

REGULAR MEETING OF FLORENCE CITY COUNCIL

TUESDAY, SEPTEMBER 26, 2017 – 3:30 P.M.

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. ORDINANCES IN POSITION

- a. **Bill No. 2017-29 – Second Reading**
An Ordinance amending Chapter 13, Article I, Section 13-6 of the City of Florence Code of Ordinances pertaining to a waiver of the business license requirement for special event vendors.
- b. **Bill No. 2017-30 – Second Reading**
An Ordinance to amend the City of Florence Code of Ordinances Section 19.76 to add additional streets where trucks and buses are prohibited.
- c. **Bill No. 2017-31 – Second Reading**
An Ordinance to amend the City of Florence Code of Ordinances, Section 10.10 related to loud, disturbing, and unnecessary noises as created during the construction, etc., of buildings.
- d. **Bill No. 2017-32 – Second Reading**
An Ordinance to annex the property located at 2628 Ascot Drive, said property being specifically designated in the Florence County Tax Records as Tax Map Parcel 01221-01-165.
- e. **Bill No. 2017-33 – Second Reading**
An Ordinance to annex the property located at 1616 Third Loop Road, said property being specifically designated in the Florence County Tax Records as Tax Map Parcel 90032-05-019.

IV. INTRODUCTION OF RESOLUTIONS

a. Resolution No. 2017-15

***A Resolution to re-designate three, two hour parking spaces in the H-1, Historic Overlay District of the Downtown area, to 30 minute parking in front of the buildings located at 126 and 130 North Dargan Street.
(Staff will request that this item be removed from the agenda)***

b. Resolution No. 2017-21

***A Resolution Approving the Formation of the City of Florence Public Facilities Corporation.
(This resolution is related to the issuance of an Installment Purchase Revenue Bond for Recreation Capital Improvements)***

V. ADJOURN

FLORENCE CITY COUNCIL MEETING

DATE: August 14, 2017
AGENDA ITEM: Ordinance – First Reading
DEPARTMENT/DIVISION: Finance

I. ISSUE UNDER CONSIDERATION

An ordinance amending Sections 13-6 of the City of Florence, SC Code of Ordinances to provide a waiver of the business license requirement for vendors participating in events sponsored and/or hosted by the City.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

No previous action has been taken on this ordinance.

III. POINTS TO CONSIDER

A. The City currently and periodically hosts and/or sponsors certain special events in the downtown and other areas within the City. These special events are designed to accomplish community livability and cultural objectives, promote economic vitality, and foster a healthy climate for business activity and development.

B. A unique variety of vendors are often utilized at these events, and a City business license fee is charged as required by City ordinance.

C. Several requests have been received to allow vendors participating in City hosted/sponsored events to be exempted from the requirement for a business license.

D. A number of municipalities in the state provide for a business license exemption for vendors participating in events hosted/sponsored by the municipality.

E. The City's business license ordinance currently prescribes situations that qualify for exemptions to the business license requirement. Additionally, the Municipal Association's Model Business License Ordinance provides additional language recommended for deductions and exemptions.

F. Because certain special events are held to promote cultural, developmental, and economic objectives of the City, it is reasonable that the City would update its business license ordinance to waive the business license requirement for vendors at special events sponsored/hosted by the City and to also follow certain recommendations of the Model Business License Ordinance for other business license deductions and exemptions.

IV. STAFF RECOMMENDATION

Approve and adopt the proposed ordinance.

V. ATTACHMENTS

Proposed amending ordinance



Thomas W. Chandler
Finance Director



Andrew H. Griffin
City Manager

ORDINANCE NO. 2017-_____

AN ORDINANCE AMENDING CHAPTER 13, ARTICLE I, SECTION 13-6 OF THE CITY OF FLORENCE CODE OF ORDINANCES PERTAINING TO A WAIVER OF THE BUSINESS LICENSE REQUIREMENT FOR SPECIAL EVENT VENDORS

WHEREAS, Chapter 13, Article I of the City of Florence, South Carolina Code of Ordinances (“the Code”) regulates the license fees for business activity performed within the City limits; and

WHEREAS, the City hosts and/or sponsors certain special events in the downtown and other areas within the City; and

WHEREAS, these special events are designed to accomplish community livability and cultural objectives, promote economic vitality, and foster a healthy climate for business activity and development; and

WHEREAS, these special events often incorporate the participation of a unique variety of specialty vendors; and

WHEREAS, Section 13-6 of the Code provides for certain business license fee deductions and exemptions; and

WHEREAS, the Municipal Association’s Model Business License Ordinance provides other recommended language for deductions and exemptions; and

WHEREAS, it has been deemed reasonable and in the best interest of the City to provide a waiver to the business license requirement for vendors at these special events; and

WHEREAS, the City proposes to revise its business license ordinance to: a) provide an exemption for vendors at special events by including a business license waiver into the City’s license ordinance, and b) incorporate into the City’s the ordinance language from the Municipal Association’s Model Business License Ordinance recommended for charitable contributions, deductions and exemptions.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the City of Florence, South Carolina that the City of Florence Code of Ordinances, Section 13-6 License Fee Deduction and Exemptions be amended in its entirety to read as follows:

Sec. 13-6. Deductions, exemptions, charitable organizations, and waivers for special events vendors

(a) No deductions from gross income shall be made except income from business done wholly outside of the City on which a license tax is paid to some other City or a county, taxes collected for a governmental entity, or income which cannot be taxed pursuant to State or Federal law. The applicant shall have the burden to establish the right to deduction by satisfactory records and proof.

(b) No person shall be exempt from the requirements of this chapter by reason of the lack of an established place of business within the City, unless exempted by State or Federal law. The License Inspector shall determine the appropriate classification for each business in accordance with the latest issue of the North American Industry Classification System (NAICS) for the United States published by the Office of Management and Budget. No person shall be

exempt from this chapter by reason of the payment of any other tax, unless exempted by State law, and no person shall be relieved of the liability for the payment of any other tax by reason of the application of this chapter.

(c) Charitable organizations which have exemptions from state and federal income taxes shall be exempt from a business license tax only in cases where the sponsors, organizers, directors, trustees, or persons who exercise ultimate control of the organization receive no part of the proceeds of operation, and all proceeds are devoted to charitable purposes as defined by this chapter. Payment of necessary costs of operation and wages to non-management employees will not disqualify a charitable organization from exemption.

(d) The requirement for a business license shall be waived for any vendor who is not otherwise required to hold a valid business license and who is invited or encouraged by the City to participate in City-hosted and/or City-sponsored special events. Such vendors shall be required to submit a written application for a Special Event Vendor Permit on a form prescribed and dispensed by the City upon such terms as indicated on the permit. The City may charge a Special Event Vendor Permit fee, subject to periodic review for appropriateness and adjustment as deemed reasonable by the City Manager or authorized designee.

This ordinance shall become effective immediately upon adoption.

ADOPTED THIS _____ DAY OF _____, 2017.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela
Mayor

Attest:

Dianne Rowan
Municipal Clerk

III. b.
Bill No. 2017-30
Second Reading

FLORENCE CITY COUNCIL MEETING

DATE: August 14, 2017

AGENDA ITEM: Ordinance for a text amendment to Chapter 19, Article 4 Section 19.76, City of Florence Code of Ordinances to add additional streets prohibiting trucks and buses.
First Reading

DEPARTMENT/DIVISION: Department of Planning, Research & Development

SPONSOR: Councilwoman Teresa Meyers Ervin

I. ISSUE UNDER CONSIDERATION:

Proposed text amendment to Chapter 19, Article 4 Section 19.76, City of Florence Code of Ordinances to add additional streets prohibiting trucks and buses.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

(1) City Council will hold a public hearing on August 14, 2017 regarding this matter.

III. POINTS TO CONSIDER:

- (1) This request is being considered for first reading.
- (2) The text amendment was prepared by the Planning, Research & Development Department upon recommendation to add additional streets where commercial trucks and buses would be prohibited from driving into residential neighborhoods.
- (3) The proposed prohibited streets include:
 - a. North Alexander Street, the 300, 400, 500, 600 and 700 blocks thereof, between the intersection of West Darlington Street and the intersection of West Ingram Street.
 - b. West Sumter St, the 900, 800, 700, 600, 500, 400, 300, and 200 blocks thereof, between the intersection of North Alexander Street and the intersection of North Irby Street.
 - c. Chase Street, the 300, 400, 500, 600, 700, 800, 900, 1000, and 1100 blocks thereof, between the intersection of West Darlington Street and the intersection of West Lucas Street.

IV. OPTIONS:

City Council may:

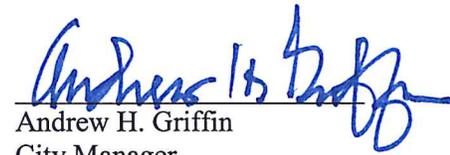
1. Approve the request as presented based on the information submitted.
2. Defer the request should additional information be needed.
3. Suggest other alternatives.
4. Deny the request.

V. PERSONAL NOTES:

VI. ATTACHMENTS:

- (1) Ordinance/Proposed Amendment Additions
- (2) Location Map – West Sumter Street
- (3) Location Map – North Alexander Street
- (4) Location Map – Chase Street


Jerry Dudley
Planning Manager


Andrew H. Griffin
City Manager

Attachment 3) Proposed Amendment Additions – North Alexander Street



**City of Florence Zoning Code of Ordinance
Section 19.76 Amendment Street Map**



1 inch = 350 feet
Date: 7/31/2017



**N. Alexander St, 300 block
to N. Alexander St, 700 block**

ORDINANCE NO. 2017_____

AN ORDINANCE TO AMEND THE CITY OF FLORENCE CODE OF ORDINANCES SECTION 19.76 TO ADD ADDITIONAL STREETS WHERE TRUCKS AND COMMERCIAL BUSES ARE PROHIBITED.

WHEREAS, there have been changes in traffic flow in the City of Florence and the streets therein which has brought about the need to include portions of North Alexander Street, West Sumter Street, and Chase Street within the areas which prohibit all trucks and commercial buses;

WHEREAS, this Ordinance will prohibit commercial traffic on residential streets that will promote the protection of life and property, the construction and condition of the roadway, and the prevention of noise;

WHEREAS, as a result of the above-referenced changes since the enactment of the present code provisions, it is in the best interest of the citizens of the City of Florence to update the code provisions found in Section 19.76 applicable to such traffic;

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

1. That the text of the City of Florence Code of Ordinances Article IV of Chapter 19, Section 19.76 will read in whole as follows (additions have been underlined):

ARTICLE IV: TRUCKS AND OTHER HEAVY VEHICLES

19.76 Trucks and buses prohibited, where; exceptions.

- (a) *Prohibition.* All trucks and commercial buses in excess of two (2) tons in weight, having ten (10) wheels or more, shall be prohibited from traveling on the following streets or portions of streets:

South Cashua Drive, between the Five Points intersection and the intersection of Second Loop Road;

Cherokee Road, between the Five Points intersection and the intersection of Cherokee Road and Irby Street.

West Evans Street, the 100, 200, and 300 blocks thereof, between the intersection of Dargan Street and the intersection of McQueen Street.

Marsh Avenue, from the Second Loop intersection southwest to the Third Loop Road intersection.

Bellevue Drive from the Second Loop intersection southwest to the Third Loop Road intersection.

North Alexander Street, the 300, 400, 500, 600 and 700 blocks thereof, between the intersection of West Darlington Street and the intersection of West Ingram Street.

West Sumter St, the 200, 300, 400, 500, 600, 700, 800, and 900 blocks thereof, between the intersection of North Alexander Street and the intersection of North Irby Street.

Chase Street, the 300, 400, 500, 600, 700, 800, 900, 1000, and 1100 blocks thereof, between the intersection of West Darlington Street and the intersection of West Lucas Street.

- (b) *Exceptions.* The above prohibitions shall not apply to:
- (1) Trucks engaged in delivery of products and merchandise to establishments located on such streets nor to trucks engaged in public service along such streets;
 - (2) Buses engaged in the transportation of school children and buses engaged in the transportation of person to Sunday school and church and buses engaged in the transportation of passengers within the urban area;
 - (3) Further, such limitation shall not apply to trucks/drivers going to and from home when their residence is on a street which intersects with Cherokee Road provided, however, a permit granting permission has been obtained from the chief of police. The permit shall be valid only when in possession of the applicant to whom issued for such truck.
2. That this Ordinance, and the amendments contained herein, shall become effective immediately upon its approval and adoption by the City Council of the City of Florence.

ADOPTED THIS _____ DAY OF _____, 2017

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela,
Mayor

Attest:

Dianne Rowan
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: August 14, 2017

AGENDA ITEM: Ordinance to amend Article 1 of Chapter 10. Section 10.10 of the City of Florence Code of Ordinances related to loud, disturbing, and unnecessary noises as created during the construction, etc., of buildings.
First Reading

DEPARTMENT/DIVISION: Department of Planning, Research & Development

SPONSOR: Councilwoman Teresa Meyers Ervin

I. ISSUE UNDER CONSIDERATION:

Proposed text amendment to Chapter 10, Article 1 Section 10.10, City of Florence Code of Ordinances related to loud, disturbing, and unnecessary noises as created during the construction, etc., of buildings.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

(1) City Council will hold a public hearing on August 14, 2017 regarding this matter.

III. POINTS TO CONSIDER:

- (1) This request is being considered for first reading.
- (2) The text amendment was prepared by the Planning, Research & Development Department upon recommendation that construction projects in residential neighborhoods start time should be adjusted from 7:00 a.m. to 8:00 a.m.

IV. OPTIONS:

City Council may:

1. Approve the request as presented based on the information submitted.
2. Defer the request should additional information be needed.
3. Suggest other alternatives.
4. Deny the request.

V. PERSONAL NOTES:

VI. ATTACHMENTS:

- (1) Ordinance/proposed text amendments



Jerry Dudley
Planning Manager



Andrew H. Griffin
City Manager

ORDINANCE NO. 2017 _____

AN ORDINANCE TO AMEND THE CITY OF FLORENCE CODE OF ORDINANCES SECTION 10.10 RELATED TO LOUD, DISTURBING, AND UNNECESSARY NOISES AS CREATED DURING THE CONSTRUCTION, ETC., OF BUILDINGS.

WHEREAS, the City of Florence understands that residents have a right and should be ensured an environment free from excessive sound and vibration that may jeopardize their health, safety, welfare, or degrade the quality of life.

WHEREAS, this Ordinance will change the allowed hours of construction related noise within residential zoning districts from between 7:00 a.m. and 6:00 p.m to between 8:00 a.m. and 6:00 p.m.;

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

1. That the text of the City of Florence Code of Ordinances Article I of Chapter 10, Section 10.10 will read in whole as follows (additions have been underlined):

ARTICLE I: IN GENERAL

10.10 Same - Enumeration.

The following acts, among others, are declared to be loud, disturbing and unnecessary noises in violation of section 10-9; but this enumeration shall not be deemed to be exclusive:

- (1) Animals, birds, etc. The keeping of any animal which by causing frequent or long-continued noise shall disturb the comfort or repose of any persons in the vicinity.
- (2) Blowers. The operation of any noise-creating blower or power fan or any internal combustion engine the operation of which causes noise due to the explosion of operating gases or fluids, unless the noise from such blower or fan is muffled and such engine is equipped with a muffler device sufficient to deaden such noise.
- (3) Construction, etc., of buildings. The erection (including excavating), demolition, alteration or repair of any building other than between the hours of 7:00 a.m. and 6:00 p.m. within commercial zoning districts on weekdays and between the hours of 8:00 a.m. and 6:00 p.m within residential zoning districts on weekdays, except in case of urgent necessity in the interest of public health and safety, and then only with a permit from the codes enforcement officer, which permit may be granted for a period not to exceed three (3) days or less while the emergency continues and which permit may be renewed for periods of three (3) days or less while the emergency continues. If the codes enforcement officer shall determine that the public health and safety will not be

impaired by the erection, demolition, alteration or repair of any building or the excavation of streets and highways within the hours of 6:00 p.m. and 7:00 a.m. in commercial zoning districts and 6:00 p.m. and 8:00 a.m. in residential zoning districts, and if such officer shall further determine that loss or inconvenience would result to any party in interest, such officer may grant permission for such work to be done within the hours of 6:00 p.m. and 7:00 a.m. in commercial zoning districts and 6:00 p.m. and 8:00 a.m. in residential zoning districts., upon application being made at the time the permit for the work is awarded or during the progress of the work.

- (4) Defect in vehicle or load. The use of any automobile, motorcycle or vehicle so out of repair, so loaded or in such manner as to create loud and unnecessary grating, grinding, rattling or other noise.
- (5) Drums, etc. The use of any drum or other instrument or device for the purpose of attracting attention by creation of noise to any performance, show or sale.
- (6) Exhaust. The discharge into the open air of the exhaust of any steam engine, stationary internal combustion engine, motorboat or motor vehicle except through a muffler or other device which will effectively prevent loud or explosive noises therefrom.
- (7) Hawkers, peddlers, etc. The shouting and crying of peddlers, hawkers and vendors which disturbs the peace and quiet of the neighborhood.
- (8) Horns, signaling devices, etc. The sounding of any horn or signaling device on any automobile, motorcycle or other vehicle on any street or public place of the city, except as a danger warning; the creation by means of any such signaling device of any unreasonably loud or harsh sound; and the sounding of any such device for an unnecessary and unreasonable period of time; the use of any signaling device except one operated by hand or electricity; the use of any horn, whistle or other device operated by engine exhaust; and the use of any such signaling device when traffic is for any reason held up.
- (9) Loading, etc., of vehicles; opening, etc., of boxes, etc. The creation of a loud and excessive noise in connection with loading or unloading of any vehicle or the opening and destruction of bales, boxes, crates and containers.
- (10) Loudspeakers, etc., for advertising. The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier or other machine or device for the producing or reproducing of sound which is cast upon the public streets for the purpose of advertising or attracting the attention of the public.
- (11) Metal rails, pillars, etc., in transportation. The transportation of rails, pillars or columns of iron, steel or other material over and along streets and other public places upon carts, drays, cars, trucks or in any other manner so loaded as to cause loud noises or so as to disturb the peace and quiet of such streets or other public places.
- (12) Pile drivers, hammers, etc. The operation between the hours of 12:00 p.m. and 7:00 a.m. of any pile driver, steam shovel, pneumatic hammer, derrick, steam or electric hoist or other appliance the use of which is attended by loud or unusual noise.

- (13) Radios, phonographs, etc., generally. The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, phonograph or other machine or device for the producing or reproducing of sound in such manner as to disturb the peace, quiet and comfort of the neighboring inhabitants or at any time with louder volume than is necessary for convenient hearing for persons who are in the room, vehicle or chamber in which such machine or device is operated or who are voluntary listeners thereto. The operation of any such instrument, phonograph, machine or device in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which it is located, or from the voluntary listeners thereto, shall be prima facie evidence of a violation.
- (14) Schools, courts, churches, hospitals. The creation of any excessive noise on any street adjacent to any school, institution of learning, church or court while the same is in use, or adjacent to any hospital, which unreasonably interferes with the workings of such institution, or which disturbs or unduly annoys patients in the hospital, provided conspicuous signs are displayed in such streets indicating that the same is a school, hospital or court street.
- (15) Steam whistles. The blowing of any steam whistle attached to any stationary boiler except to give notice of the time to begin or stop work or as a warning of fire or danger or upon request of the city manager.
- (16) Yelling, shouting, etc. Yelling, shouting, hooting, whistling or singing on the public streets, particularly between the hours of 11:00 p.m. and 7:00 a.m. or at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office, or in any dwelling, hotel or other type of residence, or of any persons in the vicinity.

2. That this Ordinance, and the amendments contained herein, shall become effective immediately upon its approval and adoption by the City Council of the City of Florence.

ADOPTED THIS _____ DAY OF _____, 2017

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela,
Mayor

Attest:

Dianne Rowan
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: August 8, 2017

AGENDA ITEM: Public Hearing and Ordinance to Annex and Zone Property Owned by Amanda and Sam Chambers, TMN 01221-01-165

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex property located at 2628 Ascot Dr., Tax Map Number 01221-01-165, into the City of Florence and zone to R-1, Single-Family Residential District. The request is being made by the property owner, Amanda and Sam Chambers.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

(1) On August 8, 2017 Planning Commission will hold a public hearing on this matter.

III. POINTS TO CONSIDER:

- (1) Request is being considered for first reading.
- (2) The lot is currently the site of a single-family dwelling.
- (3) City water and sewer services are currently available; there is no cost to extend utility services.
- (4) City Staff recommends annexation to zone the property R-1, Single-Family Residential District.

IV. PERSONAL NOTES:

V. ATTACHMENTS:

- (1) Ordinance
- (2) Map showing the location of the property
- (3) Petition for Annexation form


Jerry Dudley
Planning Manager


Andrew H. Griffin
City Manager

Attachment 2: Location Map

Attachment 2:
2628 Ascot Dr. Florence, SC 29501



Legend

- Proposed Parcel
- Address Points
- Manhole
- Gravel/Man
- Water/Main
- Roads
- City Limits
- Parcels



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.



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 01221-01-165

3. Annexation is being sought for the following purposes:

CITY SERVICES & BENEFITS

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>5</u>
Race	<u>W</u>
Total 18 and Over	<u>3</u>
Total Registered to Vote	<u>3</u>

Date 07.03.2017

Amade M Chambers
Petitioner

Date 7/3/2017

Samuel Paul
Petitioner

Certification as to ownership on the date of petition:

Date 7/4/2017

FOR OFFICIAL USE ONLY

Alfred Cassidy

ORDINANCE NO. 2017 _____

AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY AMANDA and SAM CHAMBERS, TMN 01221-01-165

WHEREAS, a Public Hearing was held in the Council Chambers on August 8, 2017 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, application by Amanda and Sam Chambers, owners of TMN 01221-01-165, was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property be incorporated in 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 adding the zoning district classification of R-1, Single-Family Residential District:

The property requesting annexation is shown more specifically on Florence County Tax Map 01221, block 01, parcel 165 (0.498 acres).

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 _____, 2017
Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela,
Mayor

Attest:

Dianne M. Rowan
Municipal Clerk

III. e.
Bill No. 2017-33
Second Reading

FLORENCE CITY COUNCIL MEETING

DATE: August 8, 2017

AGENDA ITEM: Public Hearing and Ordinance to Annex and Zone Property Owned by Gary Finklea, TMN 90032-05-019

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to annex property located at 1616 Third Loop Rd., Tax Map Number 90032-05-019, into the City of Florence and zone to R-2, Single-Family Residential District. The request is being made by the property owner, Gary Finklea.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

(1) On August 8, 2017 Planning Commission will hold a public hearing on this matter.

III. POINTS TO CONSIDER:

- (1) Request is being considered for first reading.
- (2) The lot is currently vacant.
- (3) City water is currently available; however, City sewer service is currently not available. There will be a cost to extend utility services from the developer.
- (4) City Staff recommends annexation to zone the property R-2, Single-Family Residential District.

IV. PERSONAL NOTES:

V. ATTACHMENTS:

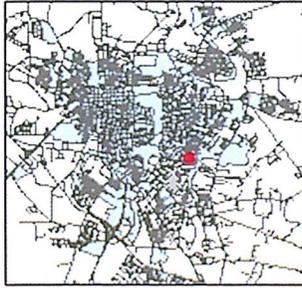
- (1) Ordinance
- (2) Map showing the location of the property
- (3) Petition for Annexation form


Jerry Dudley
Planning Manager


Andrew H. Griffin
City Manager

Attachment 2: Location Map

Attachment 2: 1616 3rd Loop Rd, Florence, SC 29505



Legend

- Proposed Parcel
- Address Points
- Mannole
- Gravel Main
- Water/Main
- Roads
- City Limits
- Parcels



DISCLAIMER:
The City of Florence Department of Planning, Research, and Development data represented on this map is the product of compilation, as produced by a third party, and the City of Florence makes no representation as to its accuracy. Its use is without field verification and is at the sole risk of the user.



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 90032-05-013
2003 Third Loop Road

- 3. Annexation is being sought for the following purposes:

Benefits of City Services & Governance

- 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
 Race
 Total 18 and Over
 Total Registered to Vote

0
0
0
0 N/A

Date 7-11-17

Date _____

Funkhauser Law Firm PA, PC, Share
 Petitioner
Alan Funkhauser
 Petitioner
Alan Funkhauser

Certification as to ownership on the date of petition:	FOR OFFICIAL USE ONLY
Date <u>7/12/2017</u>	<u>Alfred Casner</u>

ORDINANCE NO. 2017 _____

AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY GARY FINKLEA, TMN 90032-05-019

WHEREAS, a Public Hearing was held in the Council Chambers on August 8, 2017 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, application by Gary Finklea, owner of TMN 90032-05-019, was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property be incorporated in 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 adding the zoning district classification of R-2, Single-Family Residential District:

The property requesting annexation is shown more specifically on Florence County Tax Map 90032, block 05, parcel 019 (0.274 acres).

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 _____, 2017
Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela,
Mayor

Attest:

Dianne M. Rowan
Municipal Clerk

IV. a.
Resolution No.
2017-15

FLORENCE CITY COUNCIL MEETING

DATE: July 17, 2017

AGENDA ITEM: Consideration of a resolution to re-designate three, two hour parking spaces in the H-1, Historic Overlay District of the downtown area, to 30 minute parking in front of the buildings located at 126 and 130 North Dargan Street.

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Consideration of a resolution to re-designate three two hour parking spaces in the H-1, Historic Overlay District of the downtown area; to 30 minute parking in front of the buildings located at 126 to 130 North Dargan Street; shown more specifically on Florence County Tax Map Parcels 90169-01-031 and 90169-01-030.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

- (1) City Council adopted Ordinance 88-51 on September 26, 1988 to limit on street parking to two hours on the 100 blocks of North and South Dargan and the 100 and 200 blocks of West Evans.
- (2) City Council adopted Resolution 2016-17 on June 13, 2016 to limit three on street parking spaces to 30 minutes located on the West side of the 100 block of South Irby.

III. POINTS TO CONSIDER:

- (1) Within the controlled parking zones of the downtown, shorter term parking, i.e. 30 minute parking, allows for quicker turn over within each block and maintains economic vitality.
- (2) Currently, on-street parking is limited to two hours on the 100 blocks of North and South Dargan and the 100 and 200 blocks of West Evans (Ordinance 1988-51).
- (3) Section 19-4 of the Code of Ordinances allows the chief of police, when so directed by resolution of City Council, to regulate the operation of vehicles within the City by erecting or placing of proper signs or markers indicating limited or prohibited parking, angle parking, parking of official vehicles, or parking of public service vehicles
- (4) Per the 2016 Parking Study for Downtown Florence, conducted by CDM Smith, it is recommended to establish metered parking by 2021. However, it is also recommended to reevaluate the on-street parking on a yearly basis.

IV. PERSONAL NOTES:

V. ATTACHMENTS:

- (1) Resolution
- (2) Site map of proposed parking on North Dargan Street


Jerry Dudley
Planning Department Manager


Andrew H. Griffin
City Manager

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

RESOLUTION NO. 2017-_____

A RESOLUTION TO RE-DESIGNATE THREE, TWO HOUR PARKING SPACES IN THE H-1, HISTORIC OVERLAY DISTRICT OF THE DOWNTOWN AREA, TO 30 MINUTE PARKING IN FRONT OF THE BUILDINGS LOCATED AT 126 AND 130 NORTH DARGAN STREET.

WHEREAS, the City Council of the City of Florence seeks to provide both an effective and safety-oriented means of on-street parking within the municipal limits of the City and;

WHEREAS, Section 19-4 of the City of Florence Code of Ordinances allows the chief of police, when so directed by resolution of City Council, to regulate the operation of vehicles within the City by erecting or placing of proper signs or markers indicating limited or prohibited parking, angle parking, parking of official vehicles, or parking of public service vehicles and;

WHEREAS, Ordinance 88-51 established two hour, on-street parking in the following areas:

1. 100 and 200 blocks of West Evans Street,
2. 100 blocks of North and South Dargan Street and;

WHEREAS, the City Council of the City of Florence wishes to establish three, thirty minute on-street parking spaces in front of the properties located at 126 and 130 North Dargan.

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

1. On the 100 block of North Dargan Street, three spaces on the west side of the street in front of the buildings located at 126 to 130 North Dargan Street shown more specifically on Florence County Tax Map Parcels 90169-01-031 and 90169-01-030, be designated as thirty (30) minute parking;

AND IT IS SO RESOLVED, this _____ day of _____, 2017.

ADOPTED THIS _____ day of _____, 2017.

(EXECUTED ON ONE ADDITIONAL PAGE)

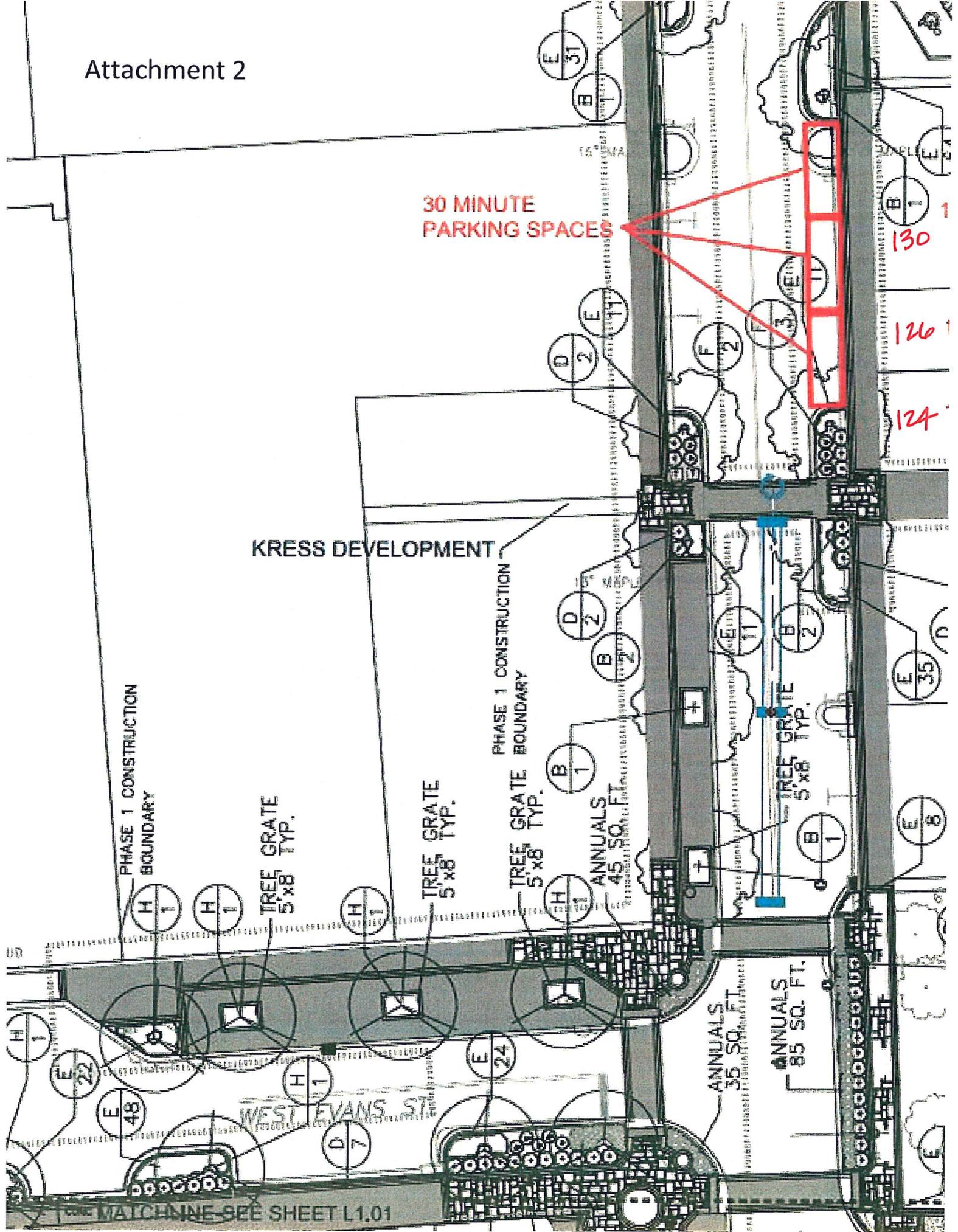
Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela,
Mayor

Attest:

Dianne M. Rowan
Municipal Clerk



FLORENCE CITY COUNCIL MEETING

DATE: September 11, 2017

AGENDA ITEM: A Resolution approving the formation of the City of Florence Public Facilities Corporation in connection with the issuance of an Installment Purchase Revenue Bond for Recreation Capital Improvements

DEPARTMENT/DIVISION: Finance

I. ISSUE UNDER CONSIDERATION

A Resolution approving the formation of the City of Florence Public Facilities Corporation in connection with the issuance of an Installment Purchase Revenue Bond for Recreation Capital Improvements

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

A. The City is committed to providing its residents with quality programs and facilities that promote and encourage meaningful recreational and athletic activities. As such, City staff has identified a number of capital improvement projects that need to be considered for funding to ensure the City's commitment continues to be adequately met.

B. At the Budget and Planning work session held April 17, 2017, the following list of recreation and athletic projects, facilities, and improvements were presented for Council to consider funding through a bond issuance:

PROJECT	ESTIMATED COST
Capital improvements/renovations to Recreation Facilities	\$ 2,000,000
Two Community Centers	1,900,000
Land Purchase (Clemson Property)	1,300,000
Sports Facilities Improvements and Development	3,200,000
Trail Connections	400,000
Contingency	400,000
TOTAL	\$9,200,000

C. Since that meeting, staff has further determined that there may be additional capital facility construction needs for sports facilities development and construction up to an additional \$5.8 million. This additional project would increase the total borrowing need to approximately **\$15 million**.

D. These projects are necessary to provide previously deferred improvements and other capital repairs, as well as certain renovations to and acquisitions for the City's parks, recreation, and athletics facilities.

E. At the work session City Council was informed that the annual debt service for a bond issue could be funded with revenues generated as a result of Council's adopting in fiscal year 2014 an ordinance that changed the amount of credit given toward property taxes from a portion of the Local Option Sales Tax ("LOST") funds collected.

F. By state law, 71% of the revenues raised by LOST must be utilized to credit or offset property taxes owed. These revenues represent the Property Tax Credit Fund. The remaining 29% of the revenues generated by LOST constitute the County/Municipal Revenue Fund ("29% monies").

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Resolution Approving an Installment Purchase Revenue Bond for Recreation Capital Improvements
September 11, 2017 – Page 2

G. The ordinance approved use of fifty percent of the 29% monies for designated project funding while continuing to provide a credit against property taxes for the remaining fifty percent of the LOST County/Municipal Revenue Fund. As such, the City continues to provide credit against property taxes that significantly exceed the property tax credit required by state law.

H. Since adoption of the ordinance in fiscal year 2014 that changed the amount of credit given from LOST toward property taxes, a total of \$6 million funding will be fully collected this fiscal year. This total amount represents the use of \$3 million each for the downtown FMU Health Sciences building and neighborhood redevelopment.

I. As noted in item E. above, future LOST collections resulting from the 2014 ordinance would become available in fiscal year 2018 to provide debt service for a bond issue to finance recreation capital improvement needs.

III. POINTS TO CONSIDER

A. Funding provided through future use of fifty percent of the 29% monies noted above, at an estimated \$1.4 million per year would provide a sufficient revenue stream to pay debt service on bonds issued in the principal amount and for the recreation and athletic needs discussed above.

B. Annual debt service for the bond issue would be approximately \$1.3 million for fifteen years. Any funds remaining from the 29% monies could be used annually for expanded recreation facility operational costs and neighborhood redevelopment.

C. The form of borrowing which best suits the above scenario is an Installment Purchase Revenue Bond (IPRB). This structure is a variation of lease purchase structure which the City successfully used in financing Veterans Park and Tennis Center. It requires formation of a South Carolina non-profit entity which serves as Lessor with the City under the IPRB structure. This meeting will include a discussion of the IPRB structure which will also address the issue of G.O. bond 8% debt limit and the City's current G.O. debt limitations.

IV. STAFF RECOMMENDATION

Approve and adopt the proposed resolution approving the formation of the City of Florence Public Facilities Corporation (as the South Carolina non-profit entity described at IIIC herein) in connection with the further recommendation that the IPRB structure be used to finance the Recreation Capital Improvements described above.

V. ATTACHMENTS

A. A Resolution approving the formation of the City of Florence Public Facilities Corporation in connection with the issuance of Installment Purchase Revenue Bond financing for certain recreation and athletic improvements, facilities and acquisitions.

B. The proposed financing schedule for Series 2017 Installment Purchase Revenue Bond.


Thomas W. Chandler
Finance Director


Andrew H. Griffin
City Manager

RESOLUTION NO. 2017-_____

A RESOLUTION APPROVING THE FORMATION OF THE CITY OF FLORENCE PUBLIC FACILITIES CORPORATION.

BE IT RESOLVED BY THE CITY COUNCIL ("COUNCIL") OF THE CITY OF FLORENCE, SOUTH CAROLINA (the "CITY"), AS FOLLOWS:

SECTION 1. Findings and Determinations. Council hereby finds and determines:

(a) The City anticipates financing capital improvements related to its parks, recreation and athletic facilities (the "Facilities").

(b) It is further anticipated that in order to facilitate the financing of such capital improvements, the City of Florence Public Facilities Corporation (the "Corporation") will be formed.

(c) In order to provide funds for the payment of the costs of the Facilities, it is expected that the Corporation will arrange for the issuance of an Installment Purchase Revenue Bond, Series 2017 (the "Bond") under and by the terms of such agreements as shall subsequently be approved by Council.

NOW THEREFORE BE IT RESOLVED by Council as follows:

1. Council approves the creation of the Corporation for the purpose indicated above and the undertakings by the Corporation relating to the issuance of the Bond.
2. This Resolution shall take effect immediately and be in full force from and after its adoption.

DONE IN MEETING DULY ASSEMBLED this 11th day of September, 2017.

CITY OF FLORENCE, SOUTH CAROLINA

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela
Mayor

Attest:

Dianne Rowan
Municipal Clerk