before Council to introduce the Beacon Of Light Institute for Veterans. The mission for the Beacon Of Light is to help women and men who have served or are currently serving in the military and enhancing the quality of life for veterans. Dr. Echols spoke of an upcoming free community event to celebrate veterans and first and emergency responders.

**Dr. John Bruce and Ms. Jayne Boswell**

Dr. John Bruce and Ms. Jayne Boswell appeared before Council to request consideration of a strengthened dog ordinance to protect against dangerous dogs. Dr. Bruce spoke of an incident that occurred approximately one year ago in which small dog was killed by large dogs. An investigation was completed by the police department and the owner of the large dogs was given a verbal warning. Following this incident, the dogs frequently escaped their yard and ran after adults and children. Every time this happens, the owner is fined only \$100. Dr. Bruce stated the City’s laws are too weak and asked that the Richland County ordinance be looked at. He also said an animal control officer must be given more power to assist police and asked that the City consider licensing people that breed pets for sale. Licensing fees could potentially be used to fund a spay and neuter clinic.

Ms. Jayne Boswell said overpopulation of animals has become a state and national crisis that has resulted from the lack of licensing and spay/neuter laws and it is an opportune time for Florence to address these concerns.



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Mayor Ervin said many of the concerns shared will be addressed in Bill No. 2023-25 scheduled for first reading today. While this bill is just being introduced, it will be ongoing and continued to be looked at for future enhancement.

Pro tem Jebaily asked Ms. Boswell if she has had the opportunity to look at the proposed ordinance, to which she replied she has not. Pro tem Jebaily asked staff to share the proposed ordinance with Ms. Boswell, as her review and input would be beneficial. Although first reading is occurring at the meeting today, amendments can be made prior to second reading.

**Mr. Carl Schleg**

Mr. Carl Schleg appeared before Council and to request consideration of speed bumps on Park Avenue. Mr. Schleg said Park Avenue is too dangerous and drivers frequently speed.

**Reverend Marvin Hemingway, Chairperson – Pee Dee Youth Initiative**

Reverend Hemingway appeared before Council to speak on Pee Dee Youth Day. Reverend Hemingway announced the first annual Pee Dee Youth Day initiative scheduled July 8, 2023 at the Barnes Street Activity Center and the City Center Farmers Market. The theme for this year's event is "Focus on your Future".

**Mrs. Mindy Taylor, District Manager – Duke Energy**

Mrs. Mindy Taylor appeared before Council to present to the City of Florence the Duke Energy Emergency Preparedness and Storm Resiliency Grant. The Duke Energy Foundation provided \$500,000 of grants to thirty-two organizations across the state to support their emergency preparedness efforts. Mrs. Taylor presented the City of Florence with a \$20,000 grant to help purchase emergency equipment.

**ORDINANCES IN POSITION**

**Bill No. 2023-17 – Second Reading**

**An Ordinance authorizing the City to extend the lease on the real estate known as 228 West Darlington Street and designated as Florence County Tax Map Parcel 90086-02-004 to Pee Dee Regional Transportation Authority under the terms and conditions set out in the written lease attached as Exhibit A to this Ordinance.**

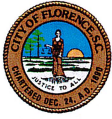
Pro tem Jebaily made a motion to adopt Bill No. 2023-17 on second reading and Councilwoman Barnes seconded the motion.

Councilwoman NeSmith-Jackson asked what is in the storage area that is being released to the PDRTA and Mr. Randy Osterman, City Manager, said nothing. The City is not in need of this storage space and it would be much better utilized by the PDRTA.

Council voted unanimously (7-0) in favor of the motion. Bill No. 2023-17 was adopted.

**Bill No. 2023-18 – Second Reading**

**An Ordinance to annex and zone 136 Wilson Road, identified as Florence County Tax Map Number 90097-01-022.**



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Councilman McCall made a motion to adopt Bill No. 2023-18 on second reading and Pro tem Jebaily seconded the motion.

Council voted unanimously (7-0) in favor of the motion. Bill No. 2023-18 was adopted.

**Bill No. 2023-19 – Second Reading**

**An Ordinance to adopt the City of Florence 2020 Comprehensive Plan and the City of Florence 2020 Downtown Masterplan.**

Pro tem Jebaily made a motion to adopt Bill No. 2023-19 on second reading and Councilwoman Barnes seconded the motion.

Council voted unanimously (7-0) in favor of the motion. Bill No. 2023-19 was adopted.

**INTRODUCTION OF ORDINANCES**

**Bill No. 2023-21 – First Reading**

**An Ordinance to raise revenue and adopt a budget for the City of Florence, South Carolina, for the Fiscal Year beginning July 1, 2023 and ending June 30, 2024.**

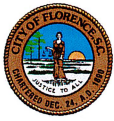
Councilwoman NeSmith-Jackson made a motion to pass Bill No. 2023-21 on first reading and Councilwoman Barnes seconded the motion.

Mr. Kevin Rawlinson, Chief Financial Officer, reported the total proposed budget is \$115,246,530 with the general fund being the largest. There is a proposed 5 mil increase in the budget which will increase the current millage of 63.1 mils to 68.1 mils.

Mr. Rawlinson went over revenue and expenditure highlights of the general fund. General fund revenues total \$48,661,500 with property taxes and business licenses being approximately 60% of the total revenues. The budget is balanced so expenditures also total \$48,661,500.

Pro tem Jebaily made a motion to amend the proposed budget, specifically the community programs section, in light of the changes made to the Community Development Block Grant (CDBG) budget at last month’s meeting and decrease funding for No One Unsheltered (NOU) Homeless Programs by \$6,200 (from \$75,000 to \$68,800), Florence Family Support Center by \$5,800 (from \$8,800 to \$3,000), and My Brother’s Keeper by \$10,000 (from \$20,000 to \$10,000) and utilize these monies to provide funding in the amount of \$15,000 for G-Lab, \$5,800 for the Leatherman Senior Center, and \$1,200 for Helping Florence Flourish. NOU will receive \$25,000 and My Brother’s Keeper will receive \$20,000 from the City’s CDBG budget.

Community Programs FY 2023-24		
Agency	Recommended Budget	Amendment
Boys & Girls Club	\$ 20,000	\$ 20,000
Transit System (PDRTA)	218,000	218,000
Pee Dee Red Cross	10,000	10,000
Keep Florence Beautiful	5,000	5,000
NOU Homeless Programs	75,000	68,800
Florence Family Support Center	8,800	3,000
My Brother’s Keeper	20,000	10,000



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Foster Care Clothing Closet	7,000	7,000
Pee Dee Coalition	5,000	5,000
G-Lab		15,000
Leatherman Senior Center		5,800
Helping Florence Flourish		1,200
<b>Total</b>	<b>368,800</b>	<b>368,800</b>

Council voted unanimously (7-0) on the amendment.

Councilwoman NeSmith-Jackson made a motion to pass Bill No. 2023-21, as amended, on first reading and Councilwoman Barnes seconded the motion. Council voted unanimously (7-0) in favor of the motion. Bill No. 2023-21 was passed on first reading, as amended.

**Bill No. 2023-22 – First Reading**

**An Ordinance to amend Article IV of Chapter 2 specifically Section 2-206 of the City of Florence Code of Ordinances amending the designated areas to include the East Palmetto Corridor within municipal limits.**

Pro tem Jebaily made a motion to pass Bill No. 2023-22 on first reading and Councilwoman NeSmith-Jackson seconded the motion.

Mr. Clint Moore, Assistant City Manager of Development, reported the proposed Ordinance will create a mechanism for incentives to facilitate the improvement of the East Palmetto Street corridor. The boundaries of the corridor will be the parcels abutting the right of way along East Palmetto Street from South Church Street to Old Mars Bluff Road and are limited to the properties within the City limits. The grant will only be available for commercial development and the threshold investment established is at least \$5,000 and a maximum of \$20,000 in which the owner will have to match the funding.

Mayor Pro tem spoke of the importance of all the City's gateways and he said he hopes this continues with all the other gateways into Florence. Councilman McCall also spoke of the importance of the gateways. He thanked staff for bringing this forward and asked for consideration for other corridors as well, particularly the Highway 52 corridor.

Council voted unanimously (7-0) in favor of the motion. Bill No. 2023-22 was passed on first reading.

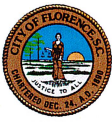
**Bill No. 2023-23 – First Reading**

**An Ordinance to annex Phase IV of The Grove at Ebenezer, identified as a portion of Florence County Tax Map Number 00075-01-221.**

Councilwoman NeSmith-Jackson made a motion to pass Bill No. 2023-23 on first reading and Councilwoman Barnes seconded the motion.

Mr. Moore said this annexation is part of the development agreement with the developer of The Grove in which the agreement requires annexation of the property prior to development.

There was discussion regarding the extension of the Florence Rail Trail. A sidewalk connector will bring the trail to the corner of Ebenezer and Pine Needles. The City is closing on the property to extend the trail in the next several months, at which point the trail will continue and connect to the Soccer Complex.



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Council voted unanimously (7-0) in favor of the motion. Bill No. 2023-23 was passed on first reading.

**Bill No. 2023-24 – First Reading**

**An Ordinance to amend Section 8-3 of the City of Florence Code of Ordinances to allow fireworks on private property on July 4-5 and December 31-January 1 in the City of Florence.**

Councilwoman NeSmith-Jackson made a motion to pass Bill No. 2023-24 on first reading and Councilman McCall seconded the motion.

Mr. Scotty Davis, Deputy City Manager, reported the City currently does not allow fireworks in the City limits. The proposed Ordinance will firework on private property from 10:00am on July 4<sup>th</sup> to 12:30am on July 5<sup>th</sup> and 10:00am on December 31<sup>st</sup> to 12:30am on January 1<sup>st</sup>.

Council voted unanimously in favor of the motion. Bill No. 2023-24 was passed on first reading.

**Bill No. 2023-25 – First Reading**

**An Ordinance to repeal and replace portions of Sections 3-2, 3-7, and 3-11 of the Code of Ordinances of the City of Florence entitled “Definitions”, “Public Nuisance”, “Dangerous/Vicious Animal Enforcement”, and other matters relating thereto.**

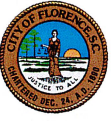
Councilwoman NeSmith-Jackson made a motion to pass Bill No. 2023-25 on first reading and Councilman Braddock seconded the motion.

Mr. Ben Zeigler, City Attorney, reported the proposed ordinance desires to address issues surrounding dangerous dogs and how to balance the concerns of public safety and enforcement without it being burdensome to own pets. Mr. Zeigler summarized the changes of the proposed ordinance. Section 3-2 defines “dangerous animals” in code and the proposed ordinance will clarify what constitutes a dangerous animal and lowers the threshold for what declares an animal dangerous. A provision has also been added to address pack-like behavior among dogs and a new provision that declares a dog as dangerous by chasing. Section 3-7 addresses “public nuisance” and the proposed ordinance makes clarifications on impoundment and repeated offenses. Also proposed within this section is a strengthened fine structure. Section 3-11 pertains to “dangerous/vicious animal enforcement” and the proposed ordinance includes affirmative requirements for dangerous animals regarding their enclosures and more authority has been given to animal control and the fines applicable to dangerous animals were increased.

Councilman McCall asked what the difference is between a Class III officer and the heightened responsibilities for the animal control officer. Mr. Osterman said a Class III Officer has more law enforcement capability. Current animal control officers have some investigatory authority but not the law enforcement abilities. Mr. Osterman said there has been discussion to move the animal control officers to the police department to serve as Class III officers, but they still have to work through some logistics.

Councilman Smith asked how the proposed fines line up with other municipalities. Mr. Zeigler said the fines are on par, but he can do some more research. While other municipalities may impose larger fines, administrative fines for municipalities are limited to \$500 by the state.

Pro tem Jebaily inquired on communications with the county with this ordinance, as they have also been working to amend their dog ordinance and it would be ideal for there to be compatibility. Mr. Zeigler said County Councilman Schofield has requested a copy of the ordinance once passed. Councilman Braddock also said they were trying to work through the ordinance with the county’s concurrently, but they decided the city needed to move forward instead of waiting for the county’s ordinance to pass.



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Council voted unanimously (7-0) in favor of the motion. Bill No. 2023-25 was passed on first reading.

**INTRODUCTION OF RESOLUTIONS**

**Resolution No. 2023-31**

**A Resolution of Recognition for the accomplishments of Jolette Law.**

Councilman Smith made a motion to adopt Resolution No. 2023-31 and Councilwoman Barnes seconded the motion.

Pro tem Jebaily made a motion to amend the Resolution to name the championship court at the Pearl Moore Basketball Gymnasium the Jolette Law Championship Court and Councilman McCall seconded the motion. Council voted unanimously in favor of the amendment.

Councilman Smith presented the Resolution to Ms. Jolette Law. Ms. Law said it gives her great honor to represent the City of Florence.

Several Council members spoke and congratulated Ms. Law for her many accomplishments.

Council voted unanimously (7-0) to adopt Resolution No. 2023-31, as amended.

**Resolution No. 2023-32**

**A Resolution to proclaim June 19-25, 2023 as National Pollinator Week in the City of Florence.**

Councilman McCall made a motion to adopt Resolution No. 2023-32 and Pro tem Jebaily seconded the motion.

Council voted unanimously (7-0) in favor of the motion. Resolution No. 2023-32 was adopted.

**Resolution No. 2023-33**

**A Resolution to proclaim June as Homeownership Month in the City of Florence.**

Councilwoman NeSmith-Jackson made a motion to adopt Resolution No. 2023-33 and Councilwoman Barnes seconded the motion.

Mayor Ervin presented the Resolution to representatives of the Pee Dee Realtor Association.

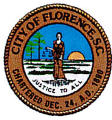
Council voted unanimously (7-0) in favor of the motion. Resolution No. 2023-33 was adopted.

**Resolution No. 2023-34**

**A Resolution of Recognition for the contributions of Divine Acts of Kindness in the City of Florence.**

Councilman McCall made a motion to adopt Resolution No. 2023-34 and Councilwoman NeSmith-Jackson seconded the motion.

Councilwoman NeSmith-Jackson presented the Resolution to Ms. Gloria CL Jones, founder of Divine Acts of Kindness and thanked her for her many contributions to the community.



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Council voted unanimously (7-0) in favor of the motion. Resolution No. 2023-34 was adopted.

**REPORTS TO COUNCIL**

**Appointments to Boards and Commissions**

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

**Florence Center Commission**

Councilwoman Barnes deferred her nomination to this board.

**Housing Authority**

Mayor Ervin deferred her nomination to this board.

Councilman McCall inquired on the status of the recent removal of a member of the Housing Authority. Mr. Davis said that individual intends to appeal Council's decision for removal and her seat cannot be filled until the appeal process has been completed. Mr. Zeigler said the appeal has been filed as a complaint in circuit court and they are currently researching the best way to respond to the complaint. Councilwoman NeSmith-Jackson asked if there was a way to expedite the process to which Mr. Zeigler responded they will likely file a motion to dispose based on what was presented.

**MAYORAL REPORT**

Mayor Ervin encouraged the public to visit the City of Florence website as well as the City's social media pages to stay up to date with City news. She also spoke of the groundbreaking for AESC and acknowledged the passing of Deacon Swinton.

**COMMITTEE REPORTS**

**Business Development Committee, Chaired by Pro tem Jebaily**

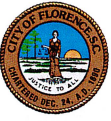
Pro tem Jebaily said the Committee took a tour of the Carolina Theater at their last meeting and he spoke of the impacts this project will have on downtown. Pro tem Jebaily asked Mr. Moore to provide an update of the bid and the renovations of the theater. Mr. Moore said renovations will bring the building up to date and repair damage that has occurred over the years. Bids were received last week; however, the estimated cost of construction has increased since the bonds were taken in 2019. Due to the impacts of increased construction costs, staff will meet with the architectural consultants to come up with a plan to bring the project back on budget. Pro tem Jebaily said they also received an update on water and sewer utility projects and stormwater projects are ongoing. Project Urban Square is currently underway with the construction of the parking garage.

**Community Development Committee, Chaired by Councilwoman Barnes**

Councilwoman Barnes recognized the Police Department and praised their recent efforts to combat crime.

**Marketing and Public Relations Committee, Chaired by Councilwoman NeSmith-Jackson**





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Councilwoman NeSmith-Jackson spoke of the communication survey the City is conducting and asked residents to complete the survey. She also spoke of a series of awareness campaigns and a Council spotlight series. She gave praise to the recent Yard of the Month winner.

**Finance, Audit and Budget Committee, Chaired by Councilman McCall**

Councilman McCall said the Committee reviewed the monthly financial statements and discussed the budget and mileage increase. The City is growing and is robust and that is reflected in the proposed budget. Councilman McCall said they also discussed the employee cost of living increase of 8% to be implemented January 1, 2024.

Pro tem Jebaily reminded everyone that the Local Options Sales Tax almost reduces the net impact of the mileage increase by almost half.

**EXECUTIVE SESSION**

Mayor Ervin said Council will be entering into Executive Session for a discussion of matters related to a proposed economic development project within an overlay district and a personnel matter.

Councilwoman NeSmith-Jackson made a motion to enter into Executive Session and Councilwoman Barnes seconded the motion. Council voted unanimously (7-0) to enter into Executive Session. Council entered into Executive Session at 2:46 p.m.

Council resumed open session at 3:41 p.m. and took action on the following items:


Councilman McCall made a motion to authorize the city attorney to draft a conditional grant and development agreement with a proposed economic development project located within an overlay district and Councilman Smith seconded the motion.

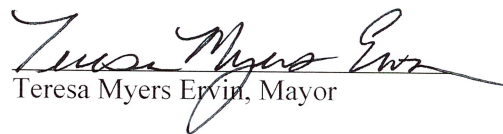
Council voted unanimously (7-0) in favor of the motion.

**ADJOURN**

Without objection, the June 12, 2023 Regular meeting of City Council was adjourned at 3:42 p.m.

Dated this 10<sup>th</sup> day of July 2023.

  
Casey C. Moore, Municipal Clerk

  
Teresa Myers Ervin, Mayor