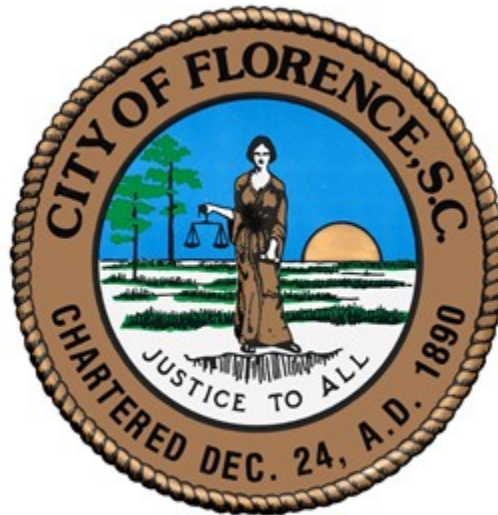


**REGULAR MEETING
OF
FLORENCE CITY COUNCIL**



**COUNCIL CHAMBERS
324 W. EVANS STREET
FLORENCE, SOUTH CAROLINA**

**MONDAY
OCTOBER 14, 2024
1:00 P.M.**



**REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, OCTOBER 14, 2024 – 1:00PM
CITY CENTER – COUNCIL CHAMBERS
324 WEST EVANS STREET
FLORENCE, SOUTH CAROLINA**

I. CALL TO ORDER

II. INVOCATION

Pledge of Allegiance to the American Flag

III. APPROVAL OF MINUTES

September 9, 2024 – Regular Meeting

IV. HONORS AND RECONGNITIONS

SERVICE RECOGNITIONS

Wilson Deas – 20 years – Recreation

V. APPEARANCES BEFORE COUNCIL

a. Ashanti Pickens

2024 National American Miss South Carolina Preteen.

b. Dr. Joe Aniello

To discuss traffic issues in the City of Florence.

c. Debra Runion

To speak to Council regarding water issues.

d. Allen McBride, Pee Dee Coalition

To speak to Council regarding services provided by the Pee Dee Coalition.

e. Elaine Chandler

To speak to Council regarding the homeless in the City.

VI. INTRODUCTION OF ORDINANCES

a. Bill No. 2024-16 – First Reading

An Ordinance to abandon the unopened right-of-way between 913 and 1003 Chestnut Street, identified as Florence County Tax Map Numbers 90063-01-011 and 90063-01-010.

b. Bill No. 2024-17 – First Reading

An Ordinance to rezone four parcels from PD to AC, identified as Florence County Tax Map Numbers 90103-01-002, 90103-01-003, 90103-01-004, and 90103-01-005.

c. Bill No. 2024-18 – First Reading

An Ordinance to annex and zone CG 551 and 597 West Lucas Street, identified as Florence County Tax Map Numbers 90070-01-025 and 90070-01-028.

d. Bill No. 2024-19 – First Reading

An Ordinance to amend Article I of Chapter 8 of the City of Florence Code of Ordinances to add provisions related to open burning and to amend Article I of Chapter 10 of said city code to add provisions relating to nuisance smoke and other matters related thereto.

VII. INTRODUCTION OF RESOLUTIONS

a. Resolution No. 2024-36

A Resolution certifying a building as Abandoned Building Sites pursuant to the South Carolina Abandoned Buildings Revitalization Act, Title 12, Chapter 67 Section 12-67-100 of the South Carolina Code of Laws, as amended regarding the property located at 127 West Evans Street, Florence, South Carolina, Florence County Tax Map Number 90167-02-008.

b. Resolution No. 2024-37

A Resolution authorizing the City Manager to execute an American Rescue Plan Act (ARPA) Stormwater Infrastructure Program Subrecipient Agreement between the City of Florence and the South Carolina Office of Resilience to fund a stormwater infrastructure improvement project that will mitigate the impact of future disasters.

c. Resolution No. 2024-38

A Resolution to direct the City Manager of the City of Florence to investigate allegations of neglect of duty on the part of the Board of Commissioners of the Housing Authority of the City of Florence and report his findings in such regard to City Council.

(Note: This item may be discussed in Executive Session.)

VIII. REPORT TO COUNCIL

IX. MAYORAL REPORT

X. COMMITTEE REPORTS

a. Business Development Committee

b. Community Development Committee

c. Marketing and Public Relations Committee

d. Finance, Audit and Budget Committee

(Note: Action may be taken during Committee Reports.)

XI. EXECUTIVE SESSION

- a. For a personnel matter regarding the Housing Authority [30-4-70(a)(1)].

After returning to open session, Council may take action on matters discussed during Executive Session.

XII. ADJOURN



**REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, SEPTEMBER 9, 2024 – 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. Scotty Davis, 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; Mr. Michael Hemingway, Director of Utility Planning and Economic Development; Mr. Jerry Dudley, Director of Planning; Mrs. Amanda Pope, Director of Marketing/Communications and Municipal Services; Mrs. Jennifer Krawiec, Director of Human Resources; Mr. Adam Swindler, Director of Public Works; Mr. Joshua Whittington, Director of Utilities; Mr. Tim Wilson, Assistant Director of Parks, Recreation, and Sports Tourism and Ms. Patrice Rankin, Administrative Coordinator

MEDIA PRESENT

Mr. Seth Taylor with the Post and Courier and Ms. Shawnia Butler with WPDE News Channel 15 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 September 9, 2024 regular meeting of Florence City Council to order at 1:01pm.

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 August 12, 2024 Special Meeting, August 12, 2024 Regular Meeting and the August 17, 2024 Special Meeting and Councilman Smith seconded the motion. The minutes were unanimously (7-0) adopted.



**FLORENCE CITY COUNCIL
REGULAR MEETING – SEPTEMBER 9, 2024**

ADDENDUM TO THE AGENDA:

EXECUTIVE SESSION

For a discussion related to an Economic Development Project [30-7-70(a)(5)].

Pro tem Jebaily made a motion to add this item to the September 9, 2024 meeting agenda and Councilwoman Barnes seconded the motion. This item was added to the agenda by unanimous vote (7-0).

SERVICE RECOGNITIONS

Mr. Shannon Tanner, Fire Chief, presented Larry Richardson with a certificate of recognition for 25 years of service with the Florence Fire Department.

Mr. Shannon Tanner, Fire Chief, presented Henry Glover with a certificate of recognition for 25 years of service with the Florence Fire Department.

Mr. Joshua Whittington, Director of Utilities, presented Mark Browder with a certificate of recognition for 20 years of service with the City of Florence.

ORDINANCES IN POSITION

Bill No. 2024-13- Second Reading

An Ordinance providing for the issuance and sale of combined waterworks and sewerage system revenue bonds of the City of Florence, South Carolina, and other matters relating thereto.

Pro tem Jebaily made a motion to adopt Bill No. 2024-13 on second reading and Councilwoman Barnes seconded the motion.

Council voted unanimously (7-0) in favor of the motion. Bill No. 2024-13 was adopted.

Bill No. 2024-14 – Second Reading

An Ordinance to annex and zone RG-3 Phase 2 of Smith’s Field subdivision, identified as Florence County Tax Map Parcels 00100-01-337 through 00100-01-380.

Councilwoman NeSmith-Jackson a motion to adopt Bill No. 2024-14 on second reading and Councilman Smith seconded the motion.

Council voted unanimously (7-0) in favor of the motion. Bill No. 2024-14 adopted.

Bill No. 2024-15- Second Reading

An Ordinance to annex and zone CG the lot at 525 South Ebenezer Road, identified as Florence County Tax Map Number 00074-01-334.

Councilwoman NeSmith-Jackson made a motion to adopt Bill No. 2024-15 on second reading and Councilman McCall seconded the motion.

Council voted unanimously (7-0) in favor of the motion. Bill No. 2024-15 was adopted.



MAYORAL REPORT

Mayor Ervin asked Mr. Tim Wilson, Assistant Director of Parks, Recreation and Sports Tourism, to provide an update on city parks.

Mr. Wilson said the city's parks range from community parks to sports tourism complexes and they provide a quality of life for the citizens and community. Mr. Wilson spoke on various projects that will enhance the city parks and sports tourism complexes to include:

Dr. Iola Jones Park: Replacing backboards at basketball courts, new amphitheater, and resuming boxing program.

Freedom Florence Sports Complex: Replacing standard halogen lights with LED lights at all nine softball fields, resurfacing four lower softball fields and upgrading the lobby at gymnastics and replacing pit blocks.

Northwest Park: Tentatively adding a walking trail.

Timrod Park: Installation of new playground equipment, pickleball courts expansion, resurfacing of tennis courts, tentatively upgrading restrooms, and tentatively restoring concrete areas.

Levy Park: New pottery kiln at the Levy Senior Center.

McLeod Park: Tree maintenance and a dog park.

Dr. Eddie Floyd Tennis Center: Addition of hard and clay courts. Potential expansion of the facility through a partnership with the Drs. Bruce and Lee Foundation.

Florence Soccer Complex: Addition of four fields for a total of fourteen fields.

Pearl Moore Basketball Center: Expansion of facility.

Trails: Expansion of the High Hill Trail and the expansion of the rail trail to connect to the Soccer Complex.

Additional Projects: Restoring the boat launch and boardwalk behind Naturally Outdoors and Jeffries Creek. Partnering with the Florence Convention and Visitors Bureau to renovate the trail head across from Veterans Park

Mr. Wilson provided a report of tentative projects that could occur in the next five to ten years to include upgrading the amphitheater at Timrod Park, renovating the bridges around Jeffries Creek Park, adding sand volleyball courts at McLeod Park, a new picnic shelter at South Park, and a football program expansion. Mr. Wilson closed by acknowledging the city's parks crews and their hard work with maintaining the city's parks and trails.

Mayor Ervin also acknowledged city staff for their hard work.

Mayor Ervin acknowledged the law enforcement basketball tournament that took place this past Saturday at Pearl Moore Basketball Center. She also acknowledged a health event that took place in August at



**FLORENCE CITY COUNCIL
REGULAR MEETING – SEPTEMBER 9, 2024**

Florence Darlington Technical College. Mayor Ervin encouraged residents to attend 9/11 memorial services this month. She concluded the mayoral report by saying that Northwest Park did receive grant funding from a city partner. However, it was decided that based on the rewarded amount and the obligations to the grant, the city would move forward without the grant funding.

COMMITTEE REPORTS

Business Development Committee, Chaired by Pro tem Jebaily

Pro tem Jebaily said the committee received updates regarding Urban Square, 127 W Evans Street, and the III Penny Sales Tax projects. The committee also received an update on the city's safety efforts regarding Tropical Storm Debby, as well as updates regarding city grants. The committee discussed current projects such as the Surface Water Treatment Plant expansion, Jeffries Creek Sanitary Sewer Intceptor, Timrod Park, and AESC.

Community Development Committee, Chaired by Councilwoman Barnes

Councilwoman Barnes said the committee discussed community development efforts and received an update on home rehabilitation, weatherization, and demolition projects. The committee also discussed developing a process for dilapidated homes with multiple owners to assist with the demolition process.

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

Councilwoman NeSmith-Jackson said that city staff is continuing to promote Cypress in the community and encourage customer participation. The seven week fall session for City University will begin on September 16th. The City Center Farmers Market has resumed their regular hours, 9am-1pm, each Saturday. The City Center Farmers Market's Cultural Garden Harvest Celebration is scheduled for September 21st. A new video series "Florence in Focus" will be released this week on the city's social media accounts. Councilwoman NeSmith-Jackson acknowledged that September is Suicide Prevention Month, Childhood Cancer Awareness Month, Sickle Cell Awareness Month and Substance Use Recovery Month.

Finance, Audit and Budget Committee, Chaired by Councilman McCall

Councilman McCall said the committee received an update regarding the city's water system since the system wide low pressure event last month. The committee reviewed the budget carryforward ordinance that will be presented at next month's city council meeting. The committee also received an update on the opioid funding applicants. Lastly, the committee reviewed the monthly financial reports for July 2024.

EXECUTIVE SESSION

Mayor Ervin said Council will be entering into Executive Session for a discussion of matters related to a contractual agreement and for a discussion related to an economic development project.

Councilwoman Barnes made a motion to enter into Executive Session and Councilwoman NeSmith-Jackson seconded the motion. Council voted unanimously (7-0) to enter into Executive Session at 1:35pm.



**FLORENCE CITY COUNCIL
REGULAR MEETING – SEPTEMBER 9, 2024**

Council resumed open session at 2:45pm. Mayor Ervin said there is no action required following Executive Session.

ADJOURN

Without objection, the September 9, 2024 Regular meeting of City Council was adjourned at 2:46pm.

Dated this 14th day of October 2024.

Casey C. Moore, Municipal Clerk

Teresa Myers Ervin, Mayor

FLORENCE CITY COUNCIL MEETING

DATE: October 14, 2024

AGENDA ITEM: Request to consider the abandonment of unopened right-of-way located between 913 and 1003 Chestnut Street, identified as Florence County Tax Map Numbers 90063-01-011 and 90063-01-010.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

An Ordinance for the abandonment of an unopened and undeveloped right-of-way between 913 and 1003 Chestnut Street.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On September 10, 2024 the City of Florence Planning Commission held a public hearing on this matter and voted unanimously, 6-0, to recommend the right-of-way abandonment to City Council.

III. POINTS TO CONSIDER:

- (1) The request is being considered for first reading.
- (2) The request was made by a representative of the owner of 1003 Chestnut Street upon the discovery of the unopened right-of-way during the standard property research.
- (3) Only the portion of undeveloped and unopened right-of-way between 913 and 1003 Chestnut Street is being proposed for abandonment.
- (4) The approximately 80 feet wide, 192 feet long right-of-way appears to have been designated as Washington Avenue on the 1943 site plan for the Colonial Gardens development but was never developed.
- (5) The right-of-way is labeled as Hancock Drive on the survey of the property.
- (6) If the right-of-way is abandoned by the City, the property may be combined with the adjacent parcels through the plat approval process and the recording of a quit claim deed.


IV. PERSONAL NOTES:

V. ATTACHMENTS:

- A. Ordinance
- B. Vicinity Map
- C. Location Map
- D. 1943 Site Plan
- E. Survey
- F. Illustration



Jerry B. Dudley
Planning Director



Scotty Davis
City Manager

ORDINANCE NO. 2024-_____

AN ORDINANCE TO ABANDON INTEREST IN THE RIGHT-OF-WAY LOCATED BETWEEN 913 AND 1003 CHESTNUT STREET, IDENTIFIED AS FLORENCE COUNTY TAX MAP NUMBERS 90063-01-011 AND 90063-01-010.

WHEREAS, a request has been made for the City to abandon any interest in the unopened and undeveloped portion of the right-of-way between Florence County Tax Map Numbers 90063-01-011 and 90063-01-010, and;

WHEREAS, a Public Hearing was held in the City Center Council Chambers on September 10, 2024 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, a public notice was published three times in the Morning News prior to the October 14, 2024 City Council meeting as required by City Code Section 2-28(b) and adjacent property owners were notified;

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 abandons any interest in the portion of right-of-way so described, which will convey to the abutting property owners after the necessary legal documents have been properly executed.
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

ADOPTED THIS _____ DAY OF _____, 2024

Approved as to form:

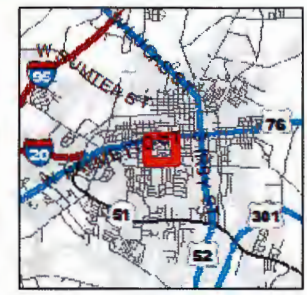
Benjamin T. Zeigler
City Attorney

Teresa Myers Ervin
Mayor

Attest:

Casey C. Moore
Municipal Clerk

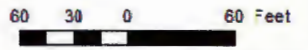
PC 2024-16
Vicinity Map - 1003 Chestnut Street



- Legend**
- Parcels
 - Proposed Parcel



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: 6/27/2024

Attachment F: Illustration

Yellow = 913 Chestnut Street, Red = 1003 Chestnut Street, Green = unopened ROW



FLORENCE CITY COUNCIL MEETING

DATE: October 14, 2024

AGENDA ITEM: Ordinance to Rezone from PD to AC the four parcels located at the intersection of East Pine Street, South Church Street, and Barringer Street, TMNs 90103-01-002, 90103-01-003, 90103-01-004, and 90103-01-005.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

A request to rezone from Planned Development (PD) to Activity Cener (AC) the four parcels located at the intersection of East Pine Street, South Church Street, and Barringer Street, said properties being specifically designated in the Florence County Tax Records as Tax Map Numbers 90103-01-002, 90103-01-003, 90103-01-004, and 90103-01-005. The request is being made by the property owner, Park Sang Chong.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On September 10, 2024, the City of Florence Planning Commission held a public hearing regarding the rezoning of these parcels and voted unanimously (7-0) to approve the rezoning request.

III. POINTS TO CONSIDER:

- (1) The 0.81 acre area is a triangle defined by East Pine Street on the south, South Church Street on the east, and Barringer Street on the west and consisting of four individual parcels.
- (2) The lots were zoned Planned Development District under the former zoning map of 2008, but no record of the standards for the PDD has been located.
- (3) Section 6-21.7.12 of the *Unified Development Ordinance* requires within 14 days, City Council shall:
 - a. Approve the zone change by ordinance;
 - b. Approve the zone change by ordinance with modifications;
 - c. Deny the zone change; or
 - d. Refer the zone change back to the Planning Commission, the Director, to a committee of Council, or an ad hoc committee for further consideration.

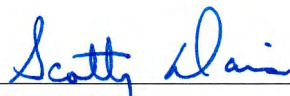
IV. PERSONAL NOTES:

V. ATTACHMENTS:

- A) Ordinance
- B) Location Map
- C) Zoning Map
- D) Future Land Use Map



Jerry B. Dudley
Planning Director



Scotty Davis
City Manager

ORDINANCE NO. 2024-_____

AN ORDINANCE TO REZONE FOUR LOTS IDENTIFIED BY TAX MAP NUMBERS 90103-01-002, 90103-01-003, 90103-01-004, and 90103-01-005 FROM PLANNED DEVELOPMENT ZONING DISTRICT TO ACTIVITY CENTER ZONING DISTRICT:

WHEREAS, a Public Hearing was held in City Council Chambers on September 10, 2024 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, Palmetto Reserves LLC, on behalf of the owner, Park Sang Chong, made application to rezone from the Planned Development to Activity Center Zoning District;

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 by amending the Zoning Atlas of the City of Florence for the aforesaid properties to Activity Center;

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 _____, 2024

Approved as to form:

Benjamin T. Zeigler,
City Attorney

Teresa Myers Ervin,
Mayor



Attest:

Casey C. Moore,
Municipal Clerk

PC 2024-22
Location Map - E. Pine, S. Church, and Barringer Streets

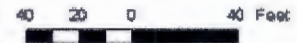


Legend

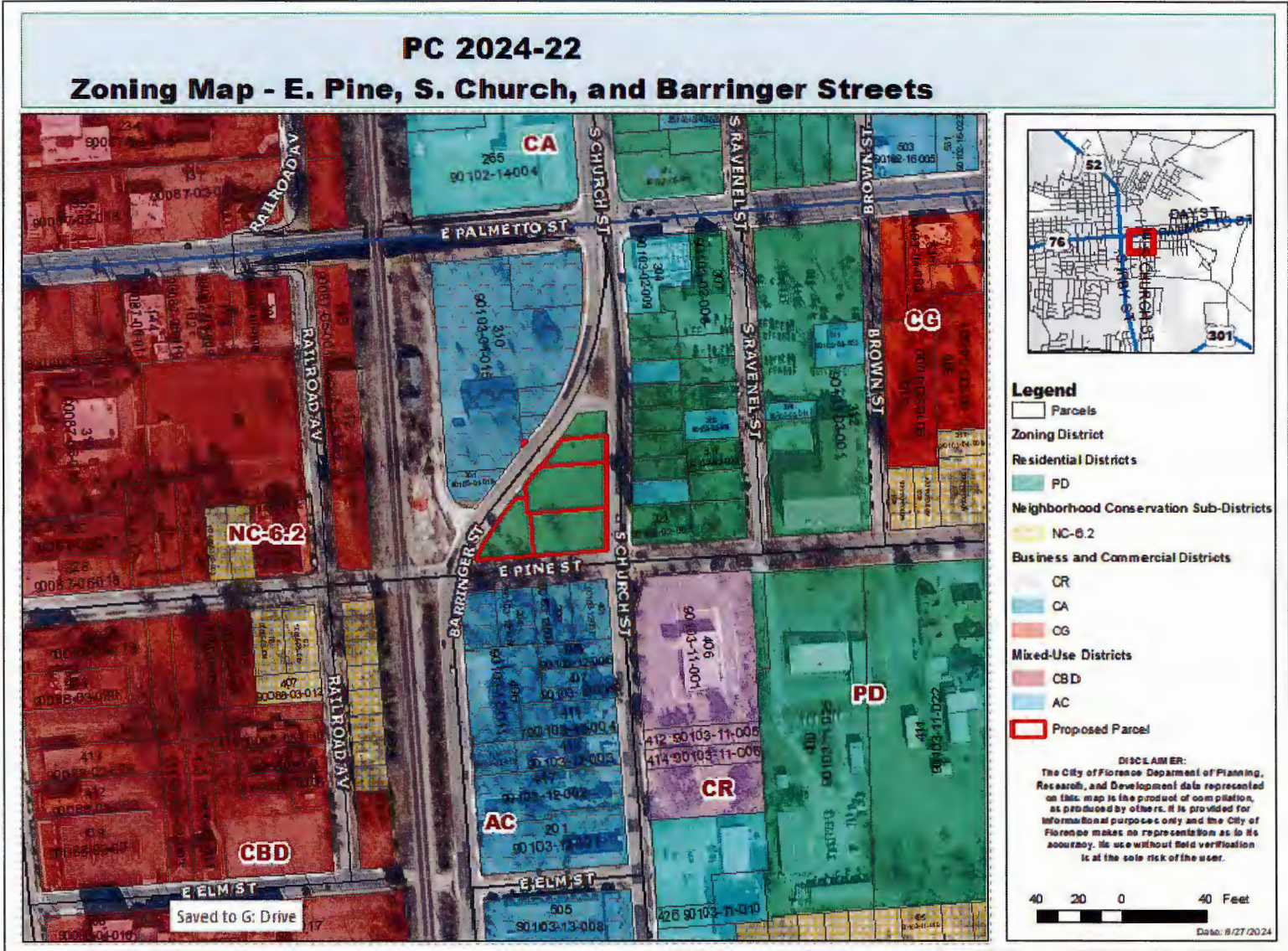
-  Parcels
-  Proposed Parcel



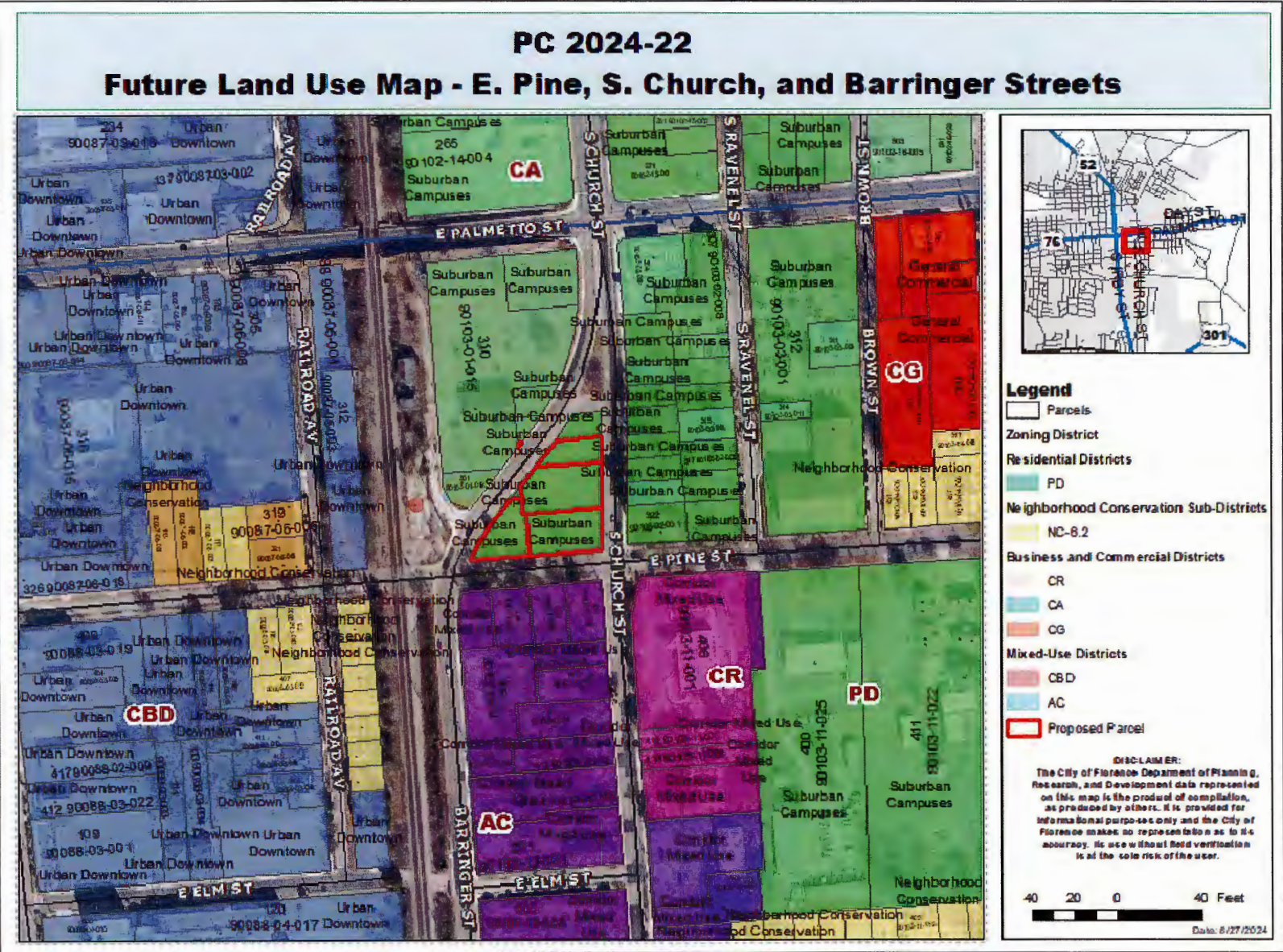
DISCLAIMER:
 The City of Florence Department of Planning, Research, and Development data represented on this map is the product of compilation, is produced by others. It is provided for informational purposes only and the City of Florence makes no representation as to its accuracy. Its use without the verification is at the sole risk of the user.



Date: 5/27/2024



Saved to G: Drive



FLORENCE CITY COUNCIL MEETING

DATE: October 14, 2024

AGENDA ITEM: An Ordinance to annex and zone Commercial General (CG) 551 and 597 West Lucas Street, TMNs 90070-01-025 and 90070-01-028.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex properties located at 551 and 597 West Lucas Street, Tax Map Numbers 90070-01-025 and 90070-01-028, into the City of Florence and assign them the zoning designation of Commercial General (CG). The request is being made by the property owner.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On September 10, 2024, the City of Florence Planning Commission held a public hearing on this matter and voted unanimously, 7-0, to recommend the zoning district of Commercial General.

III. POINTS TO CONSIDER:

- (1) City water and sewer services are currently available; there is no cost to extend utilities.
- (2) A Public Hearing for zoning was held at the September 10, 2024 Planning Commission meeting.
- (3) City staff recommends annexation and concurs with Planning Commission's recommendation to zone the property Commercial General.

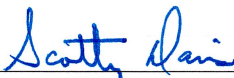
IV. PERSONAL NOTES:

V. ATTACHMENTS:

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



Jerry B. Dudley
Planning Director



Scotty Davis
City Manager

ORDINANCE NO. 2024 - _____

**AN ORDINANCE TO ANNEX AND ZONE COMMERCIAL GENERAL
551 AND 597 WEST LUCAS STREET, TMN 90070-01-028 and 90070-01-025.**

WHEREAS, a Public Hearing was held in the Council Chambers on September 10, 2024 at 6:00 P.M. before the City of Florence Planning Commission, and notice of said hearing was duly given;

WHEREAS, application by Norwood and Norwood LLC, owner of TMNs 90070-01-025 and 90070-01-028, 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 CG:

The property requesting annexation is shown more specifically on Florence County Tax Map 90070, block 01, parcels 025 (0.593924 acre) and 028 (0.885494 acre).

Any portions of public rights-of-way abutting the property described above will be 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 in 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 _____, 2024

Approved as to form:

Benjamin T. Zeigler,
City Attorney

Teresa Myers Ervin,
Mayor

Attest:

Casey C. Moore,
Municipal Clerk

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: 90070-01-028
90070-01-025
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>0</u>	Race	<u>0</u>
Total 18 and Over	<u>0</u>	Total Registered to Vote	<u>0</u>

APPLICANT (S) (Please print or type):

Name(s): Norwood & Norwood LLC

Address: 140 W Evans St Suite 203

Telephone Numbers: 843-229-9395 [work] _____ [home]

Email Address: tnorwood@nnprop.com

Signature [Handwritten Signature] Date 8-12-2024

Certification as to ownership on the date of petition:	FOR OFFICAL USE ONLY
Date <u>8/15/24</u>	<u>[Handwritten Signature]</u>

FLORENCE CITY COUNCIL MEETING

DATE: October 14, 2024

AGENDA ITEM: An Ordinance to amend Article I of Chapter 8 of the City of Florence Code of Ordinances to add provisions related to open burning and to amend Article I, Chapter 10 of said city code to add provisions relating to nuisance smoke and other matters related thereto.

DEPARTMENT/DIVISION: City of Florence Fire Department

I. ISSUE UNDER CONSIDERATION:

An Ordinance to amend Article I of Chapter 8 of the City of Florence Code of Ordinances to add provisions related to open burning and to amend Article I, Chapter 10 of said city code to add provisions relating to nuisance smoke and other matters related thereto.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

1. No previous action has been taken regarding this matter.

III. POINTS TO CONSIDER:

1. Open burning in urban areas is known to cause the loss of life and property through the accidental spread from the fire.
2. Open burning reduces air quality through the release of harmful chemicals in particulate matter that affect human health and the environment.
3. City staff has reviewed open burning policies in other jurisdictions and has created the attached amendment for consideration. This ordinance is designed to reduce the loss of life and property, protect the health and well-being of the community.

IV. OPTIONS:

City Council may:

1. Approve and adopt the ordinance.
2. Deny the ordinance.
3. Suggest an alternative ordinance.

VI. ATTACHMENTS

1. Proposed Ordinance


Chris Johnson
Fire Marshal


Scotty Davis
City Manager

ORDINANCE NO. 2024 - _____

AN ORDINANCE TO AMEND ARTICLE I CHAPTER 8 OF THE CITY CODE OF THE CITY OF FLORENCE TO ADD PROVISIONS RELATED TO OPEN BURNING AND TO AMEND ARTICLE I CHAPTER 10 OF SAID CITY CODE TO ADD PROVISIONS RELATING TO NUISANCE SMOKE AND OTHER MATTERS RELATED THERETO.

WITNESSETH:

WHEREAS, the City of Florence; South Carolina (the “City”) seeks to protect its residents and their property from the danger of fire;

WHEREAS, open burning presents a fire hazard within the City; and

WHEREAS, the City Council of the City (“the City Council”) desires to regulate the practice of open burning within the City by adding to the Code of Ordinances within the City (“the Code”) provisions related thereto;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City in meeting duly assembled that:

- a. There is added to Article I Chapter 8 a Section 8-5 entitled “Open Burning,” such section being set forth in the attached Exhibit A.
- b. There is added to Article I Chapter 10 a Section 10-12 entitled “Nuisance Smoke – Prohibited Generally,” such section being set forth in the attached Exhibit B.
- c. This Ordinance shall become effective upon its approval and adoption by the City Council of the City.

ADOPTED this __ day of _____, 2024

Approved as to form:

BENJAMIN T. ZEIGLER
CITY ATTORNEY

TERESA MYERS ERVIN
MAYOR

ATTEST:

CASEY MOORE

EXHIBIT A

Section 8-5 Open Burning

1) "Open Burning" means the burning of materials wherein products of combustion are emitted directly into the ambient air without passing through a stack or chimney from an enclosed chamber. Open burning does not include road flares, smudge pots and similar devices associated with safety or occupational uses, or portable outdoor fireplaces. A chamber shall be regarded as enclosed when, during the time combustion occurs, only apertures, ducts, stacks, flues, or chimneys necessary to provide combustion air and permit the escape of exhaust gas are open.

2) Open Burning shall be allowed as provided below:

- a) Small open fires may be used for recreational purposes, such fires to include portable fireplaces, grills, and fire pits 3 feet in diameter or less.
- b) Permitted fires must be fueled by clean fuels, such as propane or clean wood; provided that such fires do not constitute a nuisance.
- c) A container of 55 gallons or less that burns small scraps or ordinary wood only may be used as a warming fire provided no nuisance is created.

3) Fires for cooking of food for human consumption shall be allowed subject to the following restrictions:

- a) It is contained within a device designed for the purpose of cooking food over an open flame.
- b) Cooking appliances must be at least ten (10) feet from combustible construction.
- c) Outdoor grills must be attended until extinguished.
- d) Approved on-site fire extinguishing equipment, such as dirt, sand, water barrel, or garden hose shall be available for immediate utilization.

4) Open Burning shall be prohibited as follows:

- a) The burning of yard debris, including the use of 55-gallon drums for residential properties for cleanup of yard debris, to include limbs, leaves, and pine straw, etc. is prohibited.
- b) Bonfires are prohibited.

The Fire Department, Police Department and Code Enforcement Officials are authorized to order the extinguishment of any fire that violate the provisions of this ordinance or constitute a public nuisance as defined in §10-12 of the Code.

Violation of this section shall be punishable by a fine as described in § 1-7.

EXHIBIT B

Section 10-12 Nuisance Smoke – Prohibited Generally

It shall be unlawful for any person to make or continue fire that produces smoke that repeatedly and continually produces smoke that creates atmospheric conditions that interfere with air quality or produce odors that annoy, disturb, injures, or endangers the comfort, repose, peace, health, and safety of others within the City.

FLORENCE CITY COUNCIL MEETING

DATE: October 14, 2024

AGENDA ITEM: A Resolution certifying building as an abandoned building sites pursuant to the South Carolina Abandoned Buildings Revitalization Act, Title 12, Chapter 67 Section 12-67-100 et seq., of the South Carolina Code of Laws (1976), as amended regarding the property located at 127 West Evans Street, Florence, South Carolina, Florence County Parcel No. 90167-02-008. +/- .10 acre.

DEPARTMENT/DIVISION: Department of Planning, Research, and Development

I. ISSUE UNDER CONSIDERATION:

A Resolution certifying building as an abandoned building sites pursuant to the South Carolina Abandoned Buildings Revitalization Act, Title 12, Chapter 67 Section 12-67-100 et seq., of the South Carolina Code of Laws (1976), as amended regarding the property located at 127 West Evans Street, Florence, South Carolina, Florence County Parcel No. 90167-02-008. +/- .10 acre.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

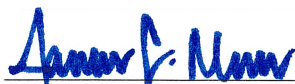
1. No current or previous action has occurred.

III. POINTS TO CONSIDER:


1. The state of South Carolina requires that any developer using the South Carolina Abandoned Building Revitalization Act of 2013 for an incentive to rehabilitate, renovate, or redevelop a property containing an abandoned building must receive certification, through Resolution, from the governmental entity that it is located.
2. This redevelopment is associated with the historic building located 127 West Evans Street within the H-1, Historic Overlay District.

IV. ATTACHMENTS:

1. Proposed Resolution



Clint Moore
Assistant City Manager



Scotty Davis
City Manager

RESOLUTION NO: _____

CERTIFYING A BUILDING AS ABANDONED BUILDING SITES PURSUANT TO THE SOUTH CAROLINA ABANDONED BUILDINGS REVITALIZATION ACT, TITLE 12, CHAPTER 67 SECTION 12-67-100 ET SEQ., OF THE SOUTH CAROLINA CODE OF LAWS (1976), AS AMENDED REGARDING THE PROPERTY LOCATED AT 127 WEST EVANS STREET, FLORENCE, SOUTH CAROLINA, FLORENCE COUNTY TAX ID #:90167-02-008. +/- .10 ACRE.

WHEREAS, the South Carolina Abandoned Buildings Revitalization Act of 2013 (the "Act") was enacted in Title 12, Chapter 67 of the South Carolina Code of Laws to create an incentive for the rehabilitation, renovation and redevelopment of abandoned buildings located in South Carolina; and,

WHEREAS, the Act provides that restoration of abandoned buildings into productive assets for the communities in which they are located serves a public and corporate purpose and results in job opportunities; and,

WHEREAS, Section 12-67-120 of the Act provides the following definitions (in pertinent part):

(1) "Abandoned Building" means a building or structure, which clearly may be delineated from other buildings or structures, at least sixty-six percent (66%) of the space in which has been closed continuously to business or otherwise nonoperational for income producing purposes for a period of at least five (5) years immediately preceding the date on which a taxpayer files a "Notice of Intent to Rehabilitate". *For purposes of this item, a building or structure that otherwise qualified as an "abandoned building" may be subdivided into separate units or parcels, which units or parcels may be owned by the same taxpayer or different taxpayers, and each unit or parcel is deemed to be an abandoned building site for purposes of determining whether each subdivided parcel is considered to be abandoned ... (emphasis added).*

(2) "Building Site" means the abandoned building together with the parcel of land upon which it is located and other improvements located on the parcel. However, the area of the building site is limited the land upon which the abandoned building is located and the land immediately surrounding such building used for parking and other similar purposes directly related to the building's income producing use.

...

(6) "Rehabilitation Expense" means the expense or capital expenditures incurred in the rehabilitation, demolition, renovation or redevelopment of the building site, including without limitations, the renovation or redevelopment of existing buildings, environmental remediation, site improvements, and the construction of new buildings and other improvements on the building site

...

WHEREAS, Section 12-67-140(E) of the Act provides, (in pertinent part):

For building sites which have had no portion thereof placed in service before July 1, 2018 , and upon which is located a redeveloped multi-floor structure that is listed on the National Register of Historic Places, the taxpayer may subdivide the structure into separate units in the manner as provided in this chapter, except that up to seven separate floors may be considered seven separate subdivided units if a floor is redeveloped for the exclusive use as a residential apartment or apartments...

WHEREAS, Section 12-67-140 of the Act provides that a taxpayer who rehabilitates an abandoned building is eligible for a credit against certain income taxes; and,

WHEREAS, 127 West Evans LLC, or its assigns, (the "Owner" or "Owners" or the "Taxpayer" or the "Taxpayers") owns real property located at 127 West Evans Street, Florence, South Carolina, bearing Florence County Tax I.D. No. 90167-02-008, and which is +/- .10 acre in size (the "Property"); and,

WHEREAS, The Property consists of one (1) existing building of 7698 square feet of finished space which building consists of three (3) floors within the building; and,

WHEREAS, the Property is located within the City of Florence in Florence County, South Carolina and,

WHEREAS, the Taxpayer plans to rehabilitate the existing building on the site for retail and residential use (the "Building Site").

WHEREAS, the Taxpayer has filed, or will file, two (2) Notices of Intent to Rehabilitate with the South Carolina Department of Revenue to rehabilitate the Abandoned Building or Abandoned Building Units located on the identified parcel and will incur Rehabilitation Expenses as defined in S.C. Code Section 12-67-120(6); and,

WHEREAS, the Taxpayer has requested that the City of Florence, by way of a binding resolution pursuant to Section 12-67-160(A) of the Act, certify that the site consists of two (2) abandoned building sites or units as defined by Section 12-67-120.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FLORENCE IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:

1. The Taxpayer has submitted to the City's Planning and Development Services Department a request for a binding resolution to certify the Site pursuant to Section 12-67-160 of the Act (the "Request to Certify").
2. The Property contains multiple Abandoned Building Sites as defined by Section 12-67-120(1) of the Act; and,
3. The geographic area of the one (1) Building Site is consistent with Section 12-67-120(2) of the Act.

EXECUTED ON ONE (1) ADDITIONAL PAGE

AND IT IS SO RESOLVED, this _____ day of _____, 2024.

ADOPTED THIS _____ day of _____, 2024.

Approved as to form:

Benjamin T. Zeigler
City Attorney

Teresa Myers Ervin
Mayor

Attest:

Casey C. Moore
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: October 14, 2024

AGENDA ITEM: Resolution authorizing the City Manager of the City of Florence to execute an American Rescue Plan Act (ARPA) Stormwater Infrastructure Program subrecipient agreement between the City of Florence and the South Carolina Disaster Recovery Office to fund an infrastructure improvement project that will mitigate the impact of future disasters.

DEPARTMENT/DIVISION: Department of Planning, Research, and Development

L ISSUE UNDER CONSIDERATION:

A Resolution authorizing the City Manager of the City of Florence to execute an American Rescue Plan Act (ARPA) Stormwater Infrastructure Program subrecipient agreement between the City of Florence and the South Carolina Disaster Recovery Office to fund an infrastructure improvement project that will mitigate the impact of future disasters.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

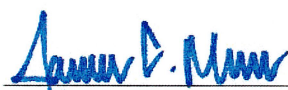
1. City Council passed Resolution 2023-38 on April 12, 2023 to authorize the City Manager to execute the sub-recipient agreement with the South Carolina Office of Resilience for the Pennsylvania Street stormwater mitigation project.
2. The current resolution will increase the award amount by \$327,100.00 for a total project award not to exceed \$2,943,900.00.

III. POINTS TO CONSIDER:


1. The grants were made available through the American Rescue Plan Act and are distributed through the South Carolina Office of Resilience, Disaster Recovery Division.
2. The scope of the Pennsylvania Street Stormwater Mitigation Project involves the upgrade of stormwater infrastructure (pipe, inlets, and junction boxes) in the watershed that includes the Pennsylvania Street corridor.
3. This project will improve drainage and upgrade failing infrastructure throughout the watershed.

IV. ATTACHMENTS:

1. Proposed Resolution



Clint Moore
Assistant City Manager



Scotty Davis
City Manager

RESOLUTION NO. 2024-____

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMERICAN RESCUE PLAN ACT (ARPA) STORMWATER INFRASTRUCTURE PROGRAM SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF FLORENCE AND THE SOUTH CAROLINA OFFICE OF RESILIENCE TO FUND A STORMWATER INFRASTRUCTURE IMPROVEMENT PROJECT THAT WILL MITIGATE THE IMPACT OF FUTURE DISASTERS.

WHEREAS, the City of Florence was awarded \$2,616,800.00 in ARPA grant funds from the South Carolina Office of Resilience to carry out mitigation activities in a timely manner; and

WHEREAS, the City of Florence agreed to conform to the terms of the April 12, 2023 Award Determination Letter the South Carolina Office of Resilience ARPA-Funded Stormwater Infrastructure Program (ASIP) Policy and Procedure Manual, the terms of this resolution, and the Subrecipient Agreement between the City of Florence and SCOR; and

WHEREAS, all references in Resolution No. 2023-38 to the City of Florence ARPA-funded stormwater infrastructure project's April 12, 2023 Award Determination Letter terms and conditions shall be for the modified Award Determination Letter as amended September 16, 2024; and

WHEREAS, the City of Florence agreed to provide a Commitment of Funds Letter, signed by the applicant and the governing body, that identifies the funding source(s) needed to complete the Pennsylvania Street Stormwater Mitigation Project; and

WHEREAS, the City of Florence recognizes in this amended Resolution and by signature of the September 16, 2024 Award Determination Letter by applicant and governing body, full responsibility for any and all cost overruns in excess of the total amount granted, not to exceed \$2,943,900.00; and

WHEREAS, the City of Florence will continue to participate in updating the South Carolina Office of Resilience throughout the duration of the grant; and

WHEREAS, the City of Florence acknowledges and accepts responsibility for the management and monitoring of contractors and their respective projects; and

WHEREAS, the City of Florence acknowledges and accepts ownership and responsibility for the ongoing operation and maintenance for the life of the improvement; and

WHEREAS, the City of Florence will uphold these infrastructure improvements in a manner that conforms to all health and safety requirements;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FLORENCE IN MEETING DULY ASSEMBLED AND BY THE AUTHORITY THEREOF:

1. That the City of Florence respectfully accepts the additional funding provided by the South Carolina Disaster Recovery Office through the ARPA Stormwater Infrastructure Program to fund infrastructure improvements that will mitigate the impact of future flooding.
2. That the City of Florence respectfully accepts responsibility for completion of the Project, any defects or failures, and the long-term maintenance after completion.

AND IT IS SO RESOLVED, this _____ day of _____, 2024.

ADOPTED THIS _____ day of _____, 2024.

Approved as to form:

Benjamin T. Zeigler
City Attorney

Teresa Myers Ervin
Mayor

Attest:

Casey C. Moore
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: October 14, 2024
AGENDA ITEM: Resolution
DEPARTMENT/DIVISION: City Council
Sponsored by Mayor Teresa Myers Ervin

I. ISSUE UNDER CONSIDERATION:

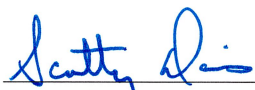
A Resolution to direct the City Manager of the City of Florence to investigate allegations of neglect of duty on the part of the Board of Commissioners of the Housing Authority of the City of Florence and report his findings in such regard to City Council.

II. POINTS TO CONSIDER:

1. The Florence Housing Authority was created by the Florence City Council.
2. The Florence City Council appoints members of the Board of Commissioners of the Authority.
3. Mayor Ervin received allegations that the Housing Authority Board of Commissioners has neglected its duties prescribed by law.

III. ATTACHMENTS:

1. Proposed Resolution



Scotty Davis
City Manager

RESOLUTION NO. 2024-_____

A RESOLUTION TO DIRECT THE CITY MANAGER OF THE CITY OF FLORENCE TO INVESTIGATE ALLEGATIONS OF NEGLECT OF DUTY ON THE PART OF THE BOARD OF COMMISSIONERS OF THE HOUSING AUTHORITY OF THE CITY OF FLORENCE AND REPORT HIS FINDINGS IN SUCH REGARD TO CITY COUNCIL

WHEREAS, pursuant to S.C. Code Ann. §31-3-320, the City of Florence Housing Authority (the “Authority”) was heretofore created by the City Council of the City of Florence (“City Council”).

WHEREAS, pursuant to S.C. Code Ann. §31-3-340, the City Council appoints the members of the Board of Commissioners of the Authority (the “Board”).

WHEREAS, pursuant to S.C. Code Ann. §31-3-370, the City Council has the power to remove members of the Board for certain reasons including inefficiency, neglect of duty, or misconduct in office.

WHEREAS, the Mayor of the City of Florence has received allegations that the Board has neglected its duties prescribed by law.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Florence directs the City Manager of the City of Florence to investigate allegations of neglect of duty on the part of the Board of Commissioner of the Florence Housing Authority and to report his findings in such regard to City Council.

DONE IN MEETING DULY ASSEMBLED THIS 14th DAY OF OCTOBER 2024.

Approved as to form:

BENJAMIN T. ZEIGLER
CITY ATTORNEY

TERESA MYERS ERVIN
MAYOR

ATTEST:

CASEY C. MOORE
MUNICIPAL CLERK