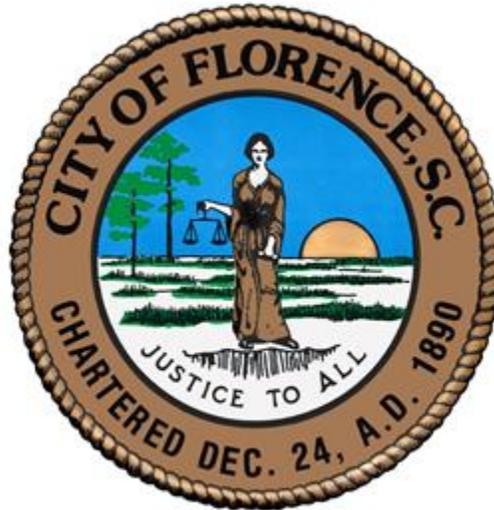


**REGULAR MEETING
OF
FLORENCE CITY COUNCIL**



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

**MONDAY
February 14, 2022
1:00 P.M.**



**REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, FEBRUARY 14, 2022 – 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

January 10, 2022 – Regular Meeting

IV. APPEARANCES BEFORE COUNCIL

a. Ms. Betty Williamson, Resident

To speak to Council on abandoned homes in District One.

b. Ms. Stephanie Bosch, Assistant Director – Florence County Economic Development Partnership

To provide an update on the Florence County Economic Development Partnership.

c. Mr. James Kennedy, Resident

To speak to Council on housing concerns.

V. ORDINANCES IN POSITION

a. Bill No. 2022-02 – Second Reading

An Ordinance to annex and zone 1146 Annelle Drive; identified as Florence County Tax Map Parcel 01794-03-010.

VI. INTRODUCTION OF ORDINANCES

a. **Bill No. 2021-12 – First Reading**

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

(Note: The applicant has requested to withdraw this request with the possibility that the applicant may apply in the future.)

b. **Bill No. 2022-03 – First Reading**

An Ordinance to amend the *Unified Development Ordinance* regarding portable donation receptacles.

c. **Bill No. 2022-04 – First Reading**

An Ordinance to rezone from NC-6.2 to NC-6.3 the parcel located at 706 Norfolk Street; identified as Florence County Tax Map Parcel 90100-03-001.

(Note: The applicant has requested that this item be deferred.)

d. **Bill No. 2022-05 – First Reading**

An Ordinance to call for a public referendum to be held at the general election in November, 2022, to determine whether or not to authorize the Department of Revenue to issue temporary permits for a period not to exceed twenty-four hours to allow for the sale of beer and wine at permitted off-premises locations without regard to the days or hours of sales in the City of Florence pursuant to South Carolina Code §61-6-2010.

VII. INTRODUCTION OF RESOLUTIONS

a. **Resolution No. 2021-41**

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

(Note: It is requested that this item be deferred.)

b. **Resolution No. 2022-05**

A Resolution to designate additional public spaces within the City of Florence in which the possession, sale, service, consumption, and distribution of beer and wine at special events may be permitted.

c. **Resolution No. 2022-06**

A Resolution adopting the SC Municipal Association 2021-2022 Advocacy Initiatives.

VIII. REPORTS TO COUNCIL

a. Appointments to Boards and Commissions

b. Councilman Chaquez McCall

To discuss Council Committees.

(Note: Action may be taken.)

IX. COMMITTEE REPORTS

a. Business Development Committee

b. Community Development Committee

c. Marketing and Public Relations Committee

X. EXECUTIVE SESSION

a. Personnel Matter [30-4-70(a)(1)].

After returning to open session, Council may take action on items discussed in Executive Session.

XI. ADJOURN



**REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, JANUARY 10, 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, Councilwoman Pat Gibson-Hye Moore, Councilman Chaquez T. McCall, Councilman Bryan A. Braddock and Councilman C. William Schofield.

ALSO PRESENT

Mr. Randall S. Osterman, City Manager; Mr. James W. Peterson, Jr., City Attorney (via phone); 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; Mr. Jerry Dudley, Director of Planning; Mrs. Jennifer Krawiec, Director of Human Resources; Mr. Michael Hemingway, Director of Utilities; Mrs. Amanda Pope, Director of Marketing/Communications and Municipal Services; and Mr. Chuck Pope, Director of Public Works.

MEDIA PRESENT

Mr. Matthew Christian of the Florence Morning News and Ms. Lacey Lee of WBTW News were present for the meeting.

Notices of this regular meeting of City Council were provided to the media and individuals requesting a copy of the agenda informing them of the date, location and time of the meeting.

CALL TO ORDER

Mayor Ervin called the January 10, 2022 regular meeting of Florence City Council to order at 1:05 p.m.

INVOCATION

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

REMARKS BY COUNCILWOMAN MOORE

Councilwoman Moore stated a rumor went out to the media that she was dead. She expressed her annoyance with this rumor and spoke of the detriment it could have had on her family.

APPROVAL OF MINUTES



**FLORENCE CITY COUNCIL
REGULAR MEETING – JANUARY 10, 2022**

Councilwoman Barnes asked Jim Peterson, City Attorney, for clarification on the process for a recusal. Mr. Peterson said a conflict of interest as prescribed by the Code of Ethics requires that a written document be filed with the Municipal Clerk stating in writing the basis of the conflict of interest. Councilwoman Barnes said there was a recusal at last month's meeting and asked if the minutes can be approved without an explanation of the conflict of interest. Mr. Peterson said there is no requirement that the minutes be approved today and suggested taking the steps necessary to codify the basis of the conflict of interest in writing. Mr. Peterson said the minutes can be approved on the condition that the explanation be written or defer approval of the minutes until the explanation has been written.

Councilwoman Barnes made a motion to defer approval of the minutes in order to obtain the written statement of the conflict of interest and Pro tem Jebaily seconded the motion.

Councilwoman Barnes said Council voted on \$6 million going to the community last month and there was a recusal for this item, and it was never stated the reason why.

Mayor Ervin stated she completed the recusal statement, included in the agenda packet, indicating there was a conflict of interest. The Community Redevelopment Committee appointed people to serve on the Community Development Corporation. One of the members appointed is an individual that worked on her campaign and she had an ethical conflict in voting on the appointment of a member to serve on a Board that will receive money from the City. She added she will complete the written statement.

Councilwoman Barnes said the Board members will not be paid. Many of the Board members that were appointed are the same Board members that were named to be on the CDC in the initial attempt to start the CDC several years ago.

Pro tem Jebaily said the motion to defer is on the table, but Mayor Ervin has given her explanation verbally and asked Councilwoman Barnes if she still desired a deferral. Councilwoman Barnes asked Mr. Peterson if Mayor Ervin's explanation of the conflict is a basis for recusal. Mr. Peterson said the Ethics Commission has always given great leeway to the Councilmember to decide at what level they feel they are unable to vote on something due to a conflict of interest. If the verbal explanation Mayor Ervin provided had been written on the recusal statement, it would likely have been sufficient to justify a recusal.

Mayor Ervin stated she spoke with the City Attorney prior to the recusal last month and she will complete the form in more detail today.

Councilwoman Barnes withdrew her original motion to defer and made a motion to adopt the minutes of the December 13, 2021 Regular Meeting, contingent on the addition of the written statement from Mayor Ervin, and Pro tem Jebaily seconded the motion. The minutes were unanimously adopted.

APPEARANCE BEFORE COUNCIL

Ms. Mindy Taylor, Duke Energy

Ms. Mindy Taylor, on behalf of Duke Energy, appeared before Council and presented a \$50,000 donation for the construction of a new picnic shelter at Iola Jones Park to the City of Florence. Council expressed their gratitude to Ms. Taylor and Duke Energy for their contributions to the community.

ORDINANCES IN POSITION



Bill No. 2021-41 – Second Reading

An Ordinance to zone NC-15, pending annexation, 2468 Parsons Gate; identified as Florence County Tax Map Parcel 01221-01-323.

Pro tem Jebaily made a motion to adopt Bill No. 2021-41 on second reading and Councilwoman Barnes seconded the motion.

Council voted unanimously (7-0) to adopt Bill No. 2021-41

Bill No. 2021-42 – Second Reading

An Ordinance to abandon the City of Florence’s interest in the undeveloped portion of public right-of-way for Honey Hill Drive located behind 1911 through 1923 Hayden Court.

Councilwoman Moore made a motion to adopt Bill No. 2021-42 on second reading and Councilman McCall seconded the motion.

Council voted unanimously (7-0) to adopt Bill No. 2021-42.

INTRODUCTION OF ORDINANCES

Bill No. 2021-12 – First Reading

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

Mayor Ervin stated this item is to be deferred. Without objection, this item was deferred.

Bill No. 2021-39 – First/Final Reading

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

Councilman McCall made a motion to adopt Bill No. 2021-39 on first/final reading and Councilwoman Barnes seconded the motion.

Mr. Randy Osterman, City Manager, reported this ordinance will mandate masks throughout the city if adopted instead of just city owned buildings as the current ordinance mandates.

Pro tem Jebaily said there are two items on the agenda that relate to mask mandates. This proposed ordinance will mandate masks throughout the city, whereas the resolution coming up on the agenda will extend the current mask mandate in city facilities. He asked what happens with the proposed Resolution further in the agenda if this ordinance passes. Mr. Osterman replied the upcoming Resolution will extend the provisions of the existing emergency ordinance. This Emergency Ordinance will replace the existing emergency ordinance, making the upcoming Resolution a moot point.

Councilman Braddock said the City of Columbia has maintained a mask mandate throughout the entirety of the pandemic and their numbers don’t indicate any difference in terms of rates of cases than any other cities that aren’t mandating masks. COVID is immune to mandates and the citizens of Florence are doing their part and mandates will only stress business owners and the Police.



FLORENCE CITY COUNCIL
REGULAR MEETING – JANUARY 10, 2022

Councilwoman Moore said people are not doing the right thing and the vaccine does not exempt people from getting sick. Council should vote for the mask mandate and for success and if there is improvement, they can lift the mandate.

Pro tem Jebaily said this Emergency Ordinance has a 60-day terminus built in unless it is extended by Resolution.

Councilman McCall said the numbers have spiked and it is time to mandate masks again.

Council voted 5-2 to adopt Bill No. 2021-39. Voting yea were Mayor Ervin, Councilwoman Moore, Councilwoman Barnes, Councilman McCall, and Pro tem Jebaily. Voting nay were Councilman Braddock and Councilman Schofield.

Bill No. 2022-01 – First Reading

An Ordinance adopting a redistricting plan for the three single member districts of City of Florence, South Carolina in accordance with the Federal Decennial Census of 2020.

Pro tem Jebaily made a motion to defer this item and Councilman Schofield seconded the motion.

Councilman McCall made a motion to move this item to Executive Session in order to receive legal advice and Mayor Ervin seconded the motion.

Mr. Clint Moore, Assistant City Manager of Development, reported staff has developed three separate options for redistricting following meetings with City Council. City staff is now planning to move forward with public hearings.

Without objection, Bill No. 2022-01 will be discussed in Executive Session.

Bill No. 2022-02 – First Reading

An Ordinance to annex and zone 1146 Annelle Drive; identified as Florence County Tax Map Parcel 01794-03-010.

Councilwoman Moore made a motion to pass Bill No. 2022-02 on first reading and Councilman Schofield seconded the motion.

Mr. Jerry Dudley, Planning Director, reported this property is located in the Pine Forest Community and is a single-family home. The proposed zoning is in agreement with surrounding properties and water and sewer is currently available.

Planning Commission held a public hearing on this matter and voted unanimously to recommend the zoning request of NC-10.

Council voted unanimously (7-0) to pass Bill No. 2022-02.

INTRODUCTION OF RESOLUTIONS

Resolution No. 2021-41

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



FLORENCE CITY COUNCIL
REGULAR MEETING – JANUARY 10, 2022

Mayor Ervin stated it is requested that this item be deferred. Without objection, this item was deferred.

Resolution No. 2022-01

A Resolution authorizing the expenditure of American Rescue Plan Act funds for Corridor Enhancements and Gateway Improvements by the City of Florence.

Mayor Ervin said it is notated on the agenda that this item may be discussed in Executive Session. Pro tem Jebaily said the City Manager has an amendment to the Resolution prepared and ask that it be presented.

Councilwoman Barnes made a motion to adopt Resolution No. 2022-01 and Councilman Schofield seconded the motion.

Mr. Osterman said the original Resolution was prepared at the request of the Business Development Committee to utilize up to \$1 million in American Rescue Act funds for corridor enhancements and gateway improvements. During discussion with Councilmembers, there was concern on committing that amount of American Rescue Plan Act money down one avenue. The amended Resolution authorizes the expenditure of up to \$700,000 of American Rescue Plan Act funds for corridor enhancements and gateway improvements and authorizes the expenditure of up to an additional \$300,000 from other city funds for corridor enhancements and gateway improvements during the 2021-22 and 2022-23 fiscal years.

Pro tem Jebaily made a motion to amend Resolution No. 2022-01 to replace the original copy with the amended version and Councilman Braddock seconded the motion.

Pro tem Jebaily said decaying corridors has been a focus for the city for many years and is an obstacle for future development in the city. Mr. Moore approached the podium and gave a brief presentation on city gateways. Several of the City's plans have addressed the various gateways into Florence. The Comprehensive Plan of 2010 identified four major corridors into the city needing improvement: the I-95/US-52 Interchange, East Palmetto Street, West Palmetto Street, and South Irby Street. Additionally, in 2018, the City partnered with Florence County to develop the 76 Gateway Study with a focus on the entryway into the City from Francis Marion University. The 2020 Comprehensive Plan also speaks to the four major corridors into the city, and the 2020 Downtown Masterplan speaks directly to the Irby Street and Palmetto Street entryways leading into the Central Business District. Solutions for corridor improvements have been identified through the various plans: zoning, partnerships, redevelopment projects and gateway projects. Mayor Ervin asked if any costs for these projects have yet been identified. Mr. Moore said the plans have identified the concept (where they exist and solutions), the feasibility and costs of the projects are determined once an opportunity arises. Mayor Ervin stated North Irby Street is also a gateway into the City and requested that it be included in the areas identified for improvement.

Pro tem Jebaily called the question on the motion to amend. Council voted 5-2 in favor of the motion to amend Resolution No. 2022-01, with Mayor Ervin and Councilwoman Moore voting in opposition.

Council voted 6-1 to adopt Resolution No. 2022-01, as amended, with Mayor Ervin voting in opposition.

Resolution No. 2022-02

A Resolution authorizing the expenditure of American Rescue Plan Act funds for demolition of abandoned houses in the City of Florence.

Mayor Ervin said this item will be discussed in Executive Session unless there is objection. Without objection, this item will be discussed in Executive Session.



FLORENCE CITY COUNCIL
REGULAR MEETING – JANUARY 10, 2022

Resolution No. 2022-03

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

No action is required due to the adoption of Bill No. 2021-39.

Resolution No. 2022-04

A Resolution committing City of Florence staff to participate in the Municipal Association of South Carolina Retail Recruitment Training Program upon the City's acceptance into the program and supporting the City's application thereto.

Councilwoman Barnes made a motion to adopt Resolution No. 2022-04 and Mayor Ervin seconded the motion.

Mr. Osterman said the Municipal Association of South Carolina is offering a retail recruitment training program and the City desires to make application to the program. Part of the application process is for City Council to adopt a Resolution in support of the City's application to the program.

Council voted unanimously (7-0) to adopt Resolution No. 2022-04.

REPORTS TO COUNCIL

Appointments to Boards and Commissions

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

Board of Zoning Appeals

Councilwoman Barnes made a motion to reappoint Nathaniel Poston to a 3-year term to begin immediately and expire on June 30, 2024. Council voted unanimously to reappoint Nathaniel Poston.

Construction & Maintenance Board of Adjustments and Appeals

Being no applicants, remaining appointments were deferred

Aesthetics Advisory Committee

Being no applicants, remaining appointments were deferred.

Resilience and Sustainability Advisory Committee

Being no applicants, remaining appointments were deferred.

COMMITTEE REPORTS

Business Development Committee, Chaired by Pro tem Jebaily

Pro tem Jebaily said Stephanie Bosch with Florence County Economic Development attended the last meeting and gave a presentation on the status of Economic Development in Florence. The County has seen a lot of growth from new businesses, as well as expansion from current businesses, creating many new high-quality jobs. Innovative Construction Group has announced its location to the Pee Dee



FLORENCE CITY COUNCIL REGULAR MEETING – JANUARY 10, 2022

Commerce Park with an initial investment of \$35.6 million, creating 179 new jobs. The success of the City's water utility system has been instrumental in attracting industry, such as Niagra, to Florence. The initial investment of Niagra was \$150 million and created 200+ jobs. Ms. Bosch also provided an update on product development and identifying sites, buildings and locations that are available for industry and businesses. The goal of Economic Development in Florence is to solicit and attract industry and businesses that can bring in new jobs that provide at least \$20.00 per hour. Pro tem Jebaily said the Resolution adopted earlier will greatly benefit Florence and economic development, as the corridors and gateways into Florence are currently a hinderance to economic development.

Community Development Committee, Chaired by Councilwoman Barnes

Councilwoman Barnes said the Community Development Corporation (CDC) has been established and Board members have been appointed. The first meeting will be held on January 20, 2022 to adopt the by-laws and hear the concerns of the blighted areas. The Committee is continuing to discuss the demolition of abandoned homes and cleaning up neighborhoods, as well as educating youth to provide them with skills to succeed.

Marketing and Public Relations Committee, Chaired by Councilman McCall

Councilman McCall reported Holly Beaumior, Executive Director for the Florence Convention and Visitors Bureau (CVB), attended the Committee's December meeting and gave a presentation. They discussed ways for the CVB and the City to continue their partnership and move the City forward. The development of a City-wide communication strategy was also discussed, as well as a civic pride campaign. Mr. Jerry Dudley will be attending the next meeting to speak on annexation and a potential annexation strategy.

Banking Services Evaluation and Recommendation Committee

Mr. Kevin Yokim, Assistant City Manager of Finance/Administration, reported the current banking services contract expires January 31, 2022. The City issued a Request for Proposals for banking services to local banks and three proposals were received. These three proposals were given to the Banking Services Evaluation and Recommendation Committee, comprised of Councilman Braddock, Councilman McCall and Councilman Schofield. A recommendation to City Council will be presented by Councilman Schofield, Chairman of the evaluation committee. Councilman Schofield reported it is the Committee's recommendation for the City to maintain its current financial institution for the next five years. Council voted unanimously (7-0) on the Banking Services Evaluation and Recommendation Committee's recommendation to maintain the city's current financial institution.

EXECUTIVE SESSION

Mayor Ervin said Council will be entering into Executive Session to receive legal advice on redistricting, as well as a discussion of a proposed economic redevelopment project and to receive legal advice related to the expenditure of American Rescue Plan funds. Without objection, Council entered into Executive Session at 2:25 p.m.

Council reconvened open session at 4:02 and took action on the following items:

Bill No. 2022-01 – First Reading

An Ordinance adopting a redistricting plan for the three single member districts of City of Florence, South Carolina in accordance with the Federal Decennial Census of 2020.



**FLORENCE CITY COUNCIL
REGULAR MEETING – JANUARY 10, 2022**

Mayor Ervin said there is currently a motion and second to defer action on this item to the February Council meeting. The motion to defer failed. Voting in favor were Pro tem Jebaily, Councilman Braddock and Councilman Schofield and voting in opposition were Mayor Ervin, Councilwoman Barnes, Councilwoman Moore and Councilman McCall.

Councilman McCall made a motion to defer this matter until after the November 2022 General Election and Councilwoman Barnes seconded the motion. Pro tem Jebaily expressed concerns, saying redistricting is extremely important to the community. Staff has already indicated that public hearings were to be scheduled to gain public input on a variety of topics, including the option to defer until after the General Election. Council is now taking action without seeking public input. The option to defer until next month would have still allowed for public input at the scheduled public hearings.

Councilman McCall referenced the redistricting that occurred from the 2010 census. He said at that time, there was no action taken until after the election. Following the election, public hearings were still conducted. The only way to keep the integrity of the upcoming election is to take this issue up after the election in November 2022. The public will still have the ability to participate in public hearings. The City is currently in the legal guidelines and no change in the district lines is necessary.

Mayor Ervin said there is no legal requirement to redistrict at this time. Deferring this matter until after the General Election in November will keep any kind of change or conflict with this year's election from occurring. Public hearings will still be held and the public will have input.

Pro tem Jebaily asked Mr. Peterson for clarification on the motion before them. He asked if the motion is to defer first reading or if there is an amendment to the ordinance. Mr. Peterson replied before Council is a procedural motion to defer consideration of redistricting until after the November election. Pro tem Jebaily said he understands that a deferral can only be for a month, and he is not aware of an instance where an item was deferred beyond the period of one month. Mr. Peterson replied it is the norm to defer until the following month; however, Council does have the ability to defer for a specific period of time. Pro tem Jebaily asked if it would be a better procedural approach for Council to vote first reading of the ordinance up or down. Mr. Peterson said this option would have the effect of defeating the ordinance that is presently before Council and the ordinance can be introduced later. Mr. Peterson further explained that it takes two readings to pass an ordinance, but not to defer. Mr. Peterson said the same thing can be accomplished by voting the ordinance down and later introducing a new ordinance or deferring until after the November election.

Bill No. 2022-01 was deferred until after the November 2022 General Election. Council voted 4-3 in favor of the motion to defer with Councilman McCall, Mayor Ervin, Councilwoman Moore and Councilwoman Barnes voting in favor and Councilman Braddock, Pro tem Jebaily and Councilman Schofield voting in opposition.

Resolution No. 2022-02

A Resolution authorizing the expenditure of American Rescue Plan Act funds for demolition of abandoned houses in the City of Florence.

Mayor Ervin made a motion to adopt Resolution No. 2022-02 and Councilwoman Moore seconded the motion.

Councilwoman Barnes made a motion to amend the Resolution to authorize the \$500,000 for the demolition of homes in accordance with the funding previously allocated to city staff for neighborhood



**FLORENCE CITY COUNCIL
REGULAR MEETING – JANUARY 10, 2022**

redevelopment efforts by Resolution No. 2021-46, adopted at the December 2021 Council meeting, and Councilman Braddock seconded the motion.

Council voted 5-2 in favor of the motion to amend with Councilman Braddock, Councilwoman Barnes, Pro tem Jebaily, Councilman McCall, and Councilman Schofield voting in favor of the motion and Mayor Ervin and Councilman Moore voting in opposition.

Mayor Ervin said the City of Florence has had an issue with dilapidated homes for many years. The Community Services Department utilizes monies from the Community Development Block Grant funds to demolish homes. Over 100 homes in the City need demolishing and there is currently only approximately \$20,000 in funding available for demolition. The original Resolution proposed \$500,000 of American Rescue Plan funds to be allocated to the Community Services Department. \$500,000 would allow the City to demolish approximately 50 homes. Regardless of the vote to adopt the original Resolution or the amended Resolution, these funds will still go to the Community Services Department to assist with the demolition of homes in the community. Mayor Ervin requested that the Community Development Committee seek information on what the City can do with homes that have burned down in the community and what legal action can be done to help get the homes removed.

Councilwoman Barnes said monies were already allocated for this very act last month. She said she made the motion to amend the Resolution because the Committee is already in the process of working for this very reason and Council already allotted money to staff for demolition. Mayor Ervin said they are two separate items and that is why the Resolution was brought forth. There is no conflict on the funds allocated last month. This Resolution was simply to direct funding for ongoing projects from American Rescue Plan Act funds.

Council voted unanimously (7-0) to adopt Resolution No. 2022-02, as amended.

ADJOURN

Without objection, the January 10, 2022 Regular meeting of City Council was adjourned at 4:35 p.m.

Dated this 14th day of February 2022.

Casey C. Moore, Municipal Clerk

Teresa Myers Ervin, Mayor

FLORENCE CITY COUNCIL MEETING

DATE: January 10, 2022

AGENDA ITEM: Ordinance To Annex and Zone NC-10 1146 Annelle Drive, TMN
01794-03-010

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex property located at 1146 Annelle Drive, Tax Map Number 01794-03-010, into the City of Florence and zone to NC-10, Neighborhood Conservation 10. The request is being made by the property owner.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On December 14, 2021, Planning Commission held a public hearing on this matter, and voted unanimously, 7-0, to recommend the zoning request of NC-10, Neighborhood Conservation 10.

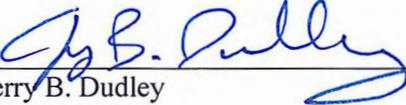
III. POINTS TO CONSIDER:

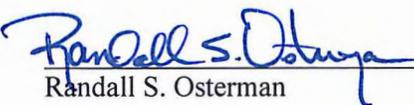
- (1) Request is being considered for first reading.
- (2) City water and sewer services are currently available; there is no cost to extend utility services.
- (3) City staff recommends annexation and concurs with Planning Commission's recommendation to zone the property NC-10 Neighborhood Conservation 10.

IV. PERSONAL NOTES:

V. ATTACHMENTS:

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


Jerry B. Dudley
Planning Director


Randall S. Osterman
City Manager

ORDINANCE NO. 2022-_____

AN ORDINANCE TO ANNEX AND ZONE 1146 ANNELLE DRIVE, TMN 01794-03-010.

WHEREAS, a Public Hearing was held in the Council Chambers on December 14, 2021 at 6:00 P.M. before the City of Florence Planning Commission, and notice of said hearing was duly given;

WHEREAS, application by Alain and Barbara Brault, owners of TMN 01794-03-010, 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 NC-10:

The property requesting annexation is shown more specifically on Florence County Tax Map 01794, block 03, parcel 010 (0.345904 acre).

Any portions of public rights-of-way abutting the property described above will also 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 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.**

EXECUTED ON ONE (1) ADDITIONAL PAGE

ADOPTED THIS _____ DAY OF _____, 2022

Approved as to form:

James W. Peterson, Jr.
City Attorney

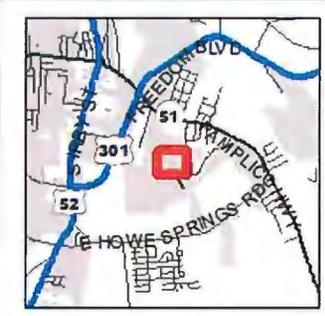
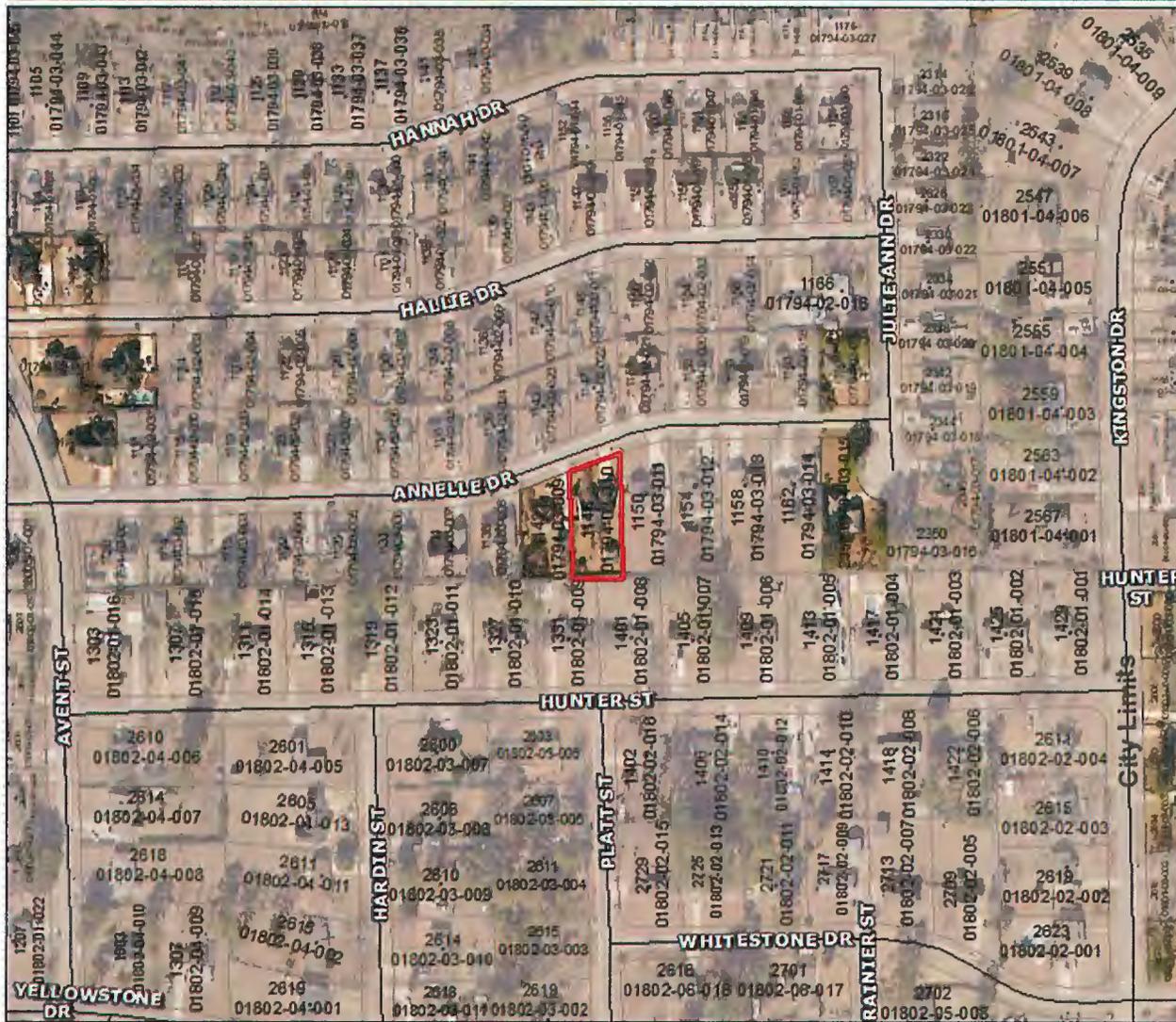
Teresa Myers Ervin,
Mayor

Attest:

Casey C. Moore
Municipal Clerk

PC 2021-36

Vicinity Map - 1146 Annelle Drive



- Legend**
- City Limits
 - Parcels
 - Proposed Parcel

FULL LIFE. FULL FORWARD.

FLORENCE

SOUTH CAROLINA

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.

60 30 0 60 Feet

Date: 11/29/2021

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: 01794-03-010

3. Annexation is being sought for the following purposes: Brush pick up
Lower water rates Trash pick up
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>2</u>	Race	<u>White</u>
Total 18 and Over	<u>2</u>	Total Registered to Vote	<u>2</u>

APPLICANT (S) (Please print or type):

Name(s): Alain Barbara Brawlt

Address: 1146 Anwelle Dr

Telephone Numbers: _____ [work] 802.532.7767 [home]

Email Address: _____

Signature Alain Barbara Brawlt Date 11/8/21

Certification as to ownership on the date of petition:	FOR OFFICAL USE ONLY
Date <u>11/10/21</u>	<u>AB</u>

FLORENCE CITY COUNCIL MEETING

DATE: May 10, 2021

AGENDA ITEM: Ordinance to Annex and Zone the North Side of Lake Oakdale and the Lake Oakdale Dam, a portion of TMN 00751-01-049.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex a portion of Tax Map Number 00751-01-049 which includes the north half of Lake Oakdale and the dam into the City of Florence and zone to OSR, Open Space and Recreation. The request is being made by the property owner.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On April 13, 2021, Planning Commission held a public hearing on this matter, and voted unanimously, 7-0, to recommend the zoning request of OSR, Open Space and Recreation.

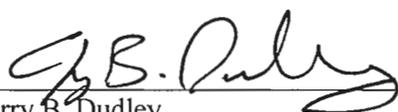
III. POINTS TO CONSIDER:

- (1) Request is being considered for first reading.
- (2) City water and sewer services are not necessary; there is no cost to extend utility services.
- (3) A Public Hearing for zoning was held at the April 13, 2021 Planning Commission meeting.
- (4) This request includes portions of Lake Oakdale and the associated dam. The proposed zoning of OSR is in agreement with the existing use of the property.

IV. PERSONAL NOTES:

V. ATTACHMENTS:

- (1) Ordinance
- (2) Vicinity Map
- (3) Parcels 1 and 2 Plat
- (4) Annexation Petition


Jerry B. Dudley
Planning Director


Randall S. Osterman
City Manager

ORDINANCE NO. 2021 _____

AN ORDINANCE TO ANNEX AND ZONE THE NORTH SIDE OF LAKE OAKDALE AND THE LAKE OAKDALE DAM, A PORTION OF TMN 00751-01-049.

WHEREAS, a Public Hearing was held in the Council Chambers on April 13, 2021 at 6:00 P.M. before the City of Florence Planning Commission via Zoom, and notice of said hearing was duly given;

WHEREAS, application by Claussen Developers, LLC, owner of TMN 00751-01-049, 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 OSR:

The property requesting annexation is shown more specifically on Florence County Tax Map 00751, block 01, parcel 049 and on the plat filed in Plat Book 107 at page 233.

Any portions of public rights-of-way abutting the above described property will be also 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 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 _____, 2021

Approved as to form:

James W. Peterson, Jr.
City Attorney

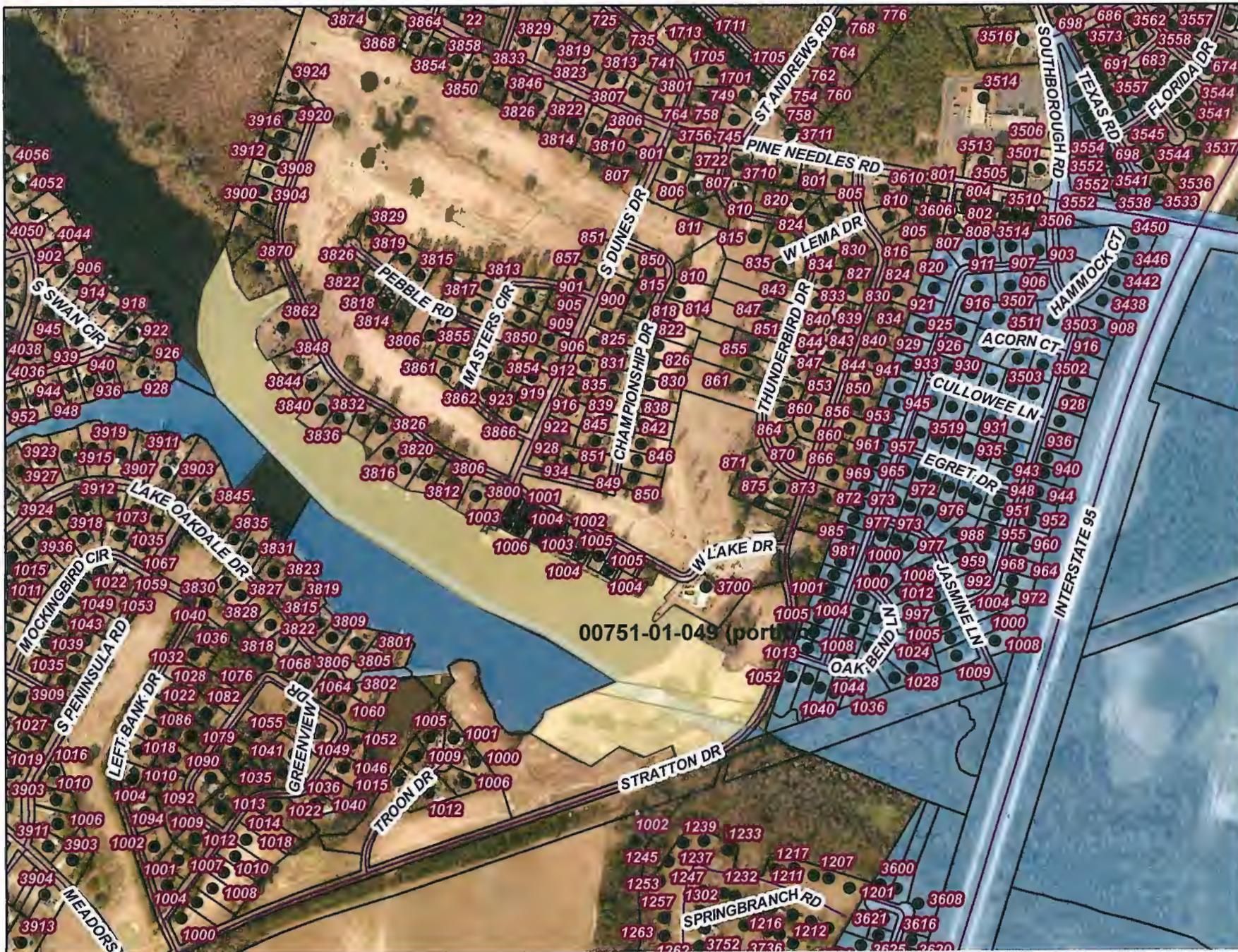
Teresa Myers Ervin,
Mayor

Attest:

Casey C. Moore
Municipal Clerk

Lake Oakdale Annexation

April, 2021



Legend

-  Oakdale Annexi
-  County address
-  Streets
-  Parcels
-  City Limits

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "B" SURVEY AS SPECIFIED THEREIN.

WILLIAM F. COX, JR. PLS 11363 DATE 8/31/20



Florence County Planning Department
 Hereby certified that the above is a true and correct copy of the original as filed in the County Planning Department on 8/31/20
 County Planner: *Carole Strydom*

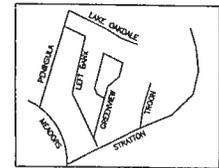
LEGEND
 I.N. IRON NEW 1/2" REBAR
 I.O. IRON OLD
 PT. POINT

NOTES:
 1) TAX MAP NO. 00075-01-020, 00751-01-049
 2) DATE OF SURVEY: AUGUST 19, 2020
 3) THIS LOT IS LOCATED IN FLOOD ZONE "X"
 NATIONAL FLOOD INSURANCE PROGRAM,
 FLOOD RATE MAP DATED DEC. 16, 2014

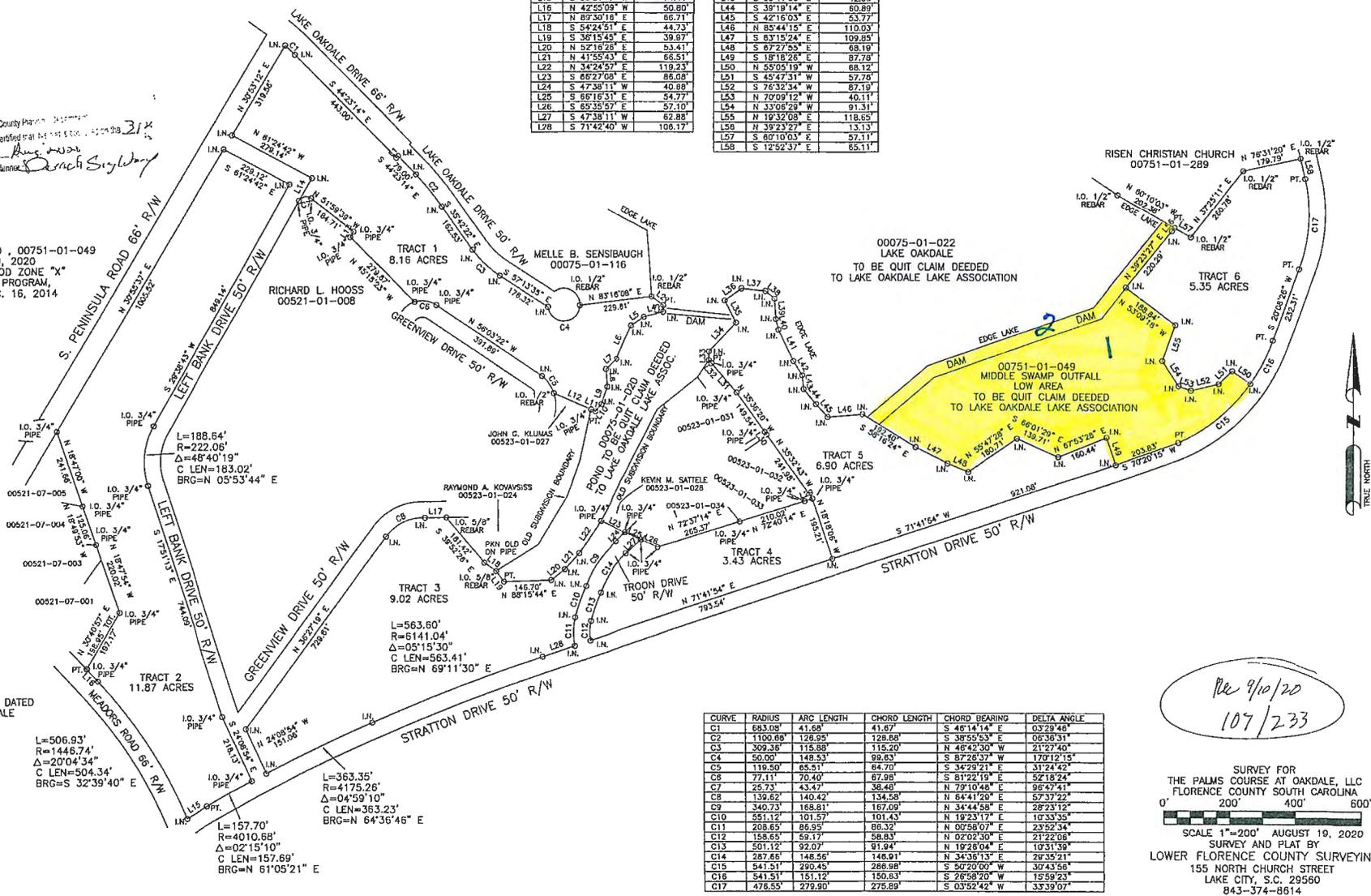
REFERENCE:
 1) PLAT BY ERVIN ENGINEERING DATED MARCH 15, 1993 FOR OAKDALE COUNTRY CLUB.
 2) PB 22/555
 3) PB 23/173
 4) PB 30/210
 5) PB 36/419
 6) PB 43/135
 7) PB 84/421
 8) PB 90/170
 9) PB 92/295

LINE	BEARING	DISTANCE
L1	N 45°36'46" E	8.00'
L2	S 59°04'41" E	44.59'
L3	S 02°55'31" W	20.00'
L4	S 75°22'11" W	61.45'
L5	S 58°40'58" W	48.73'
L6	S 23°50'57" W	112.87'
L7	S 50°59'00" W	48.77'
L8	S 04°26'05" E	54.29'
L9	S 18°58'10" W	57.50'
L10	S 39°22'49" W	28.79'
L11	N 68°01'44" W	15.00'
L12	N 68°01'49" W	125.58'
L13	N 31°03'42" E	19.85'
L14	N 30°28'52" E	79.73'
L15	S 59°34'17" W	74.41'
L16	N 42°55'09" W	50.80'
L17	N 85°30'18" E	86.71'
L18	S 54°24'51" E	44.73'
L19	S 36°15'45" E	39.97'
L20	N 52°16'28" E	53.41'
L21	N 41°55'43" E	65.51'
L22	N 34°24'57" E	119.23'
L23	S 66°27'08" E	86.08'
L24	S 47°38'11" W	40.98'
L25	S 61°16'51" E	54.77'
L26	S 65°35'57" E	57.10'
L27	S 47°38'11" W	62.88'
L28	S 71°42'40" W	106.17'

LINE	BEARING	DISTANCE
L29	N 72°29'36" E	24.93'
L30	N 35°32'43" W	10.64'
L31	N 40°43'34" W	118.04'
L32	N 46°43'54" W	12.03'
L33	N 00°37'28" E	27.16'
L34	N 43°12'51" E	121.67'
L35	N 28°59'42" W	76.24'
L36	S 54°44'50" E	62.84'
L37	S 84°19'27" E	74.80'
L38	S 50°17'24" E	36.42'
L39	S 03°45'57" E	62.22'
L40	S 13°28'51" E	33.88'
L41	S 25°03'17" E	107.12'
L42	S 32°36'48" E	50.85'
L43	S 05°41'58" E	42.58'
L44	S 38°19'14" E	60.89'
L45	S 42°16'03" E	53.77'
L46	N 85°44'15" E	110.03'
L47	S 63°15'24" E	109.85'
L48	S 67°27'53" E	69.19'
L49	S 18°16'26" E	67.79'
L50	N 55°05'19" W	68.12'
L51	S 45°47'31" W	57.76'
L52	S 76°32'34" W	87.19'
L53	N 70°09'12" W	40.11'
L54	N 33°08'29" W	91.31'
L55	N 19°32'08" E	118.65'
L56	N 39°23'27" E	13.13'
L57	S 80°10'03" E	57.71'
L58	S 12°52'57" E	65.11'



VICINITY MAP NOT TO SCALE



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	683.08'	41.68'	41.67'	S 46°14'14" E	03°29'48"
C2	1100.68'	128.95'	128.68'	S 38°55'53" E	06°30'31"
C3	309.38'	115.88'	115.20'	N 46°42'30" W	21°27'40"
C4	50.00'	148.53'	99.65'	S 87°26'37" W	176°12'15"
C5	119.50'	65.51'	64.70'	S 34°29'24" E	31°24'42"
C6	77.11'	70.40'	67.98'	S 81°22'19" E	95°18'24"
C7	25.73'	43.47'	38.48'	N 79°10'48" E	96°47'41"
C8	139.62'	140.42'	134.58'	N 84°41'20" E	57°37'22"
C9	340.73'	168.81'	167.09'	N 34°44'58" E	28°23'12"
C10	551.12'	101.57'	101.43'	N 19°23'17" E	10°33'35"
C11	208.65'	86.95'	86.32'	N 00°58'07" E	2°36'34"
C12	158.65'	59.17'	58.83'	N 02°02'30" E	21°22'06"
C13	501.12'	92.07'	91.94'	N 19°28'04" E	10°31'59"
C14	287.65'	148.56'	146.91'	N 34°36'13" E	26°35'21"
C15	541.51'	290.45'	286.98'	S 50°20'00" W	30°43'56"
C16	541.51'	151.12'	150.63'	S 26°58'20" W	15°59'23"
C17	478.55'	279.90'	275.89'	S 03°52'42" W	33°39'07"

Re 9/10/20
 107/233

SURVEY FOR
 THE PALMS COURSE AT OAKDALE, LLC
 FLORENCE COUNTY SOUTH CAROLINA
 0' 200' 400' 600'
 SCALE 1"=200' AUGUST 19, 2020
 SURVEY AND PLAT BY
 LOWER FLORENCE COUNTY SURVEYING
 155 NORTH CHURCH STREET
 LAKE CITY, S.C. 29560
 843-374-8614

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:
SEE ATTACHED SCHEDULE A
Florence County Tax Map Number: portion of 00751-01-049
3. Annexation is being sought for the following purposes: Access to 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> </u>	Race	<u> </u>
Total 18 and Over	<u> </u>	Total Registered to Vote	<u> </u>

APPLICANT (S) (Please print or type):

Name(s): Claussen Developers, LLC (B. Kendall Hiller, Attorney)

Address: P.O. Box 1461, Florence, SC 29501

Telephone Numbers: 843-669-6395 [work] _____ [home]

Email Address: khiller@mcgowanlaw.com

Signature BK Hiller, attorney Date March 4, 2021

Certification as to ownership on the date of petition:	FOR OFFICAL USE ONLY
Date <u>3/4/2021</u>	<u>AK</u>

SCHEDULE A
PROPERTY TO BE ANNEXED

Parcel 1 of 3: The parcel of land depicted as "Middle Swamp Outfall Low Area to be Quit Claim Deeded to Lake Oakdale Lake Association" on the plat filed in the Florence County Clerk of Court's Office on September 10, 2020 in Plat Book 107 at Page 233.

Parcel 2 of 3: The strip of land abutting Parcel 1 above depicted on the plat referenced above as "DAM", being bound as follows: on its southernmost end by Tract 5 as shown on the above referenced plat; on its eastern line by Parcel 1 above and Tract 6 depicted on the above reference plat; on its northernmost line by property of Risen Christian Church (tax parcel 00751-01-289); and on its westernmost line by Lake Oakdale.

Parcel 3 of 3: The **portion** of Tax Parcel Number 00751-01-049 comprising essentially the northern half of Lake Oakdale, bounded as follows: on the south by Parcels 00075-01-022 and 00075-01-237; on the east by a portion of Parcel 2 above; on the West by Parcels 00075-01-021 and 0051-01-003 and on its northern most line by the rear property lines of various residential parcels that front on West Lake Drive; this Parcel 3 to be annexed also abuts two (2) portions of West Lake Drive - one near its northeastern end between Tax Parcels 00751-01-285 and 00751-01-040 and the other near its southern end between Tax Parcels 00751-01-281, 00751-01-282 and 00751-01-289.

FLORENCE CITY COUNCIL MEETING

DATE: February 14, 2022

AGENDA ITEM: An Ordinance to amend Table 1-2.7.5, Section 1-2.8.4, and Division 7-25.2 of the *Unified Development Ordinance* regarding donation receptacles.

DEPARTMENT/DIVISION: Planning, Research, & Development

I. ISSUE UNDER CONSIDERATION:

Request to amend Table 1-2.7.5, “Industrial, Logistics, and Storage Uses”; Section 1-2.8.4, “Commercial Use Standards”; and Division 7-25.2, “Definitions” of the *Unified Development Ordinance* regarding donation receptacles. The request is being made by staff.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

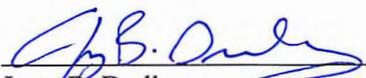
1. On January 11, 2022 Planning Commission held a public hearing on this matter and voted unanimously, 6-0, to amend Table 1-2.7.5, “Industrial, Logistics, and Storage Uses”; Section 1-2.8.4, “Commercial Use Standards”; and Division 7-25.2, “Definitions” of the *Unified Development Ordinance* regarding donation receptacles.
2. The 2008 Zoning Ordinance was amended in June 2016 to address the placement of unattended donation bins throughout the City. This provision was not included in the text of the *Unified Development Ordinance* that was adopted on January 15, 2018, replacing the 2008 Zoning Ordinance.

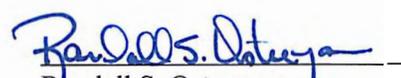
III. POINTS TO CONSIDER:

1. The request is being considered for first reading.
2. The text amendments are based on the 2008 Zoning Ordinance in order to provide conditions in the *Unified Development Ordinance* for the placement of donation receptacles.
3. Under the proposed amendments, donation receptacles as defined in Division 7-25.2 would be permitted in the zoning districts indicated in Table 1-2.7.5 under the conditions set forth in Section 1-2.8.4 of the *Unified Development Ordinance*.
4. City staff concurs with Planning Commission’s recommendation to amend the *Unified Development Ordinance* in order to provide guidance regarding unattended donation receptacles.

IV. ATTACHMENTS:

1. Ordinance
2. Proposed amendments to Table 1-2.7.5, “Industrial, Logistics, and Storage Uses” of the *Unified Development Ordinance*
3. Proposed amendments to Section 1-2.8.4, “Commercial Use Standards” of the *Unified Development Ordinance*
4. Proposed amendments to Division 7-25.2, “Definitions” of the *Unified Development Ordinance*


Jerry B. Dudley
Planning Director


Randall S. Osterman
City Manager

ORDINANCE NO. 2022-_____

AN ORDINANCE TO AMEND TABLE 1-2.7.5, SECTION 1-2.8.4, AND DIVISION 7-25.2 OF THE UNIFIED DEVELOPMENT ORDINANCE REGARDING DONATION RECEPTACLES

WHEREAS, the regulation of unattended donation receptacles was not addressed in the Unified Development Ordinance adopted on January 15, 2018; and

WHEREAS, the amendments contained herein were part of the 2008 City of Florence Zoning Ordinance;

THEREFORE, Table 1-2.7.5, Section 1-2.8.4, and Division 7-25.2 of the City of Florence Unified Development Ordinance shall read as follows:

Table 1-2.7.5 Industrial, Logistics, and Storage Uses

Table 1-2.7.5 Industrial, Logistics, and Storage Uses															
Land Use	Zoning Districts														
	Residential					Business & Commercial			Mixed-Use			Industrial		Agricultural & Open Space	
	RE	RS	RG	RU	NC	CR	CA	CG	CBD	AC	DS	IL	IH	OSR	AR
Industrial Uses and Logistics															
Light Industry	-	-	-	-	-	-	C	-	-	-	-	P	P	-	-
Research / Testing Laboratory	-	-	-	-	-	-	C	-	-	-	-	CL	P	-	-
Recycling Collection Facility	-	-	-	-	-	-	-	-	-	-	-	CB	CB	-	-
Composting Facility	-	-	-	-	-	-	-	-	-	-	-	-	SE	-	SE
Salvage Yard	-	-	-	-	-	-	-	-	-	-	-	SE	C	-	-
Heavy Industry	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-
Warehousing and Logistics / Distribution Centers	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-
Storage Uses															
Self-Storage/Moving Vehicle Rental	-	-	-	-	-	-	-	CB	-	-	-	CB	-	-	-
Donation Receptacles	!	!	!	!	!	C	C	C	!	!	!	C	C	!	!
Rail Yard	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-
Storage Yard	-	-	-	-	-	-	-	-	-	-	-	SE	C	-	-
RE (Estate Residential), RS (Suburban Residential), RG (General Residential, RU (Urban Residential), NC (Neighborhood Conservation), CR (Commercial Reuse) CA (Campus), CG (Commercial General), CBD (Central Business District, AC (Activity Center), DS (Destination / Select Use), IL (Light Industrial), IH (Heavy Industrial), OSR (Open Space & Recreation), AR (Agriculture / Rural), P (Permitted), C (Conditional Use), SE (Permitted Special Exception Use), - (Prohibited Use), B (subscript, Special Site and Building Development Standards)															

Section 1-2.8.4 Commercial Use Standards

I. Donation Receptacles are permitted if it is demonstrated that:

1. Donation receptacles shall not be allowed within the boundaries of the D-1, Downtown

Redevelopment District as established in Section 1-2.4.2 of this Ordinance.

2. Donation receptacles shall not be placed on any property without the written permission of the property owner.
3. Donation receptacles shall either be placed within the required side or rear yard, and the receptacles shall not interfere with sight-triangles, on-site circulation, buffer-yards, landscaping, parking, or any other requirements that may have been imposed as part of the site plan approval for the premises.
4. Donation receptacles shall not be placed within a designated parking space.
5. Donation receptacles shall not be placed in such a manner as to cause an obstruction for pedestrians or motorists.
6. Only one donation receptacle shall be permitted per lot, and shall only be permitted on properties that contain a primary permitted use.
7. Donation receptacles shall not exceed 6.5 feet in height.
8. Signage on donation receptacles shall not exceed five-inch letter height.
9. The following information must be clearly and conspicuously displayed on the exterior of the donation receptacle: The name and address of the property owner who owns the receptacle, and the name of any entity which may share, profit, or benefit from any donations collected via the receptacle.
10. Donation receptacles shall be maintained in good condition and appearance with no structural damage, holes, or visible rust, and shall be kept free of graffiti.
11. All donation receptacles shall be free of debris and shall be serviced regularly so as to prevent the overflow of donations or the accumulation of junk, debris, or other material.
12. All donation receptacles must be maintained in a manner that prohibits individuals from being able to open or enter the donation receptacle without the consent of the donation receptacle owner or the property owner.
13. Non-compliant donation receptacles - Penalties and removal by the City:
 - a. Any person(s) or entity found guilty of either placing a donation receptacle in violation of the provisions of this Ordinance or of allowing a donation receptacle in violation of the provisions of this Ordinance to be placed on property owned or controlled by the person shall be penalized pursuant to Division 6-23.1 of this Ordinance.
 - b. In addition, the Court finding such person guilty shall further order that the subject donation receptacle be brought into full compliance with this Ordinance or be removed from the premises within 14 days of the guilty finding.
 - c. If the person fails to either bring the donation receptacle into compliance or to remove the donation receptacle within said 14 days, then the City shall take possession of and remove the donation bin. The noncompliant donation bin will be stored at Public Works for a period of 60 days to allow the owner of the bin to reclaim it, after which said bin may be disposed of by the City.

Division 7-25.2 Definitions

Donation receptacle means any unattended container, box, or similar device that is used for soliciting and collecting donations, including but not limited to: clothing, footwear, books, and other salvageable household goods.

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 Unified Development Ordinance as shown above.
2. That this Ordinance shall become effective immediately.

ADOPTED THIS _____ DAY OF _____, 2022

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin,
Mayor

Attest:

Casey C. Moore
Municipal Clerk

Attachment 2: Proposed Amendment to Table 1-2.7.5, “Industrial, Logistics, and Storage Uses” of the Unified Development Ordinance

Addition is highlighted in yellow.

Table 1-2.7.5 Industrial, Logistics, and Storage Uses

Table 1-2.7.5 Industrial, Logistics, and Storage Uses																
Land Use	Zoning Districts															
	Residential					Business & Commercial			Mixed-Use			Industrial		Agricultural & Open Space		
	RE	RS	RG	RU	NC	CR	CA	CG	CBD	AC	DS	IL	IH	OSR	AR	
Industrial Uses and Logistics																
Light Industry	-	-	-	-	-	-	C	-	-	-	-	P	P	-	-	
Research / Testing Laboratory	-	-	-	-	-	-	C	-	-	-	-	CL	P	-	-	
Recycling Collection Facility	-	-	-	-	-	-	-	-	-	-	-	CB	CB	-	-	
Composting Facility	-	-	-	-	-	-	-	-	-	-	-	-	SE	-	SE	
Salvage Yard	-	-	-	-	-	-	-	-	-	-	-	SE	C	-	-	
Heavy Industry	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	
Warehousing and Logistics / Distribution Centers	-	-	-	-	-	-	-	-	-	-	-	-	P	-	-	
Storage Uses																
Self-Storage/Moving Vehicle Rental	-	-	-	-	-	-	-	CB	-	-	-	CB	-	-	-	
Donation Receptacles	-	-	-	-	-	C	C	C	-	-	-	C	C	-	-	
Rail Yard	-	-	-	-	-	-	-	-	-	-	-	-	C	-	-	
Storage Yard	-	-	-	-	-	-	-	-	-	-	-	SE	C	-	-	
RE (Estate Residential), RS (Suburban Residential), RG (General Residential, RU (Urban Residential), NC (Neighborhood Conservation), CR (Commercial Reuse) CA (Campus), CG (Commercial General), CBD (Central Business District, AC (Activity Center), DS (Destination / Select Use), IL (Light Industrial), IH (Heavy Industrial), OSR (Open Space & Recreation), AR (Agriculture / Rural), P (Permitted), C (Conditional Use), SE (Permitted Special Exception Use), - (Prohibited Use), B (subscript, Special site and Building Development Standards)																

Attachment 3: Proposed Amendment to Section 1-2.8.4, “Commercial Use Standards” of the Unified Development Ordinance

I. Donation Receptacles are permitted if it is demonstrated that:

1. Donation receptacles shall not be allowed within the boundaries of the D-1, Downtown Redevelopment District as established in Section 1-2.4.2 of this Ordinance.
2. Donation receptacles shall not be placed on any property without the written permission of the property owner.
3. Donation receptacles shall either be placed within the required side or rear yard, and the receptacles shall not interfere with sight-triangles, on-site circulation, buffer-yards, landscaping, parking, or any other requirements that may have been imposed as part of the site plan approval for the premises.
4. Donation receptacles shall not be placed within a designated parking space.
5. Donation receptacles shall not be placed in such a manner as to cause an obstruction for pedestrians or motorists.

6. Only one donation receptacle shall be permitted per lot, and shall only be permitted on properties that contain a primary permitted use.
7. Donation receptacles shall not exceed 6.5 feet in height.
8. Signage on donation receptacles shall not exceed five-inch letter height.
9. The following information must be clearly and conspicuously displayed on the exterior of the donation receptacle: The name and address of the property owner who owns the receptacle, and the name of any entity which may share, profit, or benefit from any donations collected via the receptacle.
10. Donation receptacles shall be maintained in good condition and appearance with no structural damage, holes, or visible rust, and shall be kept free of graffiti.
11. All donation receptacles shall be free of debris and shall be serviced regularly so as to prevent the overflow of donations or the accumulation of junk, debris, or other material.
12. All donation receptacles must be maintained in a manner that prohibits individuals from being able to open or enter the donation receptacle without the consent of the donation receptacle owner or the property owner.
13. Non-compliant donation receptacles - Penalties and removal by the City:
 - a. Any person(s) or entity found guilty of either placing a donation receptacle in violation of the provisions of this Ordinance or of allowing a donation receptacle in violation of the provisions of this Ordinance to be placed on property owned or controlled by the person shall be penalized pursuant to Division 6-23.1 of this Ordinance.
 - b. In addition, the Court finding such person guilty shall further order that the subject donation receptacle be brought into full compliance with this Ordinance or be removed from the premises within 14 days of the guilty finding.
 - c. If the person fails to either bring the donation receptacle into compliance or to remove the donation receptacle within said 14 days, then the City shall take possession of and remove the donation bin. The noncompliant donation bin will be stored at Public Works for a period of 60 days to allow the owner of the bin to reclaim it, after which said bin may be disposed of by the City.

Attachment 4: Proposed Amendment to Division 7-25.2 “Definitions”

Donation receptacle means any unattended container, box, or similar device that is used for soliciting and collecting donations, including but not limited to: clothing, footwear, books, and other salvageable household goods.

FLORENCE CITY COUNCIL MEETING

DATE: February 14, 2022

AGENDA ITEM: An ordinance to rezone from NC-6.2 to NC-6.3 the parcel located at 706 Norfolk Street; identified as Tax Map Number 90100-03-001.

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

I. ISSUE UNDER CONSIDERATION:

A request to rezone from NC-6.2 to NC-6.3 the parcel located at 706 Norfolk Street, said property being specifically designated in the Florence County Tax Records as Tax Map Number 90100-03-001.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

On January 11, 2022, the City of Florence Planning Commission held a public hearing on this matter and voted 5-0 to deny the parcel be rezoned from NC-6.2 to NC-6.3.

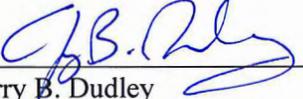
III. POINTS TO CONSIDER:

1. The property is currently zoned Neighborhood Conservation – 6.2 (NC-6.2), which permits residential uses such as single family detached and duplex. The current zoning conditionally permits limited commercial uses accessory to homes such as home occupations and in-home childcare.
2. The proposed zoning is Neighborhood Conservation – 6.3 (NC-6.3) and permits the same uses as the NC-6.2, with the added conditional uses of Multiplex and Multifamily.
3. The parcel meets the minimum dimensional requirements for the NC-6.3 zoning district per the City of Florence Unified Development Ordinance. New construction would have to conform to the specifications of the NC-6.3 zoning district including lot and building standards for the desired housing type.
4. A multiplex in the Unified Development Ordinance is defined as, “a residential building that is constructed to look like a large single-family detached residence.” A multiplex can contain three (3) separate dwelling units (triplex) or four (4) separate dwelling units (quadraplex) within. The parcel’s dimensions could reasonably support this style of development.
5. Multifamily is defined as, “...a building that includes three or more dwelling units, which is not designed as townhomes or multiplex buildings. Multifamily also means two or more residential units that are located on the upper floors of a mixed-use building.” The conditional requirements for multifamily would limit the feasibility of this style of development on such a small parcel adjacent to single-family development.
6. The site is currently an undeveloped vacant lot. Aerial images show this lot has been vacant since at least 1998. The current zoning of Neighborhood Conservation - 6.2 (NC-6.2) was adopted with the land use maps associated with the adoption of the Unified Development Ordinance in 2018 in keeping with the parcel’s historic zoning.
7. Land use of the adjacent properties is all residential except for the CSX Railyard to the south (Attachment C).

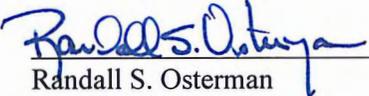
8. Future Land Use of the parcel is shown as “Public and Institutional” but will most likely remain “Neighborhood Conservation” unless purchased and rezoned by CSX or a government entity.
9. City staff agrees with Planning Commission and does not recommend the parcel to be rezoned. The current zoning (NC-6.2) allows single-family attached and detached housing types while the proposed zoning (NC-6.3) extends the allowed uses to include townhomes, multiplexes, and multifamily. The NC-6.3 zoning does not align with the character of single-family dwellings in the vicinity of this neighborhood street.

IV. ATTACHMENTS:

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



Jerry B. Dudley
Planning Director



Randall S. Osterman
City Manager

ORDINANCE NO. 2022-_____

AN ORDINANCE TO REZONE PARCEL IDENTIFIED AS 706 NORFOLK STREET, TAX MAP NUMBER 90100-03-001 FROM NEIGHBORHOOD CONSERVATION-6.2 ZONING DISTRICT TO NEIGHBORHOOD CONSERVATION-6.3 ZONING DISTRICT.

WHEREAS, a Public Hearing was held in City Council Chambers on January 11, 2022 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, the property owners made application to rezone from NC-6.2, Neighborhood Conservation-6.2 to NC-6.3, Neighborhood Conservation-6.3.

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 property to CBD**
- 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.**

EXECUTED ON ONE (1) ADDITIONAL PAGE

Ordinance No. 2022-_____

Page 2

ADOPTED THIS _____ DAY OF _____, 2021

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers Ervin
Mayor

Attest:

Casey C. Moore
Municipal Clerk

Location Map 706 Norfolk Street



Legend

Parcels

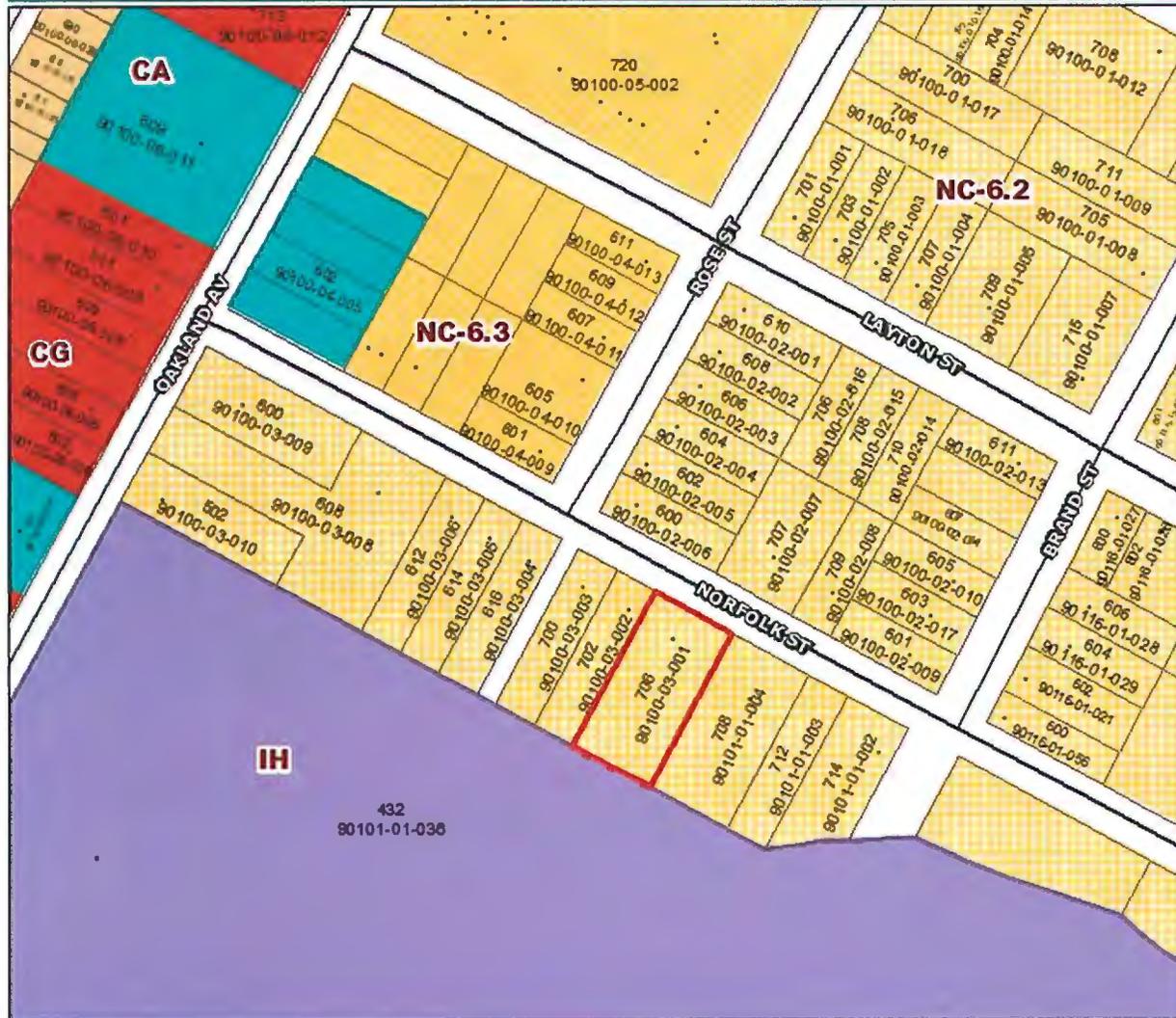


DISCLAIMER:
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Date: 2/3/2022

706 Norfolk Street Current Zoning Map



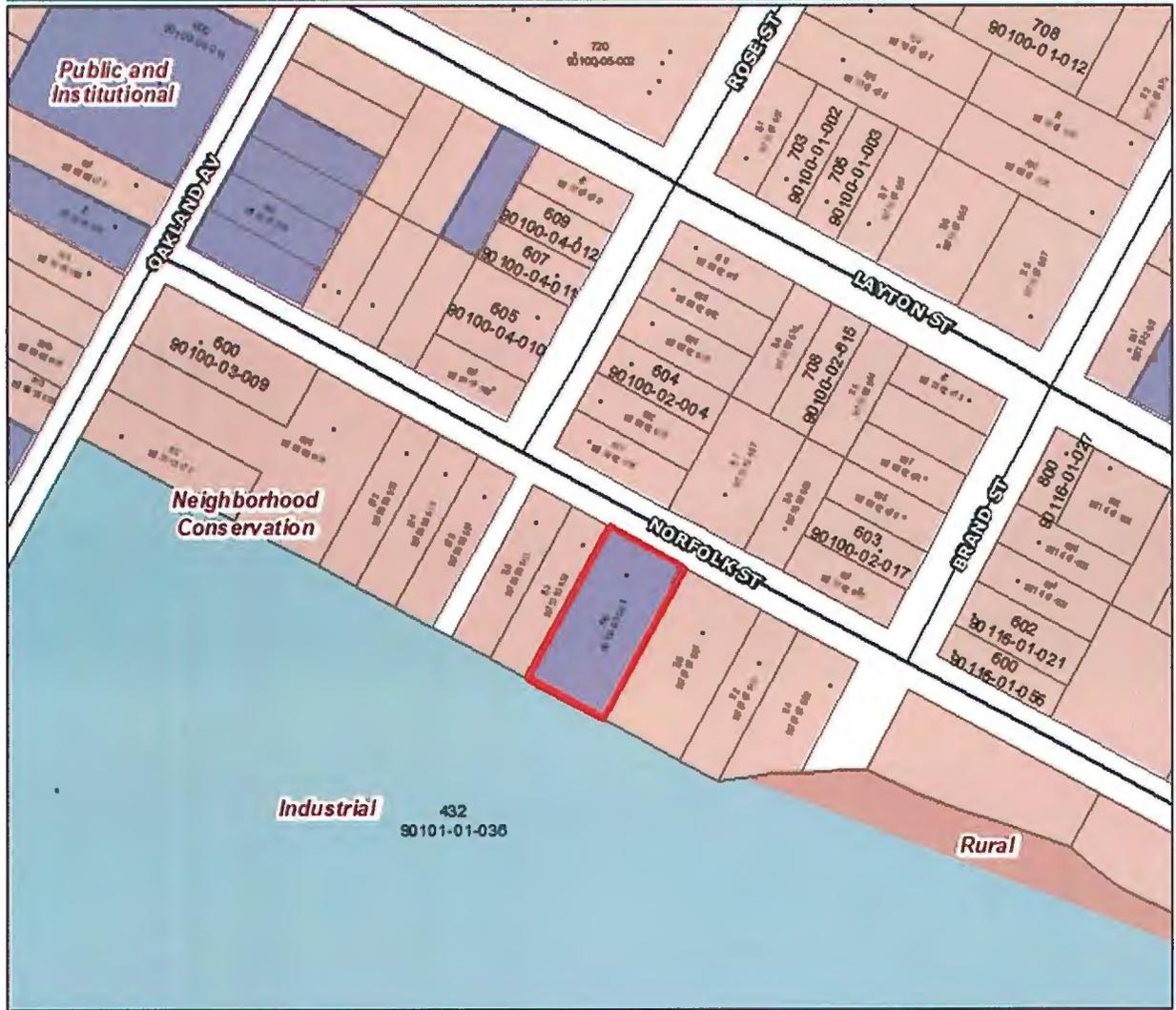
- Legend**
- Parcels
 - Zoning District
 - Neighborhood Conservation Sub-Districts
 - NC-6.2
 - NC-6.3
 - NC-4
 - Business and Commercial Districts
 - CA
 - CG
 - Industrial Zoning Districts
 - IH



DISCLAIMER:
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706 Norfolk Street Future Land Use



- Legend**
- Parcels
 - Future Land Use 2010**
 - Future Land Use**
 - Industrial
 - Neighborhood Conservation
 - Public and Institutional
 - Rural



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Date: 2/3/2022

FLORENCE CITY COUNCIL MEETING

DATE: February 14, 2022

AGENDA ITEM: Ordinance

DEPARTMENT/DIVISION: City Council

I. ISSUE UNDER CONSIDERATION:

An ordinance to provide for a public referendum to be held at the general election in November, 2022, to determine whether or not to authorize temporary permits for the retail sale of alcoholic beverages for off-premises consumption on Sunday in the City of Florence pursuant to South Carolina Code §61-6-2010.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

- (1) By Ordinance No. 2008-039 and the resulting Referendum held on November 4, 2008, the City of Florence previously authorized the Department of Revenue to issue temporary permits to bona fide nonprofit organizations and business establishments otherwise authorized to be licensed in the City of Florence to allow the sale of alcoholic liquors by the drink on any day of the week, including Sunday.
- (2) The attached ordinance would authorize a Referendum to be held during the upcoming general election on November 8, 2022 to allow the citizens of the City of Florence to determine whether or not to allow the SC Department of Revenue to also authorize temporary permits for the retail sale of alcoholic beverages for off-premises consumption on Sunday in the City of Florence pursuant to South Carolina Code §61-6-2010.

III. POINTS TO CONSIDER:

- (1) Section 61-6-2010 of the South Carolina Code of Laws very specifically provides the mechanism in South Carolina for this issue to be addressed. The legislature has provided that Sunday sales of alcoholic beverages by the drink can be authorized only by vote of the citizens at a referendum held at a general election, and the statute specifies the question to be submitted to the citizens in such a referendum. This was accomplished in Florence in 2008.
- (2) Section 61-6-2010 additionally allows municipalities to authorize the SC Department of Revenue to also authorize temporary permits for the retail sale of alcoholic beverages for off-premises consumption on Sunday if approved by a referendum held during a general election.
- (3) Section 7-13-355 of the South Carolina Code of Laws establishes that August 15th as the deadline for submission of any question to be addressed in a referendum at the time of the general election.

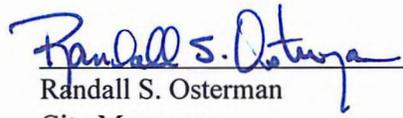
- (4) Since 2008, several of our surrounding communities have authorized retail sale of alcoholic beverages for off-premises consumption on Sunday which arguably puts businesses located in the City of Florence at a competitive disadvantage.

IV. STAFF RECOMMENDATION

Staff stands ready to carry out the wishes of Council.

V. ATTACHMENTS

Proposed Ordinance


Randall S. Osterman
City Manager

ORDINANCE NO. 2022 - _____

AN ORDINANCE TO PROVIDE FOR A PUBLIC REFERENDUM TO BE HELD AT THE GENERAL ELECTION IN NOVEMBER, 2022, TO DETERMINE WHETHER OR NOT TO AUTHORIZE THE DEPARTMENT OF REVENUE TO ISSUE TEMPORARY PERMITS FOR A PERIOD NOT TO EXCEED TWENTY-FOUR HOURS TO ALLOW THE SALE OF BEER AND WINE AT PERMITTED OFF-PREMISES LOCATIONS WITHOUT REGARD TO THE DAYS OR HOURS OF SALES IN THE CITY OF FLORENCE PURSUANT TO SOUTH CAROLINA CODE §61-6-2010.

WHEREAS, by Ordinance No. 2008-039 and the resulting Referendum held on November 4, 2008, the City of Florence previously authorized the Department of Revenue to issue temporary permits to bona fide nonprofit organizations and business establishments otherwise authorized to be licensed in the City of Florence to allow the sale of alcoholic liquors by the drink on any day of the week, including Sunday;

WHEREAS, in addition to sales of alcohol by the drink as referenced above, §61-6-2010 of the South Carolina Code of Laws authorizes municipalities to pass an ordinance calling for a referendum to allow its citizens to decide whether or not to authorize the Department of Revenue to issue temporary permits for a period not to exceed twenty four hours to allow the sale of beer and wine at permitted off premises locations without regard to the days or hours of sales;

WHEREAS, the inability to sell beer and wine for off premises consumption on Sunday causes businesses in the City of Florence to loose potential customers and business to competitors located outside of but near to the City of Florence since many surrounding counties and municipalities allow such sales;

WHEREAS, the inability to sell beer and wine for off premises consumption on Sunday in the City of Florence has potentially discouraged quality businesses from locating within the city limits;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED, AND BY THE AUTHORITY THEREOF AS FOLLOWS:

1. That a public referendum be held at the general election in November, 2022, pursuant to the provisions of South Carolina Code §61-6-2010, to determine whether or not to authorize the Department of Revenue to issue temporary permits for a period not to exceed twenty four hours to allow the sale of beer and wine at permitted off premises locations without regard to the days or hours of sales.
2. That the referendum to be conducted on November 8, 2022, pursuant to and in accordance with the provisions of §61-6-2010, shall pose the following question to the citizens of the City of Florence:

"Shall the Department of Revenue be authorized to issue temporary permits in this (county) (municipality) for a period not to exceed twenty-four hours to allow the sale of beer and wine at permitted off-premises locations without regard to the days or hours of sales?"
3. This ordinance shall be effective immediately upon its adoption by City Council on second reading.

ADOPTED THIS _____ DAY OF _____, 2022.

Approved as to form:

JAMES W. PETERSON, JR.
City Attorney

TERESA MYERS ERVIN
Mayor

Attest:

CASEY C. MOORE
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

**VII. a.
Resolution No.
2021-41**

DATE: November 08, 2021
AGENDA ITEM: Resolution
DEPARTMENT/DIVISION: City Manager's Office

I. ISSUE UNDER CONSIDERATION

A resolution to authorize staff to lease property located at 719 Walnut Street to the Pee Dee Community Action Agency to be used in their Transitional Shelter Program.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

1. In 2009, the City of Florence allowed the Pee Dee Community Action Agency to use the house at 719 Walnut Street in their housing program for approximately three (3) years when they experienced a fire at their transitional housing shelter.
2. The City of Florence leased 719 Walnut Street to the Pee Dee Community Action Agency in January 2012 for five (5) years with an automatic renewed for one additional term of five (5) years.
3. The current lease expires in January 2022.
4. The Pee Dee Community Action Agency has requested to renew the lease on 719 Walnut Street.

III. POINTS TO CONSIDER

1. The Community Action Agency is a non-profit organization that has a Transitional Shelter Program that assists the homeless population.
2. Historically, the City of Florence has assisted the Pee Dee Community Action Agency and its Transitional Shelter.
3. As required by the City Code of Ordinances, City Council must approve of the City Manager to execute the necessary documentation to lease city-owned property.

4. The lease will be for five (5) years and shall be automatically renewed for one additional term of five (5) years under the same terms and conditions as the initial lease.
5. The lease will require the Pee Dee Community Action Agency to be solely responsible for the maintenance and upkeep of the property and maintain insurance on the property.

IV. OPTIONS:

City Council may:

1. Approve and adopt the Resolution as presented.
2. Defer should additional information be needed.
3. Suggest an alternative Resolution.
4. Deny the Resolution.

V. PERSONAL NOTES:

VI. ATTACHMENTS

1. Proposed Resolution
2. Proposed Lease
3. Letter of request from the Community Action Agency



Scotty Davis
Deputy City Manager



Randall Osterman
City Manager

October 20, 2021

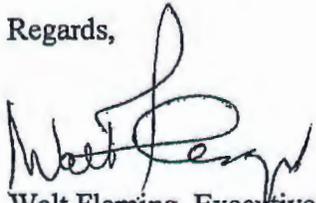
RE: 719 Walnut Street Residence

Dear Mr. Davis

Over the past several years, PDCAP has utilized the residence located at 719 Walnut Street to provide housing for homeless clients. During that time, the agency has been able to assist countless individuals and families that were not able to receive shelter due to capacity. Along with regular maintenance, there has been extensive repairs made for the upkeep of the home.

It is with hope that the agency can continue to utilize the home to provide a safe haven for homeless individuals and families. Please accept this letter as a formal request to extend the current agreement for an additional 10 years.

Regards,



Walt Fleming, Executive Director

Serving: Florence / Marion / Dillon Counties

2685 S. Irby Street Post Office Box 12670 Florence, South Carolina 29505

Office:(843) 678-3400 Fax (843) 678-3404



Reverend Robert B. Cooper, Sr., Board Chair
Walter Fleming, Jr. Executive Director

December 6, 2021

Alberta Durant
Pee Dee Community Action Partnership
2685 South Irby Street
Florence SC, 29501

Scotty Davis
Deputy City Manager
324 West Evans Street
Florence, SC 29501

Dear Scotty,

As you know the Emergency Shelter has changed Directors twice since Rev. Mack Hines left in FY 2013. Due to Personal Identifiable Information (PII), we are unable to disclose names of the Emergency Shelter residents.

Initially we used the house on Walnut Street to house families in emergency situations. However, in the last few years we have used the house for our Rapid Rehousing Program which is used as permanent housing under our Emergency Shelter Grant funded by OEO.

Regards

A handwritten signature in black ink, appearing to read "Alberta Durant". The signature is fluid and cursive, with the first name being the most prominent.

Alberta Durant, Fiscal Director

Serving: Florence / Marion / Dillon Counties

2685 S. Irby Street Post Office Box 12670 Florence, South Carolina 29505
Office:(843) 678-3400 Fax (843) 678-3404 Email: info@peedeccap.org



RESOLUTION NO. 2021-

WHEREAS, that certain real property consisting of a house and lot in the City of Florence known as 719 Walnut Street and being designated as tax map parcel 90-118-13-020 in the records of the Florence County Tax Assessor; and

WHEREAS, said property is surplus property and not being used by the City of Florence; and

WHEREAS, the Pee Dee Community Action Agency has leased said property from the City of Florence and used it in their Transitional Shelter Program since 2012; and

WHEREAS, The Pee Dee Community Action Agency has proposed to continue to lease said property to use the home to house a family pursuant to its Transitional Shelter Program; and

WHEREAS, it is hereby determined that the leasing of said property for use in this program will accomplish the goal of the City to provide good and affordable housing to deserving but financially challenged families and is in the best interest of the City of Florence and to the benefit of the citizens of the City of Florence;

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, pursuant to §5-7-260(6) of the South Carolina Code of Laws, as amended, and §2-26(8) of the Code of Ordinances of the City of Florence, the City Manager of the City of Florence is hereby authorized to execute the necessary documentation to lease the property described above, including but not limited to the Lease attached hereto.
2. This Ordinance shall become effective immediately upon its approval and adoption by the City Council of the City of Florence, South Carolina.

ADOPTED THIS _____ DAY OF _____, 2021.

Approved as to form:

JAMES W. PETERSON, JR.
City Attorney

TERESA MYERS ERVIN
Mayor

Attest:

CASEY MOORE
Municipal Clerk

ARTICLE V
Place of Payment and Notices

Unless notified in writing to the contrary by the Lessor, all payments and notices hereunder by Lessee shall be made to the Lessor at:

Office of the City Manager
Florence City-Center
324 West Evans Street
Florence, South Carolina 29501.

The address and contact for Lessee, Unless notified in writing to the contrary by the Lessee, shall be: Pee Dee Community Action Agency.

ARTICLE VI
Quiet Possession

Lessor covenants and warrants that if Lessee discharges the obligation herein set forth to be performed by the Lessee, the Lessee shall have and enjoy during the term of this lease the quiet and undisturbed possession of the leased premises together with all appurtenances thereto without hindrance from the Lessor.

ARTICLE VII
Subletting Pursuant to the Transitional Shelter Program

The Lessee may sublet the leased premises to a family pursuant to the Pee Dee Community Action – Transitional Shelter

ARTICLE
Taxes

It is understood and agreed by and between the parties hereto that in each year during the term of this lease the Lessee shall be responsible for payment of any city and county ad valorem taxes due on said premises.

ARTICLE IX
Insurance

Lessor will during the term of this lease, keep the building on the leased premises insured by a responsible and reputable insurance company against loss or damage by fire and extended coverage. Lessee shall be solely responsible for maintaining proper and adequate insurance upon the contents of said building and upon all its property located within the said building. Lessee shall further maintain general liability coverage with limits of not less than One Million and no/100 (\$1,000,000.00) Dollars, protecting itself and the Lessor herein from liability for injuries to persons or property which may occur upon the leased premises.

ARTICLE X
Improvements and Repairs

Lessee shall keep and maintain the interior and exterior of said building including, but not limited to, wiring, plumbing, heating and air conditioning, the interior and exterior walls, equipment, and roof at its own expense and shall keep the same in good order and repair. All glass, including windows and doors, of the building shall be the responsibility of the Lessee. At the end of the lease term shall surrender such premises and improvements in good condition to the Lessor with normal wear and tear excepted.

ARTICLE XI Damage and Destruction

Should the whole or any part of the building or other improvements on the leased premises be partially or totally destroyed by fire or other cause, if Lessor determines that repair or replacement of the building is financially unwise and not in the best interest of either or both parties to this lease, the Lessor shall have the option of notifying the Lessee that it will not repair or replace the building and in such event this lease shall terminate as of the date of such damage or destruction.

ARTICLE XII Indemnity

Lessor shall not be liable to Lessee or to any other person for any personal injury, loss or damage to any personal property in or upon the leased premises and Lessee assumes all liability for or on account of any such injury, loss or damage and shall save the Lessor harmless therefrom.

ARTICLE XIII Title to Improvements

In the event of default or termination of this lease for any reason, either at the end of said lease or during the term of said lease, all improvements constructed upon the leased premises shall become the property of the Lessor.

ARTICLE XIV Default

Every provision of this lease is a condition and covenant on the part of the Lessee and Lessor and failure to comply with any of said provisions shall constitute default and shall give the Lessor the right of cancellation of this lease in the following manner:

- (a) Upon notice of Lessee's default in any other condition of this lease, the Lessor shall give the Lessee written notice of such default and if such default continues for a period of thirty (30) days following the receipt of said notice by the Lessee, the Lessor shall have the full right at its election to enter the leased premises and building thereon and take immediate possession thereof.
- (b) In the event the Lessee shall have filed against it or for it a petition in bankruptcy alleging insolvency for reorganization or for appointment of a receiver or any proceeding of a similar type the Lessor shall have the right to cancel this lease in the manner described heretofore as though a provision of this lease had been violated by the Lessee and

default had occurred.

**ARTICLE XV
Ordinances**

The Lessee shall at its own cost and expense, promptly observe and comply with all laws, rules, orders, ordinances and regulations of the federal, state, and city government and any and all of their departments and bureaus including all environmental regulations, and will use no part of said premises in any manner so as to create a nuisance or for any unlawful purpose.

**ARTICLE
Paragraph Headings**

The headings used herein for each paragraph are used only for convenience and are not intended to explain the nature or contents of each paragraph.

**ARTICLE XVII
No Estate in Land**

This contract shall create the relationship of landlord and tenant between the Lessor and Lessee; no estate shall pass out of the Lessor; the Lessee has only a usufruct, not subject to levy and sale.

**ARTICLE XVIII
Holding over**

If the Lessee remains in possession after expiration of the terms hereof, with the Lessor's acquiescence and without any distinct agreement of parties, the Lessee shall be a tenant at will, and there shall be no renewal of this lease by operation of law.

**ARTICLE XIX
Save Harmless**

The Lessee shall be liable for and shall hold the Lessor harmless in respect of damage or injury to the leased premises, or the person or property of the Lessor, or anyone else, if due to act of neglect of the Lessee or anyone under its control or its employ.

**ARTICLE XX
Amendment**

It is hereby agreed that none of the terms or conditions of this lease may be changed or amended except by written agreement signed by all parties hereto.

**ARTICLE XXI
Binding Effect**

All parties hereto agree that this lease shall be binding upon each respective party and their heirs, successors and assigns.

**ARTICLE XXII
Entire Agreement**

This lease contains the entire agreement of the parties and no representations, inducements, promises or agreements, oral or otherwise, between the parties not embodied herewith shall be of any force or effect.

All rights, powers and privileges conferred hereunder upon the parties hereto shall be cumulative but not restrictive to those given by law.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals this _____ day of November, 2021.

IN THE PRESENCE OF:

LESSOR:

City of Florence

By: _____ (Seal)

(As to Lessor)

IN THE PRESENCE OF:

LESSEE:

Pee Dee Community Action Agency

(As to Lessee)

By: _____ (Seal)

FLORENCE CITY COUNCIL MEETING

DATE: February 14, 2022
AGENDA ITEM: Resolution
DEPARTMENT/DIVISION: City Manager's Office

I. ISSUE UNDER CONSIDERATION:

A Resolution of City Council, in accordance with Ordinance 2014-15, approving the authorization for the service of alcoholic beverages by approved groups and organizations at additional city properties to include City Center Market, Lawton-Chase House and lawn, Florence Soccer Pavilion and lawn, and Florence Sports Complex Stadium.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

- (1) On May 12, 2014, Florence City Council approved Ordinance 2014-15 which amended sections 14-13.1 and 15-34 of the City Code to provide for the possession and consumption of beer and wine in certain limited public right-of-ways, parking lots, courtyards, lawns, and plazas, to provide for the issuance of event permits and to establish the areas and the permitting process for such event permits.
- (2) Section 15-34 (a)(1)(f) authorizes City Council to designate any other space within the city through the adoption of a resolution.
- (3) Section 15-34 (b) defines that nothing contained in this Code shall be interpreted to alter or change in any way any state or federal statutes governing possession, sale, service, consumption, or distribution of beverages with alcoholic content.

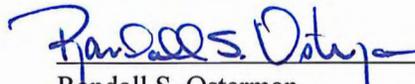
III. POINTS TO CONSIDER:

- (1) Since the approval of Ordinance 2014-15, the city has added facilities which are available for rent to the public where there is a desire for the allowance of alcoholic beverages for some events.
- (2) City staff will be responsible for permitting such events to be allowed through the completion of an appropriate application through the assigned city department pursuant to compliance and conformity with state law, city ordinances and all rules and regulations governing the use of city facilities.

IV. ATTACHMENTS:

- (1) Resolution


Amanda P. Pope
Marketing, Communications &
Municipal Services Director


Randall S. Osterman
City Manager

RESOLUTION NO. 2022-_____

A RESOLUTION TO DESIGNATE ADDITIONAL PUBLIC SPACES WITHIN THE CITY OF FLORENCE IN WHICH THE POSSESSION, SALE, SERVICE, CONSUMPTION, AND DISTRIBUTION OF BEER AND WINE AT SPECIAL EVENTS MAY BE PERMITTED.

WHEREAS, continued activities at new city facilities including the City Center Market, Lawton-Chase House and lawn, Florence Soccer Pavilion and lawn, and Florence Sports Complex Stadium have created a desire to allow for the provision of alcoholic beverages for some events and social gatherings; and

WHEREAS, the provision of alcoholic beverages will be administered and allowed for appropriately permitted individuals, groups, and organizations; and

WHEREAS, some of these facilities will be utilized as rental spaces by the public for meetings, social gatherings, and events; and

WHEREAS, permitting is allowed through the completion of an appropriate application pursuant to compliance and conformity with state law, city ordinances, and all rules and regulations governing the use of city facilities; and

NOW, THEREFORE, BASED ON THE FINDINGS OF FACT SET OUT ABOVE, IT IS HEREBY RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FLORENCE, SOUTH CAROINA AS FOLLOWS:

- a. The City hereby declares that in accordance with Ordinance 2014-15, the City Center Market, the Lawton-Chase House and lawn, the Florence Soccer Pavilion and lawn, and the Florence Sports Complex Stadium are additional approved city facilities for the service of alcoholic beverages by approved groups and organizations pursuant to compliance and conformity with state law, city ordinances, and all rules and regulations governing the use of city facilities.

AND IT IS SO RESOLVED this 14th day of February 2022

Approved as to form:

James W. Peterson, Jr.
City Attorney

Teresa Myers-Ervin
Mayor

Attest:

Casey C. Moore
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: February 14, 2022
AGENDA ITEM: Resolution
DEPARTMENT/DIVISION: City Council
Sponsored by Councilman McCall

I. ISSUE UNDER CONSIDERATION:

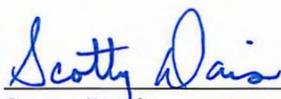
A Resolution adopting the SC Municipal Association 2021-2022 Advocacy Initiatives.

II. POINTS TO CONSIDER:

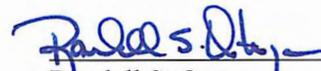
1. The Municipal Association of SC identified major challenges facing cities and towns in the state through an all-inclusive process involving hundreds of municipal officials.
2. The 2021-2022 Advocacy Initiatives represent solutions to challenges that can be addressed through changes to state law.

III. ATTACHMENTS:

1. Proposed Resolution
2. 2021-2022 advocacy initiatives



Scotty Davis
Deputy City Manager



Randall S. Osterman
City Manager

(STATE OF SOUTH CAROLINA)
()
(CITY OF FLORENCE)

RESOLUTION 2022-06

A Resolution adopting the SC Municipal Association 2021-2022 Advocacy Initiatives.

- WHEREAS,** cities and towns in South Carolina are the government closest to the people providing the core services residents and businesses demand for an exceptional quality of life; and
- WHEREAS,** local decisions affecting residents and local businesses should be made by local leaders; and
- WHEREAS,** cities and towns seek to make numerous small changes in current state law to support new and existing local industry and businesses, changes in public health and safety, and continuity of service delivery; and
- WHEREAS,** cities and towns seek to support legislation that adds more tools to the toolbox for local governments to expand and create programs to help residents and businesses; and
- WHEREAS,** the City of Florence fully supports the 2021-2022 advocacy initiatives set forth by the Municipal Association of SC board of directors for city and town councils to govern effectively and efficiently;

BE IT THEREFORE RESOLVED that the Council of the City of Florence affirms on this day its support for the Municipal Association’s 2021-2022 advocacy initiatives for the benefit of all of South Carolina’s 271 cities and towns.

RESOLVED THIS 14th DAY OF FEBRUARY, 2022.

Approved as to form:

James W. Peterson, Jr., City Attorney

Teresa Myers Ervin, Mayor

ATTEST:

Casey C. Moore, Municipal Clerk

The Municipal Association's 2021-2022 advocacy initiatives include:

Broadband expansion

- Amending the newly adopted broadband expansion law to allow cities and towns to not only lay fiber, but also light the fiber or partner with a third party to light it.

Enclave annexation

- Allowing cities and towns to close doughnut holes, or enclaves, in their municipal limits through a local annexation process.

Law enforcement reform

- Supporting reform measures to aspects of law enforcement training and duties.

Code enforcement

- Requiring code enforcement liens be billed and collected similar to property taxes.

Abandoned buildings tax credits

- Extending the current abandoned buildings tax credit until 2026 to allow for additional local economic development incentives.

Local Government Fund

- Supporting the Local Government Fund to be funded in accordance with current law.

Firefighter Healthcare Benefit Plan

- Supporting money to be included in the state budget to fund the Firefighter Healthcare Benefit Plan.

PTSD funding

- Supporting money to be included in the state budget to fund the Post Traumatic Stress Disorder programs for first responders.

Zero millage

- Allowing cities and towns with no property tax millage to impose a millage with certain limitations.

Municipal Capital Projects Penny

- Creating a Municipal Capital Projects penny tax for municipal residents to approve for capital projects within the city limits.

Expansion of naloxone

- Expanding the availability of naloxone, the medication used to revive individuals suffering from drug overdoses, to fire and emergency medical services first responders.

Textiles Communities Revitalization Act

- Amending the Textiles Communities Revitalization Act to include as one site those parts of abandoned mill properties that are separated by way of an intervening connector such as a railroad or waterway.

FLORENCE CITY COUNCIL MEETING

DATE: February 14, 2022

AGENDA ITEM: Report to Council

DEPARTMENT/DIVISION: City Council

I. ISSUE UNDER CONSIDERATION:

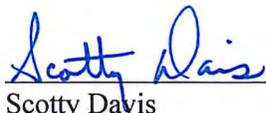
Council will consider nominations for City Boards and/or Commissions.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

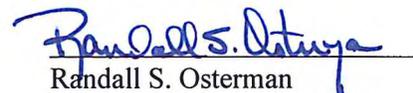
There are four (4) Boards or Commissions that have either vacancies and/or expired terms.

III. ATTACHMENTS:

- (1) Spreadsheet of Council Nominations to Boards and Commissions.
- (2) Nomination Packet.



Scotty Davis
Deputy City Manager



Randall S. Osterman
City Manager

SCHEDULE OF COUNCIL NOMINATIONS TO BOARDS AND COMMISSIONS - FEBRUARY 2022

	District 1	District 2	District 3	At-Large 1	At-Large 2	At-Large-3	Mayor
	Schofield	Moore	Braddock	Jebaily	Barnes	McCall	Ervin
City of Florence Board of Zoning Appeals						x	
Construction & Maintenance Board							x ²
Aesthetics Advisory Committee		x					x
Resilience and Sustainability Advisory Committee		x		x			

CITY OF FLORENCE BOARD OF ZONING APPEALS

I. NOMINATIONS:

There is one (1) vacancy on the Board of Zoning Appeals.

Ms. Shelanda Deas has resigned her position on this Board. The unexpired term of Ms. Deas will expire on 6/30/2023.

II. COUNCILMEMBER(S) TO MAKE NOMINATION:

- Councilman McCall

III. NEW APPLICANT(S):

- Michael (Tommy) Phillips

IV. ATTACHMENTS:

- Resignation Letter
- Applications received

Casey Moore

From: Casey Moore
Sent: Thursday, January 27, 2022 10:05 AM
To: Casey Moore
Subject: FW: Board of Zoning Appeals resignation

From: Shelanda Deas <shelanda.deas@yahoo.com>
Sent: Sunday, January 16, 2022 1:36 PM
To: Alane Zlotnicki <azlotnicki@cityofflorence.com>
Subject: Board of Zoning Appeals

CAUTION: This email originated from outside the City of Florence. Maintain caution when opening external links/attachments

January 16, 2022

City of Florence
Attn: Planning Department
Board of Zoning Appeals
324 West Evans Street
Florence, SC. 29501

Dear: City of Florence
Board of Zoning Appeals

I hope you are having a great day. I am writing to inform you that I have to resign from the Board of Zoning Appeals. I have relocated and started a new job. I would love to continue to serve on the Board of Zoning Appeals and really do not want to resign. I know I have to, however, I would love to stay and do virtual until you find a replacement.

It has been my pleasure to serve on this board and work with a dynamic group. I wish only the best and regret any inconvenience my resignation my cause.

Please let me know if I could be of any assistance during this transition. I will reach out to your office on Tuesday, January 18, 2022.

Thanks

Shelanda Deas

[Sent from Yahoo Mail on Android](#)

Entry #: 34

Date Submitted: 7/23/2021 5:40 PM

Board or Commission for which you are applying:
City of Florence Board of Zoning Appeals

Your Name	County	Council District
Phillips, Michael T. (Tommy)	Florence	District 3

Email Address
mtommp@att.net

Residential Address
1703 Pineland Ave., Apt A, Florence, South Carolina 29501

Mailing Address
Same as residence, Florence, South Carolina 29501

Your Occupation - Title	Business Phone	Residence Phone
Semi retired	(843) 661-0995	(843) 669-4432

Employer Name
A Bail Bonds, Notary Public, B and L Properties, LLC, Silver Haired Legislature.

Employer Address	City	State
1703 Pineland Ave., Apt A	Florence	South Carolina

General Qualifications

Are you a resident of the City?	If so, how Long?
Yes	1958

Why would you like to serve?
I believe that my knowledge and experience with the city of Florence, will help me be of service to the City.

Do you presently serve on any Commissions/ Boards of the City/ County/ State?
Yes

If so, please list:
Silver Haired Legislature

Have you formerly served on any Commissions/ Boards of the City/ County/ State?
Yes

If so, please list:
Florence City Planning Com.
Florence Airport Com.

Are you currently in a position of responsibility with an organization or board that has <u>received</u> or is <u>seeking</u> funding from the City of Florence?	Yes/No
	No

If so, list the position and date:

Are you involved in any Community Activities?
Yes

If so, please list:
Past:
Completed the Citizen's Police Academy
Completed the "Leadership Florence" Program with the Chamber of Commerce

Chairman for the Florence County Republican (4 terms)

What are your goals and objectives if appointed to the Commission/Board?
Use my experience and knowledge to help make Florence a better place to live.

I certify that the information above is true and correct.	Today's Date
	7/23/2021

Information on this form will be considered public.	Today's Date
	7/23/2021

CONSTRUCTION AND MAINTENANCE BOARD OF ADJUSTMENTS AND APPEALS

I. NOMINATIONS:

There are two (2) vacancies on the Construction and Maintenance Board of Adjustments and Appeals.

- William Wilcox has indicated that he would not like to be considered for reappointment. Mr. Wilcox served as an Engineer.
- Gary Bullard has resigned his position. Mr. Bullard served as a Mechanical Contractor. The unexpired term of Mr. Bullard will expire on 06/30/2023.

II. APPOINTMENT REQUIREMENTS:

(A) 1 – Engineer

(B) 1 – Mechanical Contractor

III. COUNCILMEMBER(S) TO MAKE NOMINATION:

- Mayor Ervin will make all nominations to this Board, per City Code.

IV. NEW APPLICANT(S):

- There are currently no qualified applicants for this Board.

V. ATTACHMENTS

AESTHETICS ADVISORY COMMITTEE

I. NOMINATIONS:

There are two (2) seats to be filled on the Aesthetics Advisory Committee. Terms of the initial appointees shall be staggered, as follows:

- Seats designated as seats 5, 6 & 7 will serve initial terms of three (3) years.

After the completion of initial terms, all members appointed shall serve three (3) year terms.

II. APPOINTMENT REQUIREMENTS:

Members must reside or be employed within the city limits.

III. COUNCILMEMBER(S) TO MAKE NOMINATION:

- Mayor Ervin (Seat 5 – 3-year term)
- Councilwoman Moore (Seat 7 – 3-year term)

IV. NEW APPLICANT(S):

There are currently no applicants for this Committee.

V. ATTACHMENTS

RESILIENCE & SUSTAINABILITY ADVISORY COMMITTEE

I. NOMINATIONS:

There are five (5) seats to be filled on the Resilience and Sustainability Advisory Committee. Terms of the initial appointees shall be staggered, as follows:

- Seats designated as seats 1, 2 & 3 will serve initial terms of one (1) year.
- Seats designated as seats 4, 5 & 6 will serve initial terms of two (2) years.
- Seats designated as seats 7, 8 & 9 will serve initial terms of three (3) years.

After the completion of initial terms, all members appointed shall serve three (3) year terms.

II. APPOINTMENT REQUIREMENTS:

Members must reside or be employed within the city limits.

Remaining memberships will consist of the following:

- (A) 1 – Representative from District 2
- (B) 1 – Representative from District 3

III. COUNCILMEMBER(S) TO MAKE NOMINATION:

- Councilwoman Moore (Seat 7 – 3-year term)
- Pro tem Jebaily (Seat 2 – 1-year term)

IV. NEW APPLICANT(S):

There are currently no applicants for this Committee.

V. APPOINTMENT OF CHAIRPERSON TO COMMITTEE

The initial chairperson shall be selected by city council and shall serve for two years.