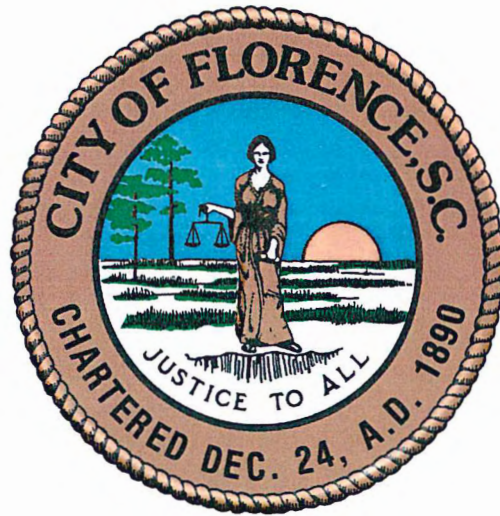


REGULAR MEETING  
OF  
FLORENCE CITY COUNCIL



COUNCIL CHAMBERS  
324 W. EVANS STREET  
FLORENCE, SOUTH CAROLINA

MONDAY  
NOVEMBER 9, 2020  
1:00 P.M.



**REGULAR MEETING OF FLORENCE CITY COUNCIL  
MONDAY, NOVEMBER 9, 2020 – 1:00PM  
CITY CENTER – COUNCIL CHAMBERS  
324 WEST EVANS STREET  
FLORENCE, SOUTH CAROLINA**

**This meeting will be conducted through Zoom Video Conferencing.**

**I. CALL TO ORDER**

**II. INVOCATION**

Pledge of Allegiance to the American Flag

**III. APPROVAL OF MINUTES**

October 12, 2020 – Regular Meeting

**IV. ORDINANCES IN POSITION**

**a. Bill No. 2020-36 – Second Reading**

An ordinance to annex property owned by The Grove at Ebenezer LLC, specifically a 17-acre portion of Tax Map Number 00075-01-221.

**V. INTRODUCTION OF ORDINANCES**

**a. Bill No. 2020-37 – First Reading**

An Ordinance to grant Florence County a permanent right-of-way easement on Dargan Street for the construction of a sidewalk.

**b. Bill No. 2020-38 – First Reading**

An Ordinance to annex and zone 2 acres on Jody Road, identified as TMNs 00123-01-152 and 00123-01-R/W, and portions of Tax Map Numbers 00123-01-005 and 00123-01-006.

**c. Bill No. 2020-39 – First Reading**

An Ordinance to annex and zone 3553 Texas Road, identified as TMN 00741-01-007, and 695 Florida Drive, identified as TMN 00741-01-008.

**d. Bill No. 2020-40 – First Reading**

An Ordinance to annex and zone 234 Shenandoah Lane, identified as TMN 90113-01-120.

**e. Bill No. 2020-41 – First Reading**

An Ordinance to rezone from NC-15 to NC-10 a parcel located on Marion Avenue, identified as TMN 90067-03-014.

**VI. INTRODUCTION OF RESOLUTIONS**

**a. Resolution No. 2020-21**

A Resolution pursuant to Section I., II., and III. of Ordinance No. 2020-28 to extend the emergency term and the application of said ordinance by an additional sixty (60) days.

**b. Resolution No. 2020-22**

A Resolution designating Friday, December 4, 2020 as Arbor Day in the City of Florence.

**c. Resolution No. 2020-23**

A Resolution to adopt the COVID-19 CARES Act Budget of \$312,331.

**VII. REPORTS TO COUNCIL**

- a. Appointments to Boards and Commissions

**VIII. EXECUTIVE SESSION**

- a. Discussion of negotiations incident to proposed contractual arrangements [30-4- 70(a)(2)].

*(Note: After returning to open session, Council may take action on matters discussed in Executive Session.)*

**IX. ADJOURN**



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MONDAY, OCTOBER 12, 2020 – 1:00 P.M.  
CITY CENTER – COUNCIL CHAMBERS  
324 WEST EVANS STREET  
FLORENCE, SOUTH CAROLINA  
MEETING CONDUCTED THROUGH ZOOM VIDEO CONFERENCING**

**MEMBERS PRESENT**

Mayor Stephen J. Wukela, Mayor Pro tem Frank J. “Buddy” Brand, Councilman George Jebaily, Councilwoman Teresa M. Ervin, Councilman Glynn F. Willis, Councilwoman Octavia Williams-Blake and Councilwoman Pat Gibson-Hye Moore.

**ALSO PRESENT**

Mr. Randall S. Osterman, City Manager; Mr. James W. Peterson, Jr., City Attorney; Mrs. Amanda P. Pope, Municipal Clerk; Mr. Scotty Davis, Deputy City Manager; 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. Michael Hemingway, Director of Utilities; Mr. Chuck Pope, Director of Public Works; and Mr. Jerry Dudley, Director of Planning.

**MEDIA PRESENT**

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 Wukela called the October 12, 2020 regular meeting of Florence City Council to order at 1:19 p.m.

**INVOCATION**

Councilwoman Teresa Myers Ervin gave the invocation for the meeting. The pledge of allegiance to the American Flag followed the invocation.

**APPROVAL OF MINUTES**

Mayor Pro tem Brand made a motion to adopt the minutes of the September 14, 2020 Regular City Council meeting, and Special City Council Meetings on September 21, 2020 and September 29, 2020, and Councilwoman Ervin seconded the motion. The minutes were unanimously adopted.

**APPEARANCES BEFORE COUNCIL**

Mr. John Brewer appeared before City Council to discuss property he owns at 1111 Cox Street and ensure he maintains access to the property. He was concerned that a closure of the street would eliminate access to his property.



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Mayor Wukela explained this property is located over near McLeod Hospital, and that sometimes McLeod will request the city to abandon a roadway when they are developing property. Mr. Brewer is expressing his concern because if Cox Street were abandoned, he would not have any access to his property. Mayor Wukela explained that the city has no intention to abandon Cox Street as it is a state street but even if it were a city street the city's development code would not allow the city to abandon a street if it isolated a property such that it could not be accessed.

Mr. Brewer was relieved to hear that this section of Cox Street will remain open.

Councilwoman Moore requested that city staff provide Mr. Brewer with something in writing to reflect that the City has no plans of abandoning Cox Street or to deny access to his property at 1111 Cox Street.

**ORDINANCES IN POSITION**

**Bill No. 2020-30 – Second Reading**

**An ordinance submission approving the construction of capital improvement projects including the repair and retrofitting of the stormwater system to minimize damage to public and private property.**

Mayor Pro tem Brand made a motion to pass Bill No. 2020-30 on second reading and Councilwoman Ervin seconded the motion.

Council voted unanimously (7-0) to pass Bill No. 2020-30.

**Bill No. 2020-31 – Second Reading**

**An ordinance to amend the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2020, and ending June 30, 2021 to reappropriate FY2019/20 funds for uncompleted projects and purchases.**

Mayor Pro tem Brand made a motion to pass Bill No. 2020-31 on first reading and Councilwoman Ervin seconded the motion.

Council voted unanimously (7-0) to pass Bill No. 2020-31.

**Bill No. 2020-32 – Second Reading**

**An ordinance to amend the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2020, and ending June 30, 2021 to appropriate funds from excess fund balance.**

Mayor Pro tem made a motion to pass Bill No. 2020-32 on second reading and Councilwoman Ervin seconded the motion.

Council voted unanimously (7-0) to pass Bill No. 2020-32.

**Bill No. 2020-33 – Second Reading**

**An ordinance to amend the Unified Development Ordinance to add conditions for brew pubs, micro-breweries, and micro-distilleries.**



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Mayor Pro tem Brand made a motion to pass Bill No. 2020-33 on second reading and Councilwoman Moore seconded the motion.

Council voted unanimously (7-0) to pass Bill No. 2020-33.

**Bill No. 2020-34 – Second Reading**

**An ordinance to annex and zone RG-3 and CG, 88 acres located along Freedom Boulevard, identified as TMN 00179-01-014.**

Councilwoman Moore made a motion to pass Bill No. 2020-34 on second reading and Councilwoman Williams-Blake seconded the motion.

Council voted unanimously (7-0) to pass Bill No. 2020-34.

**Bill No. 2020-35 – Second Reading**

**An Ordinance to amend Section 4 of the City of Florence Code of Ordinances for the addition of a Single-Family and Multi-Family Residential Rental Housing Registration.**

**APPEARANCES BEFORE COUNCIL**

**Gary Finklea**

Mr. Finklea said that he appreciates all the receptiveness of city staff and City Council for the suggestions that he and other stakeholders have had in this Ordinance. Mr. Finklea has spent a lot of time with city staff and Council members discussing issues and provisions. There are some issues where we disagree that are a subjective matter; however, he thinks his suggestions will help as it relates to procedure and creating a better Ordinance. He has one additional request to clarify the Ordinance and he just e-mailed that to everyone. He has other issues with the Ordinance, but since he knows they won't be accepted there is no reason to discuss. One last change is to verify that the Landlord can seek relief from property damage by the responsible party. Mr. Finklea does not support the concept of the Ordinance and he does have grave concern of how this will change the rental business in the future. He is concerned about the unintended consequences that this Ordinance may have. Once this is adopted, he feels the next consideration will be how to eliminate some of the unintended consequences such as the lack of affordable housing or the increase of rent. Mr. Finklea encouraged City Council to think about these potential consequences over the next year. Joey McMillan made a recommendation that the fees collected be used to provide grants possibly to some landlords to rehabilitate property and the other part of this would be for rent to be stabilized for a certain number of years so that there is not an increase to rent. Mr. Finklea wanted to caution city staff and Council that the International Property Maintenance Code (IPMC) and the Unified Development Ordinance (UDO) not only applies to rental housing but to owner-occupied housing. While he understands some of the issues from "hot spots" displayed at an earlier meeting, he thinks we will also need to look at those who own their homes. Mr. Finklea did agree that the Ordinance is as good as we can get it at this point and thanked Council for allowing the input.

Councilman Jebaily thanked Mr. Finklea for the proposed revision of the Ordinance which is identified as Section 4 - 904.4. Looking at the amended Ordinance that City Attorney Jim Peterson sent, Councilman Jebaily believes it should be 904.3. City Attorney Peterson verified



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that the proposed change that Mr. Finklea sent would be to Section 4 - 904.3. Councilman Jebaily, while not sure procedurally how to move forward, requested of Mayor Wukela that the City Attorney comment on his thoughts on the proposed changes recommended by Mr. Finklea.

Mayor Wukela thinks procedurally that it is fine for Mr. Peterson to respond to questions. As far as votes, at the conclusion of presentations by the public, we will have a motion and second to the Ordinance as it was passed at the last meeting. Then, before entertaining a vote on that motion, he believes the procedure would be by Robert's Rules of Order, that we would then take motions for amendments. Ultimately there would be a vote on the Ordinance as amended or as not amended at the conclusion of those amendments.

City Attorney Jim Peterson advised that the addition that Mr. Finklea has recommended does nothing other than clarify what we have stated as our purpose for this section. The addition that he is proposing adds to the section in the latest version a sentence, "Nothing herein precludes any party from seeking damages or indemnification from another party based on contract, statute, or common law." This is the proposed addition and Mr. Peterson explained he believes this is consistent with what we are trying to do with the section. From an attorney standpoint, Mr. Peterson has no objection to this additional language. This section is designed to make it clear that even if damage to a residential rental unit has been done by a tenant, for example, and there might be a lease or contract that states that the repair can be made by the tenant if they are responsible for the damage. In reality a lease can, as specified in the Landlord Tenant Act for SC, state that all repairs are the responsibility of a tenant under certain circumstances. If the unit is not repaired, the city will look to the owner and/or responsible representative and if it is not repaired and a notice of violation issued and the property is not in compliance, ultimately the permit for this property could be removed regardless of whose responsibility it was to pay for the repairs. Mr. Finklea's recommendation just makes it clear that ultimately the responsibility, from a permitting standpoint, doesn't change the law applicable by contract or state statute with respect to who ultimately might be paying for these repairs. The City, from a permitting standpoint, will ultimately be looking to the owner or responsible representative.

Councilman Jebaily also inquired about another significant issue that Mr. Finklea presented and was incorporated which dealt with the criminal aspect and how it is now limited to a failure to maintain the permitting. Councilman Jebaily asked that Mr. Peterson address this change.

Mayor Wukela wanted to clarify prior to leaving the previous issue that regardless if any change is made to the Ordinance that was passed last month, the law is that the property owner can always go after any responsible property.

Councilman Jebaily suggested that the amended Ordinance that we are voting on include the changes that Mr. Finklea just provided to us for section 4-904.3 and asked if procedurally what we will be voting on will include this change. Mayor Wukela said his expectation was, at the conclusion of the public comment time, we'll take motions on the Ordinance passed last time and any amendments that anyone wants to offer in any form.



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City Attorney Jim Peterson advised on Councilman Jebaily's question regarding the criminal aspect, that in the version sent out this morning in section 4-905.3, the change was designed to address concerns that this Ordinance, like others, allows the city to issue a summons and take someone to Municipal Court for a criminal violation of the Ordinance. There was concern because this Ordinance also sets up a notice of violation procedure that we are all on board on and is set out in other sections of the Ordinance. There was some concern expressed that there were two different enforcement mechanisms with one being a criminal enforcement mechanism and one being a criminal or administrative approach to enforcement. The main concern for the city which could have the potential for criminal enforcement is when someone is operating a residential rental unit without a permit where either the permit has been revoked or they never obtained the required permit. The change in Section 4-905.3 was designed to make it clear that the criminal violation under this Ordinance is only for operating a residential rental unit without a permit. The other violations of this Ordinance would be handled by going through the notice of violation process which is set forth in Section 4-906. The reason we wanted to separate it out is because from the notice of violation procedure, the ultimate enforcement mechanism is the revocation of the rental permit. If someone is operating a rental unit without the permit there is nothing to revoke. This is the reason we chose to separate out this particular violation and made it clear that it could remain a criminal violation.

Councilman Jebaily asked Mr. Finklea if he had reviewed everything in the most recent version of the Ordinance, with the inclusion of the language he provided and asked if his questions had been addressed. Mr. Finklea acknowledged that his questions had been addressed. He said there may be some substantive issues, but as far as the Ordinance goes and some of the procedural hurdles, he believes it has been cleaned up and a better Ordinance for everyone. Councilman Jebaily thanked Mr. Finklea for the time and effort he put into developing a compromise for the Ordinance that works well for everyone.

**Ms. Trudy Neibert**

Ms. Neibert shared concerns that she is the only person speaking up for tenants. She is a homeowner now, but when she was a tenant, she was very lucky to have good landlords. She is in favor of a rental registry but feels that the current Ordinance is not at all for tenants but weighted heavily toward landlords. After reviewing the Ordinance, Ms. Neibert still has lots of concerns. She received a letter in the mail about a week and a half ago which was a scare letter regarding the rental registry. The letter indicated that the rental registry would force rents to go up and would be bad for the city. She attempted investigating to determine the sender, but after much research was unable to determine the sender of the letter. She indicated the sender of this letter is definitely trying to undermine the city's efforts.

Ms. Neibert inquired about inspections. After reviewing similar Ordinances in other municipalities, she believes it is necessary to conduct initial inspections and they should be conducted by a third party. Another concern was regarding grandfathered properties and she doesn't understand how this will work. She was also concerned about Section 4-901.5 regarding groups of dwellings, using townhouses as an example, and that if one passed, they didn't all have to pass inspections. Ms. Neibert asked for an explanation of the number of inspections that will occur.





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Mayor Wukela first addressed her questions based on the Ordinance that passed last meeting but thinks his response is still true even with amendments. The way the Ordinance is drafted, inspections are not conducted every time a permit is issued, nor if a property turns over ownership. As a practical matter, the city does not have the manpower to conduct these type inspections; however, this is not to say that inspections will not be conducted. Inspections will be conducted based on complaints. If the inspection reveals a violation, then action will be taken by the city, and prior to re-permitting an inspection would occur. If we only inspected the properties that we have received complaints on in the past year, Codes Enforcement would be very busy.

Mayor Wukela addressed Ms. Neibert's inquiry about the effect of one property permit to that of others owned by the same property owner. The way the Ordinance is drafted, a property owner who owns ten properties, and a permit is lost on one of the properties, it does not affect the other properties but rather, only the one in violation. Each property must follow the law, but if one fails it does not impact the permits of the other properties.

Ms. Neibert referenced a section (4-901.5) which talked about groupings. She asked if this meant a row of townhouses would only have one permit. Mr. Clint Moore, Assistant City Manager of Development, explained that it could if the property owner chose to permit it this way. If the houses were grouped together on one permit, and one unit has a violation, then the permit would be lost for all units on that permit. Ms. Neibert explained that language in the Ordinance was not clear.

Mayor Wukela also addressed Ms. Neibert's concern regarding grandfathering. He went on to explain that nothing in the Ordinance addresses standards. For example, nothing in the Ordinance states that the landlord must provide electricity or hot water. The reason for this is that these requirements already exist in laws that are already on the books in the city. If you went and looked at City Code, or the International Property Maintenance Code (IPMC) that the city adopted, you would find regulations that address habitability issues for properties. It isn't recited in this Ordinance, because it is already included elsewhere. The purpose of this Ordinance is to allow us the ability to enforce the standards that already exist. Mayor Wukela explained the difficulties the city has locating the owner of a property. Ms. Neibert explained she is surrounded by rentals and what an issue that it is for her. Mayor Wukela explained that the registry will provide the ability to contact and serve the owner to address these issues. The concern about grandfathering provisions, the IPMC, like other building codes has provisions that if a property was compliant when it was constructed with the building code, it is grandfathered in and new building codes, which require stricter standards, don't apply to that property unless the property is renovated to a certain degree or torn down or rebuilt. Grandfather clauses as included in these codes don't deal with health and safety issues or habitability issues.

Ms. Neibert is also concerned about communication to the tenant of what is required by a landlord. She thinks most people renting in the city are not familiar with required standards, and she is concerned for those without the ability to understand these Codes. She is also concerned about the city's ability to enforce the code without adequate staff. Mayor Wukela elaborated on



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some of the financial constraints of the city, but he still believes this Ordinance will improve the current situation. Ms. Neibert said the city must be able to enforce the new rules or there is no point in having them. She said there are currently two Codes Enforcement officers. The Mayor explained we would have to hire additional staff. Ms. Neibert's biggest concern is that the tenants have been left out of the conversation.

City Manager Randy Osterman stated that the City does plan to add staff. Possibly 2-3 new hires will be added to assist with enforcement. He stated that the city will maintain an adequate staff for enforcement.

Councilman Jebaily thanked Ms. Neibert and addressed her concern about tenant issues. The driving force and motivation of this Ordinance is due to the concerns of many about rental properties and their disrepair. The fees generated will help to hire the additional people that we need as the City Manager explained.

**Mr. Gary Dauksch**

Mr. Dauksch stated he is a realtor and a rental property owner, and he is against the Ordinance. He feels it is an unnecessary interference by the city into private business. Specifically, he is against the Business License fee and thinks it is just another tax to raise money for the city. It is frustrating when you see the city spending millions of dollars downtown buying property and giving out-of-town investors incentives. Those that have been developing here for years are being taxed to death. The timing is unfortunate and politically timed and rushed during COVID while we are prevented from meeting in person. He feels it would be easier to dismiss callers on a Zoom call than a room full of people in person at the meeting. He would prefer it be postponed and that public meetings would be held. As a rental property owner, he feels he is already paying a large amount of property tax and this should be taken into consideration. As a property owner and rental property developer, he thinks the city and the county considers this a bottomless trough of money to pull funds from and now it's getting difficult to make a profit in this business. Ultimately, he feels there is no way if this Ordinance passes that rent will not go up and be passed to the tenants.

Mayor Wukela discussed the procedure moving forward. First reading on the Ordinance was held in September. The Mayor asked first if there was a motion and second on the September version. Then, if we do receive motions, then proceed to accept motions on any amendments. Then at the concluding determinations of any amendments, we'll have a reading on passage of the Ordinance as amended or not amended.

Councilwoman Moore made a motion to pass Bill No. 2020-35 on second reading and Councilwoman Ervin seconded the motion.

Mayor Wukela explained that there are amendments before Council. A draft of an amendment was shared with City Council by City Attorney Jim Peterson in response to concerns expressed by Gary Finklea at the September meeting and before the September meeting which was the first draft amendment and was distributed on the Monday following the September Council meeting, Monday, October 5, 2020.



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The Mayor made a motion that Council amend the Ordinance passed on first reading at the September meeting to the document that Council received on October 5, 2020. Councilwoman Ervin seconded the motion.

Councilman Jebaily made a motion that Council amend the Ordinance passed on first reading at the September meeting to the most recent amended version that City Attorney Jim Peterson provided to City Council today to include the language presented by Gary Finklea speaking specifically to Section 4-904.3. Councilwoman Moore seconded the motion.

Mayor Wukela requested advice from City Attorney Jim Peterson on how to proceed given that there were two motions on the floor. Mr. Peterson explained there is currently a motion to amend on the floor and a motion to amend the amendment. Once the motions are finished then you take them in reverse order.

The motion to amend the amendment (the version sent to City Council today by City Attorney Jim Peterson), to include the most recent recommendation by Gary Finklea for language changes to Section 4-904.3 made by Councilman Jebaily and seconded by Councilwoman Moore is currently before City Council for a vote. Councilwoman Moore took back her second because she understood this was a motion on the amended Ordinance sent out on Friday, October 9, 2020, not the version that was distributed today.

Councilman Jebaily and Councilwoman Moore requested that Mr. Peterson clarify the changes with the version distributed today. Mr. Peterson highlighted the proposed changes. The first recommended change is in Section 4-904, “Responsibilities of Property Owner/Responsible Local Representative”, and the words “and occupant” were removed because the responsibilities of the occupant were moved to a later section. The next change was the paragraph, 4-904.2, which dealt with occupancy violations and this has been stricken from this version and moved to a later section. The next change is the added language that Councilman Jebaily referenced that will go at the end of Section 4-904.3. This additional language that was discussed earlier, that was recommended by Mr. Finklea, will be added at the end of this paragraph. The next change is in Section 4-905.3 and this is the one that Mr. Peterson referred to earlier that makes it clear that the only criminal violation of this particular ordinance would be operating a residential rental unit as defined in this ordinance without the required rental permit. It takes all the other sections of the ordinance out of the criminal enforcement, but it specifically leaves as criminal enforcement the operation of a rental unit without the required permit. With this change the subparagraph 4 was stricken because it also referenced criminal activity. The biggest change from the standpoint of number of words is under subparagraph 8 in that same section. This is where we pick up occupancy violations. Mr. Peterson provided an example of the zoning laws applicable to where a unit is located which does not allow more than 5 unrelated people within the residence, this would be a zoning occupancy violation if someone was violating it. The new Section 8 says “both the Unified Development Ordinance and the International Property Maintenance Code address occupancy and use limitations. Occupants are directly responsible for occupant violations. Responsible representatives and owners are secondary responsible for occupancy violations. In the event of an occupancy violation, the City will follow the Notice of Violation procedure set out in Section 4-906 by serving both occupants and the owner or responsible representative. If the occupancy violation is not resolved, pursuant to the notice of violation with the occupants, the City of Florence shall then serve the owner or responsible representative with a second Notice of Violation of occupancy violation and provide the appropriate information confirming the violation in order to provide the owner/responsible representative the opportunity to resolve the matter.” That’s additional language which is setting up a procedure that if an occupancy violation occurs, we send a Notice of Violation to both the tenants and the owner/responsible representative. If it is not resolved, we then notify the owner/responsible representative that it is not



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resolved. An occupancy violation is normally a violation by tenants. This gives them the opportunity to correct it, but if it is not then the owner/responsible property has the opportunity to correct it, and only at that point do we proceed with the procedure set forth in the Ordinance for when a violation has not been corrected.

Mayor Wukela explained that the amendment Councilman Jebaily has offered differs from the amendment he has offered. It limits the criminal responsibility of the owner and it increases the service requirements under certain circumstances.

Mayor Wukela brought Councilman Jebaily's motion back to the floor and asked if there was a second to the motion. There was no second, so the motion to amend by Councilman Jebaily failed.

Councilwoman Williams-Blake requested clarification on the amendment presented by Mr. Finklea. There is a Friday version and a version presented today. She understands the amendment presented today is what Mr. Finklea presented on behalf of his organization. Mr. Peterson explained that Mr. Finklea sent some proposed changes, some of which staff agreed to and some of which staff could not agree to. He explained all of this occurred 30-40 minutes prior to today's Council meeting. As Mr. Peterson was leaving his office, he asked that the latest amendment be forwarded to City Council members, and a printed version was handed out to staff at the City Center. He did say that some of the Council members may not have this last version it being the version that includes staff's reaction to the recommendations by Mr. Finklea. Mr. Peterson offered to scan and send this last version for review now. The changes that Mr. Peterson went over are the only changes that were made to the revision that City Council received on Friday, October 9, 2020.

**BRIEF ADJOURNMENT**

Councilman Jebaily made a motion for a recess to allow Mr. Peterson the time to send this information to Council members so that everyone has the opportunity to review the proposed changes to the latest amendment to the Ordinance. Councilwoman Williams-Blake seconded the motion. Mayor Wukela stated that without objection, we would take a 10-minute recess.

The meeting was adjourned at 3:20pm.

Mayor Wukela reconvened the regular meeting at 3:59pm. Mayor Wukela apologized for the technical delay that extended the recess.

Mayor Wukela started by explaining that at the September meeting, City Council passed first reading of the rental registry Ordinance. At that time, Mr. Finklea, and several other interested individuals had provided Council with a variety of comments on the ordinance and a request for changes. Mr. Peterson and city staff worked on a proposed amendment to be recommended to Council. At that point it wasn't ready for the September meeting, but Mayor Wukela asked Council to pass the ordinance as it stood with the expectation and anticipation that their work would be completed and they could offer a draft to Council that was their recommendation for an amendment. Mr. Peterson and City staff, on Monday, October 5, 2020, provided a copy of a draft of a proposed amendment. That is the draft Mayor Wukela moved that this Council adopt as the amendment and it's been seconded. Since that time, Mr. Finklea has continued to make recommendations including sending more today. Mr. Peterson, at the request of Council, included these recommendations and forwarded to Council. Mayor Wukela explained that any member of Council can offer any recommendations for an amendment that they will. The amendment that Mayor Wukela offered that is before Council now which has been seconded, is that amendment that was the product of city staff and Mr. Peterson that was sent out on October 5, 2020. Mayor Wukela does



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not support any amendments after that date because he feels it adds more confusion to the Ordinance than quality. The October 5, 2020 amendment is what is before this Council and it has been seconded.

Councilman Jebaily asked Mr. Peterson about additional improvements that he worked with staff on that were included in the amendment that was sent out on October 9, 2020. Mr. Peterson explained that the amendment that went out on October 5, 2020 was in response to the first comments made by Mr. Finklea. After it was sent out on October 5<sup>th</sup>, additional comments were received from Mr. Finklea. The October 9<sup>th</sup> version attempted to consider the additional comments provided by Mr. Finklea. This morning, additional comments were received from Mr. Finklea regarding the October 9<sup>th</sup> version of the amendment. The one that City Council has now (the most recent version) was in reaction to the most recent received comments. Councilman Jebaily clarified that some of the recommendations that city staff and Mr. Peterson did not think were appropriate were not included in any of the revisions, and that the most recent version incorporates modifications that city staff and Mr. Peterson feel are appropriate and keep things as intended and designed to streamline and clarify the process. Mr. Peterson acknowledged that there were requests that he and city staff felt could not be incorporated into the document and remain purposeful to what we were trying to accomplish with the document. The changes that were made by City Attorney and city staff were changes they thought could be made and meet Council's wishes and remain honest and purposeful to the goals of the Ordinance. Mr. Peterson explained the most recent version which included changes to the October 9<sup>th</sup> version that we felt comfortable in incorporating and tracks/markings are included in the document to show any changes. Councilman Jebaily explained that we have been moving very quickly with this Ordinance for something that is so comprehensive and during COVID, and he said he appreciated the input of Council, staff, and citizens during this process. He thinks that normally we would have more time to address concerns and thinks this is one of the concerns that has been raised, but he thinks there has been a great effort by Mr. Peterson and city staff to improve the Ordinance. Councilman Jebaily asked if there was anything in the most recent version of the Ordinance that Mr. Peterson or city staff are objecting to or that is inappropriate.

Mayor Wukela interjected that this points to the issue and be careful to not put administration and staff in the position where we are asking policy views or their vote on a policy for City Council. There are policy choices and drafting choices. The amendment the Mayor supports reflects his policy choices. Those who have different policy views, this is what it is about, to present those policy views. It is inappropriate to put city staff in a position where because they draft something, you are asking their policy view. This is not fair to staff, because they cannot be even-handed to Council if they are asked to choose or express policy views. Councilman Jebaily said this was not what he was asking, he is asking if there is anything in the most recent version that anyone objects to. He said because we have not had the opportunity to dialogue this issue at length, and in a rushed environment and in COVID, he just wants to ensure there is nothing in the versions that is objectionable. Mayor Wukela explained the most recent version includes limited criminal liability for landowners and the Mayor objects to this and he is a policy maker, and this is why he does not support it, but is not certain how the rest of Council feels about it. Councilman Jebaily understands that but still wanted the opinion of staff and Mr. Peterson.

Mr. Peterson explained his position as city attorney is to look at a document and try to draft it to accomplish the goals of Council based on provided instructions. He explained that he and staff tried to take the comments and incorporate them; firstly to ensure there were no legal objections and secondly, based on our understanding the big picture of what Council was trying to accomplish with the Ordinance, which is why we clarified the changes that were made. The changes of criminal liability to non-criminal liability are issues that are policy decisions which city staff and he do not make. Mr. Peterson and staff did not want to ignore comments as they worked through them. He explained our effort was to determine if we could lawfully do this and we tried to make changes that would accomplish the goal so that City Council could ultimately make the decisions. Councilman Jebaily clarified that the change Mr. Peterson



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was referring to regarding criminal liability was in the most recent change and not in the October 9<sup>th</sup> version of the ordinance. Councilman Jebaily also stated that the October 9<sup>th</sup> did not include the occupancy piece. Councilman Jebaily asked that Mr. Peterson address the occupancy piece and the rationale of pulling it out and using different language. Mr. Peterson explained our understanding is the objection of Mr. Finklea and others is that we had occupancy violations included in the list of violations with all the others, which meant if there was an occupancy violation we would do a Notice of Violation, and the owner/responsible representative would have an opportunity to correct the issue and if not corrected then it could move through the administrative process and could potentially result in the revocation of the permit. The change that was recommended as we understood that occupancy violations from Mr. Finklea's viewpoint are typically things that are done by the tenant. Mr. Finklea suggested, and we incorporated one additional step that was an initial Notice of Violation that goes to the occupants and the owner/responsible representative. Under this notice, the tenants are made aware and have an opportunity to correct the problem, and if not corrected, the additional step is that an additional Notice of Violation will go to the owner/responsible representative, which basically notifies them that it has not been corrected and they must take action. Councilman Jebaily again clarified that these two changes are what are different from the October 9<sup>th</sup> version and the version of the amended ordinance received today. Mr. Peterson agreed, and explained there were additional small changes throughout the ordinance that carried these two out, but they were all related to these two changes.

Councilwoman Williams-Blake asked Mr. Peterson for clarification that there are no major substantive changes between the October 5<sup>th</sup> and the October 9<sup>th</sup> versions. Mr. Peterson explained that there were other changes between the 5<sup>th</sup> and the 9<sup>th</sup>, and these changes were made in response to the second set of comments that were received from Mr. Finklea. The changes Mr. Peterson just discussed with Councilman Jebaily were those that occurred between October 9<sup>th</sup> and today. Councilwoman Williams-Blake requested an understanding of the changes that occurred between October 5<sup>th</sup> and October 9<sup>th</sup>. Mr. Peterson explained that the October 9<sup>th</sup> version that was sent to City Council tracks all the changes that were made. Mr. Peterson agreed that most of the changes were not substantive but more clarifications. Mr. Peterson gave an example from 4-901.6 where we changed the structure, but it didn't change the number of days, but it broke them up into a 90-day period and a 30-day period. Councilwoman Williams-Blake wanted to make certain that we have listed to comments from the public and tried to incorporate their concerns in the revisions. Mr. Peterson explained that the original comments provided by Mr. Finklea were considered to draft the October 5<sup>th</sup> version, and then there were additional comments which were included in the October 9<sup>th</sup> version.

Councilwoman Moore asked, unless it was a city-owned property, if we have a contract with tenants or only landlords. Mr. Peterson acknowledged that this was correct. Councilwoman Moore does not think if there is not a contract with the tenant, then the Notice of Violation should not be issued to the tenant but to the landlord and they issue to the tenant since we have no rights to the property. Mr. Peterson said that this could be a policy decision made by Council. For example, if there was criminal activity in the unit, the city would have the authority to put both the tenant and the owner on notice. We could also take the approach to put the owner on notice and leave it up to them to communicate with the tenant.

Councilwoman Williams-Blake knows that the Ordinance cannot touch every step that staff can take but we are trying to provide the broad policy for the rental registry program, and whether they send a letter to the tenant or the owner can be included in the process that the city implements. Councilwoman Moore wants to ensure that we not only protect the landlord, but also the tenant. Councilwoman Williams-Blake supports this but thinks it can be sent to both or just the owner and that this is not a debate for the actual ordinance. Councilwoman Moore likes the wording from the October 5<sup>th</sup> version better because it leaves the responsibility on the owner except for a criminal violation.



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Councilman Jebaily made a motion to amend the amended motion made by Mayor Wukela to approve the October 9, 2020 version of the amended ordinance and it was seconded by Councilman Willis as a matter of discussion.

Mayor Wukela, for the record, stated that he opposed the October 9<sup>th</sup> version for the reasons that Councilwoman Moore has already mentioned, and the comments raised by Councilwoman Williams-Blake. He thinks that the October 5<sup>th</sup> version represents our effort to incorporate the concerns of Mr. Finklea and he thinks adding the other elements in the October 9<sup>th</sup> version are unnecessary and confusing.

Councilman Jebaily explained that Mr. Peterson verified that the October 9<sup>th</sup> version did not include any substantive changes but only clarifications such as in Section 901.3 where compliance in applicable codes are grandfathered in due to their age or reason so if someone has a property that is 30 years old, it obviously doesn't meet current codes, it simply clarifies that meeting code means code applied at the time and the property was grandfathered in. Councilman Jebaily asked that Mr. Peterson once again address City Council regarding the clarifications that were made. Mr. Peterson reviewed some changes and explained the substance was not changed but we moved some of the items or adjusted language to clarify and answer in writing questions that were being posed and make them clearer than what we were already stating. One thing that was added was in the Notice of Violation process that is found in Section 4-904.6 where we added a new section "i.e." that said the notice will include a right to request an informal conference with the Building Official or city designee to discuss the Notice of Violation for purposes of resolving the conditions giving rise to the notice. While we always anticipated that this would occur, that a landlord would contact the city and request a meeting, this formalized it because the question was being asked. The next change in 4-904.8 as a result of this meeting, we extended the period for someone to appeal by 10 days with the understanding that the informal meeting may take some time. Of course, the request for the informal meeting had to occur prior to the deadline. These are the type changes that were made and there were clarification changes. In summary, Councilman Jebaily reiterated that the changes that occurred were clarifications and not substantive. Mr. Peterson explained that the only substantive change was the point about the addition of the informal process in the Notice of Violation process and if you asked for this informal meeting the addition of 10 days to the deadline. This step did not exist before.

Mayor Wukela reminded Council there was a motion and a second for Councilman Jebaily's amendment to the October 9, 2020 version. Ultimately, Mayor Wukela explained that his objection to it is he offered an October 5<sup>th</sup> version that included recommendations from the landlords and Mr. Finklea and requests have continued for the October 9<sup>th</sup> version and today and Mayor Wukela expects the requests will continue. Mayor Wukela thinks the October 5<sup>th</sup> version is well-reasoned and a fair compromise.

There has been a motion and a second on Councilman Jebaily's motion, Mayor Wukela called for a vote. In favor of the version were: Jebaily Opposed: Wukela, Moore, Ervin, Williams-Blake. Councilman Jebaily's motion failed.

The October 5<sup>th</sup> amendment to the Ordinance remains which Mayor Wukela offered. The Mayor called for a vote.

Councilman Willis requested to make an amendment. He understands his opinion is in the minority, but from conversations today, he thinks there is more work to be done on this Ordinance. He thinks this is a critical matter for this city. He would like to amend the motion to suspend action at this time until the local economy stabilizes for both residences and business owners which will allow more discussion time to occur. We are currently debating between the first and the last revision and he does not understand why we are rushing this through. He believes we are forgetting about those who rent properties and they will be affected, and he believes this is our responsibility if people cannot pay their rent and are evicted.



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He cannot stay silent and asked that Council think about those who will be impacted, and this troubles him.

Councilman Willis' suggestion was to table the motion. Mayor Pro tem Brand seconded the motion for discussion.

Councilwoman Moore said if we continue to table motions and don't make a decision, tenants in the City of Florence will continue to live in squalor. Those that are currently living in houses that are uninhabitable will continue to live in these conditions. We've been tabling this for years; it even came up when Robinson and Williams were on Council. What happens to the tenants who need our help? Landlords are using this ordinance as an opportunity to raise rent and take advantage of people. Greed is what is raising the rents. Some have raised rents already and we haven't even passed an ordinance.

Councilman Willis requested to amend his motion to defer a decision on the Ordinance. He suggests that we take the time so that we don't impact those who could be hurt by this decision. If not us, allow a future Council to study this ordinance and take time to make a decision that is best for everyone.

Councilwoman Williams-Blake explained that she and Councilman Willis live in the same neighborhood and have had discussion regarding rentals before to include short-term rentals and how people should be held accountable. She asked Councilman Willis when his opinion changed regarding this matter. Councilman Willis explained his opinion had not changed but he feels it is being pushed through before the Council body changes. While he would like to see changes, he has been on Council 8 years and has never seen legislation pushed through this fast. He is not totally opposed to it, but he is opposed to the way we as a Council is doing business right now. He doesn't think we are considering all aspects of our decision. He has not changed his opinion about short-term rentals and how it impacts the neighborhood, but he is concerned about the constituents he represents. He is certainly not trying to protect landlords; he thinks we can do both.

Councilman Brand thanked Mr. Peterson and city staff for their hard work and time on preparing the Ordinance. He explained he has heard this for years and we have never come to a resolution on it. He thinks this is as close as we have come to a final document and thinks it is an outstanding effort, but thinks we need more community involvement. He went on to explain he is not a fan of Zoom and thinks face-to-face is always better. He just thinks it is a great work in progress that needs a little more time.

Mayor Wukela stated that this is the end of his 12 years on City Council. He does want to acknowledge his friends on Council. He and Councilman Brand commented at the last meeting about how long it had been since they have disagreed on an issue. He thinks this is a testament of the collegiate nature of this group with the friendships and trusts that exist. This is frankly more important than anything we will do today or have done in the past. Hopefully, this will be the legacy of this Council, that we haven't shied away from difficult issues even when there have been situations when we have disagreed. Together we have done what we thought was best for this city and together, he thinks, we have improved this city. Mayor Wukela recalled a time early in his time as Mayor that a young lady came before Council to talk about problems with landlords and slumlords in North West Florence and Councilwoman Ervin who has been on Council for more than 10 years was here too. It has taken a long time to address this issue and it is an issue that has plagued our community for a very long time. He agrees that Zoom is not an enjoyable way to conduct business, but he also is persuaded by what Councilwoman Moore discussed. When you are living in a house without flooring and ceiling that functions and when you are heating with an oven, which is a violation of the current ordinance but there is nothing the city can do because the owner lives out of town and we have no way to serve them. This is just not good enough and believes we must take action. Respectfully, Mayor Wukela explained he must oppose his friend, Councilman Willis' motion to defer with friendship and respect.





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Mayor Wukela reminded everyone that there is a motion pending to defer made by Councilman Willis and seconded by Councilman Brand.

The motion fails (5-2) with Willis and Brand in favor and Wukela, Jebaily, Ervin, Moore, and Williams-Blake opposed.

The motion remaining is the October 5, 2020 version which amends the Ordinance which was passed on first reading in September.

The Mayor explained Council must still take action on the principle Ordinance now having been amended.

A vote was taken, but was not clear; therefore, Mr. Peterson asked that Mayor Wukela do a recount of votes with a show of hands as he heard a “nay” come in at the end that he wasn’t sure about. When City Council was polled, and explained that this was the passing of the October 5<sup>th</sup> version of the Ordinance, the vote, by show of hands, was as follows:

After a showing of hands, those in favor of passing the Ordinance on second reading are: Wukela, Jebaily, Williams-Blake, Ervin, and Moore and opposed are Willis and Brand.

Mayor Wukela thanked everyone for their hard work on this effort.

**INTRODUCTION OF ORDINANCES**

**Bill No. 2020-36 – First Reading**

An ordinance to annex property owned by The Grove at Ebenezer, LLC, located as an extension of Sunflower Bluff Drive and being a portion of TMN 00075-01-221.

Mayor Pro tem Brand made a motion to pass Bill No. 2020-36 on first reading and Councilman Willis seconded the motion.

Council voted unanimously (7-0) to pass Bill No. 2020-36 on first reading.

**REPORTS TO COUNCIL**

**Appropriation of Accommodations Tax funds for FY 2020-21**

(Item handled earlier during meeting but listed on agenda in “Reports to Council”)

Chad Patterson, Chair, presented on behalf of the Accommodations Tax Committee and provided the recommendation of the Committee for distribution of Accommodations Tax funds for FY 2020-21. He explained that members of this Committee are appointed by City Council and takes this responsibility very seriously. The Committee is tasked with the responsibility of recommending the expenditure of the 65% of the Accommodations Tax funds that are received by the state. These funds are estimated to be \$587,100 this year and are available to be distributed for tourism promotion. Based on state laws and city guidelines, the Committee reviewed proposals from 23 organizations and their events based on their past, present, and future ability to bring tourists to our community and increase the overall quality of life for the citizens of Florence. The Committee was able to fund approximately 77% of the \$764,600 in requests and the Committee is confident that the allocations recommended are fiscally responsible investments back into our community.



**FLORENCE CITY COUNCIL  
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Mayor Wukela commented that this year the Accommodations tax funding was substantially lower than in past years. It is his impression that this is a result of a decrease in Accommodations Tax revenues due to the pandemic. The recommendation mirrors the distribution from previous years but is significantly lower than in the past.

Mayor Pro tem Brand made a motion to approve the recommendation of the Accommodations Tax Committee and Councilwoman Ervin seconded the motion.

Council voted unanimously (7-0) to adopt the recommendation of the Committee.

**Appointments to Boards and Commissions**

Mayor Wukela explained that of the appointments that remain, Mayor Pro tem Brand has an appointment to the Civic Center Commission.

Mayor Pro tem Brand would like to appoint Allen Griffin, a good banker with First Citizens Bank. He is a commercial loan officer. He has over 30 years banking experience and a graduate of Davidson College. Councilman Willis seconded.

Council voted unanimously (7-0) to appointment Allen Griffin to the Civic Center Commission.

Mayor Wukela had the next appointment which is an appointment to the Design Review Board. Mayor Wukela would like to appointment Mr. Mike Padgett whose information was included in the Council packet. He is an engineer with Padgett Engineering & Construction. The motion was seconded by Councilwoman Ervin and Mayor Pro tem Brand.

Council voted unanimously (7-0) to appointment Mr. Mike Padgett to the Design Review Board.

Mayor Wukela explained there are two other appointments that remain which we do not have applicants to fill these vacancies. Mayor Wukela and Councilwoman Ervin both have appointments one to the Design Review Board and the position requires a Landscape Architect and the other is an appointment to the Construction and Maintenance Board of Appeals and the position is an at-large position.

Mayor Wukela encouraged those at home to apply as we do need qualified applicants for these boards.

Councilman Jebaily stated that he is very pleased that we passed the Rental Registry Ordinance and feels it is very important. He does feel that there are clarifications that could have improved the document, but these are relatively minor. The substance, which addresses critical needs in our community has been a long time coming and he believes that Council should be proud as it moves our community forward.

**ADJOURN**

Without objection, the Regular meeting of City Council was adjourned at 5:03 p.m.

Dated this 12<sup>th</sup> day of October 2020.

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Amanda P. Pope, Municipal Clerk

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Stephen J. Wukela, Mayor

FLORENCE CITY COUNCIL MEETING

**DATE:** October 12, 2020

**AGENDA ITEM:** An Ordinance to Annex property owned by The Grove at Ebenezer, LLC, located as an extension of Sunflower Bluff Drive and being a portion of TMN 00075-01-221.

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

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**I. ISSUE UNDER CONSIDERATION:**

Request to annex a 17 acre portion of Tax Map Number 00075-01-221 into the City of Florence and zone to Planned Development District (PDD). The request is being made by the property owner, The Grove at Ebenezer, LLC.

**II. CURRENT STATUS/PREVIOUS ACTION TAKEN:**

- (1) On May 9, 2016, City Council adopted Ordinance 2016-17 entering into a development agreement (signed by all parties August 23, 2016) with the developer of "The Grove at Ebenezer" and established the zoning of the property as PDD, pending annexation. The development agreement requires annexation of property prior to development activity.
- (2) Public hearings were held on April 12, 2016 and May 9, 2016 regarding the zoning and development agreement.

**III. POINTS TO CONSIDER:**


- (1) This request is being considered for first reading.
- (2) The lot is currently vacant.
- (3) City water and sewer services are currently available and will be extended by the developer from the adjacent parcels per the approved development agreement dated August 23, 2016.
- (4) Subdivision of the property into fifty single family residential lots is currently proposed; the developer is required to meet land and subdivision regulations of the PDD to include but not limited to: sketch plan review, development plan review, and installation of necessary infrastructure to facilitate the subdivision of the property.
- (5) City staff recommends annexation and zoning of the property to Planned Development District (PDD).

**IV. PERSONAL NOTES:**

**V. ATTACHMENTS:**

- A. Ordinance
- B. Location Map of Proposed Annexation
- C. Plat of Parcel
- D. Petition for Annexation

  
Jerry B. Dudley  
Planning Director

  
Randall S. Osterman  
City Manager

ORDINANCE NO. 2020-\_\_\_\_\_

**AN ORDINANCE TO ANNEX PROPERTY OWNED BY THE GROVE AT EBENEZER LLC, SPECIFICALLY A 17 ACRE PORTION OF TAX MAP NUMBER 00075-01-221**

**WHEREAS,** a Public Hearing was held in the Council Chambers on April 12, 2016 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

**WHEREAS,** the second of two Public Hearings was held in the Council Chambers on May 9, 2016 at 1:00 P.M. before the City of Florence City Council and notice of said hearing was duly given;

**WHEREAS,** application by The Grove at Ebenezer, LLC, owner of TMN 00075-01-221, 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 adding the zoning district classification of PDD Planned Development District:

**The property requesting annexation is shown more specifically as a portion of Florence County Tax Map 00075, block 01, parcel 221 (17 acres).**

Any portions of public rights-of-way abutting the above described property will be included in the annexation.

**WHEREAS,** Florence City Council concurs in the aforesaid application, findings and recommendations:

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

- 1. That an Ordinance is hereby adopted annexing into the City Limits of the City of Florence the aforesaid property and amending the Zoning Atlas to the aforesaid zoning classifications.**
- 2. That this Ordinance shall become effective 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 \_\_\_\_\_, 2020**

**Approved as to form:**

\_\_\_\_\_  
**James W. Peterson, Jr.**  
**City Attorney**

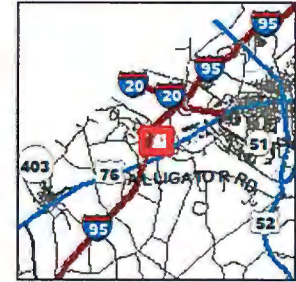
\_\_\_\_\_  
**Stephen J. Wukela,**  
**Mayor**

**Attest:**

\_\_\_\_\_  
**Amanda P. Pope**  
**Municipal Clerk**

## City Council Annexation Location Map

### The Grove at Ebenezer - TMN 00075-01-221 (portion)



- Legend**
- City Limits
  - Parcels
  - The Grove Phase III Annexation



**DISCLAIMER:**  
 The City of Florence Department of Planning, Research, and Development data represented on this map is the product of completion, 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 frecholder 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: Portion of TMN 00075-01-221
3. Annexation is being sought for the following purposes:  
Development Agreement - The Grove PAD
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 N/A  
 Race \_\_\_\_\_  
 Total 18 and Over \_\_\_\_\_  
 Total Registered to Vote \_\_\_\_\_

Date: 9-18-2020 Petitioner Signature: Phillip Lowe

Date: \_\_\_\_\_ Petitioner Signature: \_\_\_\_\_

APPLICANT(S) (Please print or type): Name(s): Phillip Lowe

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ [cell] \_\_\_\_\_ [home]

Email Address: lawestherapy@cs.com

Certification as to ownership on the date of petition:	FOR OFFICIAL USE ONLY
Date: <u>9-22-2020</u>	<u>AZ</u>



FLORENCE CITY COUNCIL MEETING

**DATE:** November 9, 2020

**AGENDA ITEM:** An Ordinance to grant Florence County a permanent right-of-way easement specifically at tax parcel 90100-13-010 for the construction of a sidewalk.

**DEPARTMENT/DIVISION:** City Manager

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**I. ISSUE UNDER CONSIDERATION:**

After due consideration, the City has concluded that the land designated as the portion of Florence County tax parcel 90100-13-010 that extends parallel with the existing right-of-way 50 feet in length and 5 feet in width from the property line of tax parcel 90100-13-010 shall be hereby assigned a permanent easement to Florence County and;

**II. CURRENT STATUS/PREVIOUS ACTION TAKEN:**

None

**III. POINTS TO CONSIDER:**

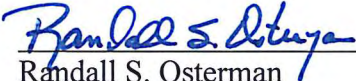
- (1) Florence County has requested the permanent easement for the construction of a sidewalk on North Dargan Street.
- (2) The portion of tax map 90100-13-010 to be conveyed is 250 square feet or .006 acres.
- (3) This easement is subject to a right of reversion to the City of Florence if the North Dargan Street Sidewalk project is not completed by Florence County.

**IV. PERSONAL NOTES:**

**V. ATTACHMENTS:**

- (1) Ordinance
- (2) Location Map

  
\_\_\_\_\_  
Scotty Davis  
Deputy City Manager

  
\_\_\_\_\_  
Randall S. Osterman  
City Manager

**ORDINANCE NO. 2020-\_\_\_\_\_**

**AN ORDINANCE TO GRANT FLORENCE COUNTY A PERMANENT RIGHT-OF-WAY EASEMENT SPECIFICALLY AT TAX PARCEL 90100-13-010 FOR THE CONSTRUCTION OF A SIDEWALK.**

**WHEREAS**, after due consideration, the City has concluded that the land designated as the portion of Florence County tax parcel 90100-13-010 that extends parallel with the existing right-of-way 50 feet in length and 5 feet in width from the property line of tax parcel 90100-13-010 shall be hereby assigned a permanent easement to Florence County and;

**WHEREAS**, said portion of Florence County tax parcel 90100-13-010 will be used by Florence County for the construction, improvement, operation, and maintenance of a public road known as S-354 (North Dargan Street) and;

**WHEREAS**, this easement is subject to a right of reversion to the City of Florence if the North Dargan Street Sidewalk project is not completed by Florence County.

**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 in order to convey a permanent easement to the property described above to Florence County.

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 **November**, 2020.

\_\_\_\_\_  
STEPHEN J. WUKELA  
Mayor

Approved as to form:

Attest:

\_\_\_\_\_  
JAMES W. PETERSON, JR.  
City Attorney

\_\_\_\_\_  
AMANDA POPE  
Municipal Clerk

Florence County Easement



**Legend**

- Parcels
- City Owned Property
- Address Points
- Roads
- Requested Easement

Scale 1:380



FLORENCE CITY COUNCIL MEETING

**DATE:** November 9, 2020

**AGENDA ITEM:** Ordinance To Annex And Zone Properties Owned By the City of Florence, S & W Manufacturing, Inc., and ASOP, LLC; TMNs 00123-01-152, 00123-01-R/W, and Portions of TMNs 00123-01-005 and 00123-01-006.

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

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**I. ISSUE UNDER CONSIDERATION:**

Request to annex property located on Jody Road, Tax Map Numbers 00123-01-152 and 00123-01-R/W, 00123-001-006 (portion); and on West Darlington Street, Tax Map Number 00123-01-005 (portion) into the City of Florence and zone to AC, Activity Center District. The request is being made by the property owners.

**II. CURRENT STATUS/PREVIOUS ACTION TAKEN:**

On October 13, 2020, Planning Commission held a public hearing on this matter, and voted unanimously, 7-0, to recommend the zoning request of AC, Activity Center District.

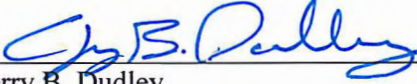
**III. POINTS TO CONSIDER:**

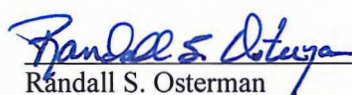
- (1) Request is being considered for first reading.
- (2) The site is being developed as a City of Florence fire station. The portions of the lots are to provide contiguity to existing City limits.
- (3) City water and sewer services are currently available; there is no cost to extend utility services.
- (4) A Public Hearing for zoning was held at the October 13, 2020 Planning Commission meeting.
- (5) City staff recommends annexation and concurs with Planning Commission's recommendation to zone the property AC, Activity Center District.

**IV. PERSONAL NOTES:**

**V. ATTACHMENTS:**

- (1) Ordinance
- (2) Location Map
- (3) Summary Plat
- (4) Annexation Petition

  
Jerry B. Dudley  
Planning Director

  
Randall S. Osterman  
City Manager

ORDINANCE NO. 2020 \_\_\_\_\_

**AN ORDINANCE TO ANNEX AND ZONE PROPERTIES OWNED BY THE CITY OF FLORENCE, S & W MANUFACTURING, INC., AND ASOP, LLC; TMNs 00123-01-152, 00123-01-R/W, AND PORTIONS OF TMNs 00123-01-005 AND 00123-01-006.**

**WHEREAS,** a Public Hearing was held in the Council Chambers on October 13, 2020 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 the City of Florence, owner of TMNs 000123-01-152 and 00123-01-R/W; ASOP, LLC, owner of TMN 00123-01-005; and S & W Manufacturing, Inc., owner of TMN 00123-01-006; was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid properties 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 given the zoning district classification of AC, Activity Center:

**The properties requesting annexation are shown more specifically on Florence County Tax Map 00123, block 01, parcel 152 (1.0 acre); parcel R/W (0.86 acre); parcel 005 (0.332 acre); and parcel 006 (0.013 acre).**

**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.**

EXECUTED ON ONE (1) ADDITIONAL PAGE

Ordinance No. 2020 - \_\_\_\_\_  
Page 2

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020

Approved as to form:

\_\_\_\_\_  
**James W. Peterson, Jr.**  
City Attorney

\_\_\_\_\_  
**Stephen J. Wukela,**  
Mayor

**Attest:**



\_\_\_\_\_  
**Amanda P. Pope**  
Municipal Clerk

# Location Map - Jody Road Annexation

**TMNs 00123-01-152 & 00123-01-R/W; 00123-01-005 & 00123-01-006 (portions)**



### Legend

-  City Limits
-  Parcels

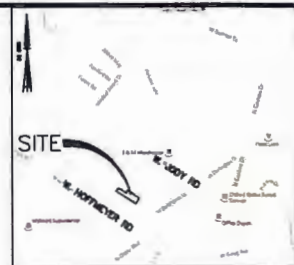
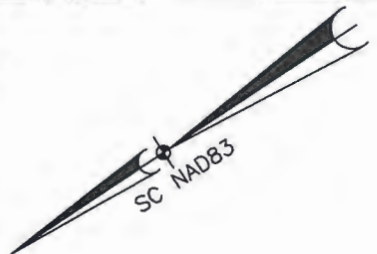


**DISCLAIMER:**  
 The City of Florence Department of Planning, Research, and Development data represented on this map is the product of compilation, as produced by others. It is provided for informational purposes only and the City of Florence makes no representation as to its accuracy. Its use without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

500 250 0 500 Feet

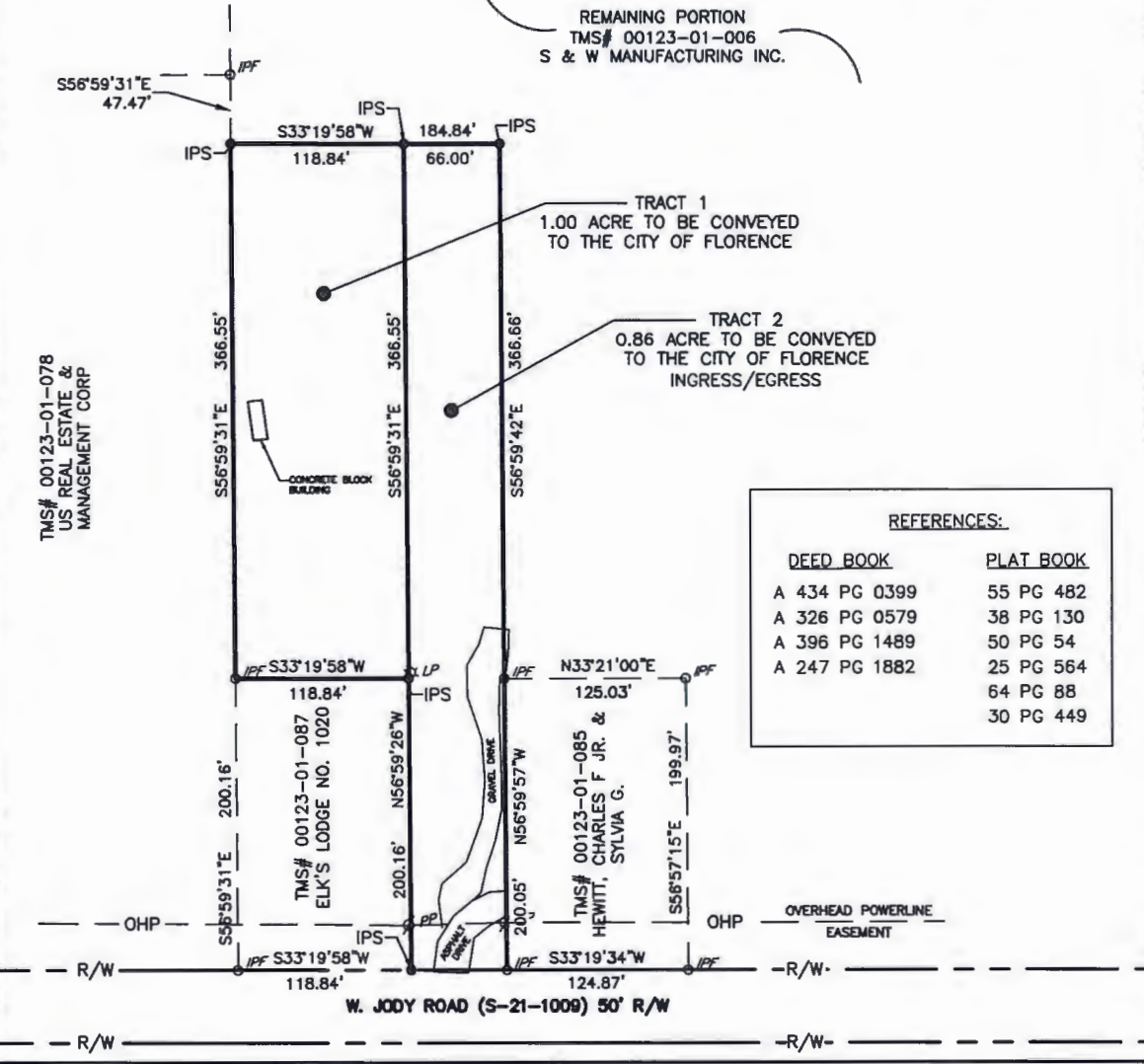


Date 9/15/2020



VICINITY MAP  
NOT TO SCALE

D:\60624393 - JODY ROAD FIRE STATION (FLORENCE)\600 - WORKS\910 - DRAWINGS\60624393 - JODY ROAD FIRE STATION 02-13-2020.DWG 2/14/2020 2:00:51 PM



REMAINING PORTION  
TMS# 00123-01-006  
S & W MANUFACTURING INC.

TRACT 1  
1.00 ACRE TO BE CONVEYED  
TO THE CITY OF FLORENCE

TRACT 2  
0.86 ACRE TO BE CONVEYED  
TO THE CITY OF FLORENCE  
INGRESS/EGRESS

REFERENCES:	
DEED BOOK	PLAT BOOK
A 434 PG 0399	55 PG 482
A 326 PG 0579	38 PG 130
A 396 PG 1489	50 PG 54
A 247 PG 1882	25 PG 564
	64 PG 88
	30 PG 449

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN 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 A SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.  
THIS PROPERTY DOES NOT LIE WITHIN A DESIGNATED FLOOD HAZARD BOUNDARY AREA AS SHOWN ON MAP NUMBER 45041C0133E PANEL 133 OF 565 DATED DECEMBER 16, 2014.

**LEGEND**

- IPS IRON PIN SET #4 REBAR
- IPF IRON PIN FOUND
- R/W --- RIGHT-OF-WAY
- — — PROPERTY LINE
- - - - - EXISTING PROPERTY LINE
- - - - - OHP - - - OVERHEAD POWER LINE

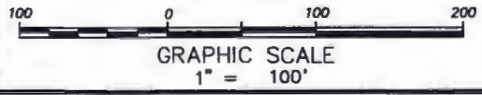
**PROPERTY SURVEY**  
SURVEYED FOR THE  
**CITY OF FLORENCE, S.C.**  
FLORENCE COUNTY SOUTH CAROLINA



425 South Cashua  
Florence, South Carolina 29501  
Telephone (843) 665-9166 ; Fax (843) 665-9167  
www.AECOM.com



AECOM  
KYLE McLAMB, S.C.P.S. NO. 16,818  
425 SOUTH CASHUA DRIVE, SUITE A  
FLORENCE, S.C. 29501  
TELEPHONE: (843) 665-9166



DATE: FEBRUARY 14, 2020      SCALE: 1" = 100'



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 Numbers: 00123-01-152 and 00123-01-R/W

- 3. Annexation is being sought for the following purposes: for the construction of a fire station for the City of Florence on City owned property and to provide right of way access to it.

- 4. That the petitioner(s) request that the City Council of Florence annex the above described property in accordance with subsection 31 of 5-3-150(3) of the Code of Laws of South Carolina for 1976, such section allowing the annexation of an area without the necessity of an election and referendum.

To the Petitioner: The following information needs to be completed for submittal to the City of Florence and other government agencies for records prior to and after annexation.

Total Residents	<u>0</u>	Race	<u>n/a</u>
Total 18 and Over	<u>0</u>	Total Registered to Vote	<u>n/a</u>

APPLICANT (S) (Please print or type):

Name(s): City of Florence

Address: 324 West Evans Street, Florence, SC 29501

Telephone Numbers: 843-665-2047 [work] \_\_\_\_\_ [home]

Email Address: rosterman@cityofflorence.com

- Signature *Randall S. Rosterman* Date 8.21.20

Certification as to ownership on the date of petition:	FOR OFFICAL USE ONLY
Date <u><i>8/21</i></u>	<u>8-20-2020</u>

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: portions of TMNs 00123-01-005 and 00123-01-006, namely a 10 foot wide strip along the property line

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

To provide contiguity to municipal limits of TMNs 00123-01-152 and 00123-01-R/W, for the purpose of constructing a fire station on City owned property

- 4. That the petitioner(s) request that the City Council of Florence annex the above described property in accordance with subsection 31 of 5-3-150(3) of the Code of Laws of South Carolina for 1976, such section allowing the annexation of an area without the necessity of an election and referendum.

To the Petitioner: The following information needs to be completed for submittal to the City of Florence and other government agencies for records prior to and after annexation.

Total Residents	<u>0</u>
Race	<u>0</u>
Total 18 and Over	<u>0</u>
Total Registered to Vote	<u>0</u>

Date: 09/29/2020 Petitioner Signature: Richard C. Harrington Jr.

APPLICANT(S) (Please print or type): Name(s): SFW Manufacturing, Inc by Richard C. Harrington Jr.

Address: 2295 Hoffmeyer Rd

Telephone Number: 843-662-5498 <sup>Home</sup> 843-260-6846 <sup>Cell</sup> [home]

Email Address: RichardCJrHarrington@gmail.com

Certification as to ownership on the date of petition:	FOR OFFICIAL USE ONLY
--	-----------------------

**FLORENCE CITY COUNCIL MEETING**

**DATE:** November 9, 2020

**AGENDA ITEM:** Ordinance To Annex and Zone 3553 Texas Road, TMN 00741-01-007; and 695 Florida Drive, TMN 00741-01-008.

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

---

**I. ISSUE UNDER CONSIDERATION:**

Request to annex property located at 3553 Texas Road, Tax Map Number 00741-01-007; and 695 Florida Drive, Tax Map Number 00741-01-008 into the City of Florence and zone to NC-6.1, Neighborhood Conservation 6.1. The request is being made by the property owners.

**II. CURRENT STATUS/PREVIOUS ACTION TAKEN:**

On October 13, 2020, Planning Commission held a public hearing on this matter, and voted unanimously, 7-0, to recommend the zoning request of NC-6.1, Neighborhood Conservation 6.1.

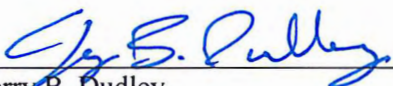
**III. POINTS TO CONSIDER:**

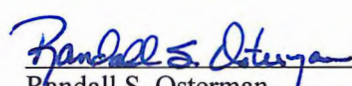
- (1) Request is being considered for first reading.
- (2) 3553 Texas Road is immediately adjacent to existing City limits. It provides contiguity to 695 Florida Drive.
- (3) City water and sewer services are currently available; there is no cost to extend utility services.
- (4) A Public Hearing for zoning was held at the October 13, 2020 Planning Commission meeting.
- (5) City staff recommends annexation and concurs with Planning Commission's recommendation to zone the properties NC-6.1 Neighborhood Conservation 6.1.

**IV. PERSONAL NOTES:**

**V. ATTACHMENTS:**

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

  
\_\_\_\_\_  
Jerry B. Dudley  
Planning Director

  
\_\_\_\_\_  
Randall S. Osterman  
City Manager

ORDINANCE NO. 2020\_\_\_\_\_

**AN ORDINANCE TO ANNEX AND ZONE 3553 TEXAS ROAD, TMN 00741-01-007; AND 695 FLORIDA DRIVE, TMN 00741-01-008.**

**WHEREAS,** a Public Hearing was held in the Council Chambers on October 13, 2020 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 Clayton B. Griffin, owner of TMN 00741-01-007, and Robert and Terrie Miller, owners of TMN 00741-01-008, was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid properties 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-6.1:

**The properties requesting annexation are shown more specifically on Florence County Tax Maps 00741, block 01, parcel 007 (0.195 acre); and parcel 008 (0.191 acre).**

**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.**

EXECUTED ON ONE (1) ADDITIONAL PAGE

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020

Approved as to form:

\_\_\_\_\_  
**James W. Peterson, Jr.**  
City Attorney

\_\_\_\_\_  
**Stephen J. Wukela,**  
Mayor

**Attest:**

\_\_\_\_\_  
**Amanda P. Pope**  
Municipal Clerk

# PC-2020-25

## Vicinity Map - 3553 Texas Road & 695 Florida Drive

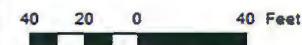


### Legend

- City Limits
- Parcels



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Date: 9/29/2020

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: 00741-01-007 (3583 Texas Rd.)

3. Annexation is being sought for the following purposes:

City Services

4. That the petitioner(s) request that the City Council of Florence annex the above described property in accordance with subsection 31 of 5-3-150(3) of the Code of Laws of South Carolina for 1976, such section allowing the annexation of an area without the necessity of an election and referendum.

To the Petitioner: The following information needs to be completed for submittal to the City of Florence and other government agencies for records prior to and after annexation.

Total Residents	<u>2</u>	Race	<u>B</u>
Total 18 and Over	<u>2</u>	Total Registered to Vote	<u>2</u>

APPLICANT (S) (Please print or type):

Name(s): Clayton B. Griffin

Address: PO Box 4526, Florence, SC 29502

Telephone Numbers: (843) 496-3541 [work] [home]

Email Address: claybird99@yahoo.com

Signature Clayton B. Griffin Date 8/26/20

Certification as to ownership on the date of petition:	FOR OFFICAL USE ONLY
Date 8/28/2020	<u>AG</u>

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: ~~000~~ 00741-01-008 (695 Florida Dr.)

3. Annexation is being sought for the following purposes:

City services

4. That the petitioner(s) request that the City Council of Florence annex the above described property in accordance with subsection 31 of 5-3-150(3) of the Code of Laws of South Carolina for 1976, such section allowing the annexation of an area without the necessity of an election and referendum.

To the Petitioner: The following information needs to be completed for submittal to the City of Florence and other government agencies for records prior to and after annexation.

Total Residents	<u>2</u>	Race	<u>W</u>
Total 18 and Over	<u>2</u>	Total Registered to Vote	<u>2</u>

APPLICANT (S) (Please print or type):

Name(s): Robert T. Miller Terrie W. Miller

Address: 695 Florida Dr., Florence, SC 29501

Telephone Numbers: 843-687-8449 [work] \_\_\_\_\_ [home]

Email Address: tmiller633@aol.com

Signature Robert T. Miller Date 8-27-20

Terrie W. Miller

Certification as to ownership on the date of petition:	FOR OFFICAL USE ONLY
Date <u>8-28-2020</u>	<u>az</u>



FLORENCE CITY COUNCIL MEETING

**DATE:** November 9, 2020

**AGENDA ITEM:** Ordinance To Annex and Zone 234 East Shenandoah Lane, TMN 90113-01-120.

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

**I. ISSUE UNDER CONSIDERATION:**

Request to annex property located at 234 East Shenandoah Lane, Tax Map Number 90113-01-120, into the City of Florence and zone to NC-6.1, Neighborhood Conservation 6.1. The request is being made by the property owner.

**II. CURRENT STATUS/PREVIOUS ACTION TAKEN:**

On October 13, 2020, Planning Commission held a public hearing on this matter, and voted unanimously, 7-0, to recommend the zoning request of NC-6.1, Neighborhood Conservation 6.1.

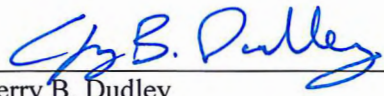
**III. POINTS TO CONSIDER:**

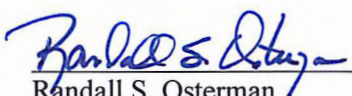
- (1) Request is being considered for first reading.
- (2) City water and sewer services are currently available; there is no cost to extend utility services.
- (3) A Public Hearing for zoning was held at the October 13, 2020 Planning Commission meeting.
- (4) City staff recommends annexation and concurs with Planning Commission's recommendation to zone the property NC-6.1 Neighborhood Conservation 6.1.

**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. 2020 \_\_\_\_\_**

**AN ORDINANCE TO ANNEX AND ZONE 234 EAST SHENANDOAH LANE, TMN 90113-01-120.**

**WHEREAS,** a Public Hearing was held in the Council Chambers on October 13, 2020 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 Moses Ellerbe, Jr., owner of TMN 90113-01-120 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-6.1:

**The property requesting annexation is shown more specifically on Florence County Tax Map 90113, block 01, parcel 120 (0.351 acre).**

**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.**

Ordinance No. 2020 - \_\_\_\_\_  
Page 2

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020

Approved as to form:

\_\_\_\_\_  
**James W. Peterson, Jr.**  
City Attorney

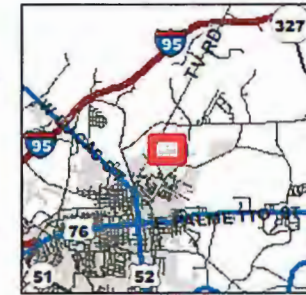
\_\_\_\_\_  
**Stephen J. Wukela,**  
Mayor

**Attest:**

\_\_\_\_\_  
**Amanda P. Pope**  
Municipal Clerk

# PC 2020-26

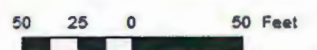
## Vicinity Map - 234 East Shenandoah Lane



- Legend**
- City Limits
  - Parcels



**DISCLAIMER:**  
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Date: 9/29/2020



FLORENCE CITY COUNCIL MEETING

**DATE:** November 9, 2020

**AGENDA ITEM:** Ordinance to rezone from Neighborhood Conservation 15 (NC-15) to Neighborhood Conservation 10 (NC-10) a parcel located on Marion Avenue, Tax Map Number 90067-03-014.

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

---

**I. ISSUE UNDER CONSIDERATION:**

Request to rezone from NC-15 to NC-10 1.67 acres located on Marion Avenue, specifically identified as Florence County Tax Map Number 90067-03-014. The request is being made by the property owner, Louie Hopkins.

**II. CURRENT STATUS/PREVIOUS ACTION TAKEN:**

(1) On October 13, 2020 Planning Commission held a public hearing on this matter, and voted unanimously, 7-0 to recommend the rezoning request of NC-10, Neighborhood Conservation Housing District.

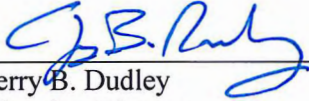
**III. POINTS TO CONSIDER:**

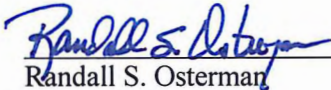
- (1) Request is being considered for first reading.
- (2) The proposed zoning is Neighborhood Conservation 10 (NC-10), which is characterized by single-family detached development and requires minimum lot areas of 10,000 square feet and minimum lot widths of 80 ft.
- (3) The parcel is currently zoned NC-15, which is characterized by single-family detached development with 15,000 square feet minimum lot areas and 100 ft minimum lot widths.
- (4) Adjacent developed properties to the South, East, and West are zoned NC-15; property to the North is zoned OSR.
- (5) The Future Land Use Plan designates the properties as Neighborhood Conservation.
- (6) The 1.67 acre lot borders Jeffries Creek and partially lies within the Special Flood Hazard Area (SFHA). Any development within the SFHA would be regulated per FEMA and local requirements for floodplain development.
- (7) The purpose for the rezoning is to allow the subdivision of the property into three lots for the development of two single-family detached homes, with the possibility of a third in the future. This could result in two smaller lots outside of the regulated SFHA and a third larger lot that would be subject to floodplain development regulations.
- (8) The adjacent developed lots are characterized by single-family detached homes with varying lot widths ranging from 90' up to 150' and varying lot areas ranging from approximately 11,000 square feet to approximately 22,000 square feet. The average lot width for the homes along Marion Avenue is approximately 130' and the average lot area is approximately .442 acres or 19,254 square feet.

**IV. PERSONAL NOTES:**

**V. ATTACHMENTS:**

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

  
\_\_\_\_\_  
Jerry B. Dudley  
Planning Director

  
\_\_\_\_\_  
Randall S. Osterman  
City Manager

**ORDINANCE NO. 2020-\_\_\_\_\_**

**AN ORDINANCE TO REZONE PROPERTY IDENTIFIED AS TAX MAP NUMBER 90067-03-014 LOCATED ALONG MARION AVENUE FROM NC-15 NEIGHBORHOOD CONSERVATION-15 ZONING DISTRICT TO NC-10 NEIGHBORHOOD CONSERVATION-10 ZONING DISTRICT**

**WHEREAS**, a Public Hearing was held in City Council Chambers on October 13, 2020 at 6:00 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

**WHEREAS**, Louie Hopkins made application to rezone from NC-15, Neighborhood Conservation-15 District to NC-10, Neighborhood Conservation-10 District;

**WHEREAS**, Florence City Council concurs in the aforesaid application, findings and recommendations:

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

1. That an Ordinance is hereby adopted by amending the Zoning Atlas of the City of Florence for the aforesaid property to NC-10 Neighborhood Conservation-10 District;
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 \_\_\_\_\_, 2020**

**Approved as to form:**

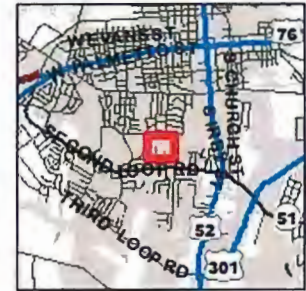
\_\_\_\_\_  
James W. Peterson, Jr.  
City Attorney

\_\_\_\_\_  
Stephen J. Wukela  
Mayor

**Attest:**

\_\_\_\_\_  
Amanda P. Pope  
Municipal Clerk

## PC 2020-24 Attachment B Location Map Marion Avenue



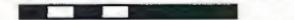
### Legend

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.

300 150 0 300 Feet



Date: 10/30/2023





FLORENCE CITY COUNCIL MEETING

DATE: November 9, 2020  
AGENDA ITEM: Report to Council  
DEPARTMENT/DIVISION: City Council

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**I. ISSUE UNDER CONSIDERATION**

A Resolution pursuant to Section I., II., and III. of Ordinance No. 2020-28, to extend the emergency term and the application of said Ordinance by an additional sixty (60) days.

**II. CURRENT STATUS/PREVIOUS ACTION TAKEN**

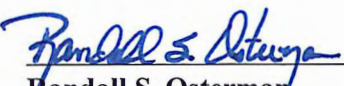
A. On September 14, 2020 City Council adopted Emergency Ordinance to extend emergency measures put in place previously by Emergency Ordinances No. 2020-20, 2020-12, and 2020-13 to include the requirement established that individuals wear face coverings in establishments open to the public and foodservice establishments, and other matters related in response to the COVID-19 emergency.

**III. POINTS TO CONSIDER**

- A. The City has determined that conducting meetings in the ordinary course and in the usual manner would create a public health hazard by involving a gathering in which minimum social distancing could not be reliably observed.
- B. The Resolution will extend the term of Ordinance No. 2020-28 by an additional 60 days.

**IV. ATTACHMENTS**

- A. Proposed Resolution

  
\_\_\_\_\_  
Randall S. Osterman  
City Manager

**RESOLUTION NO. 2020-21**

**A RESOLUTION PURSUANT TO SECTION I.b, II.b. and III.b OF ORDINANCE NO. 2020-28 TO EXTEND THE EMERGENCY TERM AND THE APPLICATION OF SAID ORDINANCE BY AN ADDITIONAL SIXTY (60) DAYS.**

1. Incident to adoption of the Resolution, City Council (“Council”) reiterates and adopts the findings of fact set out in Ordinance No. 2020-28 and specifically finds that the emergency situation created by the 2019 Novel Coronavirus (COVID-19) pandemic situation continues to exist.
2. City Council adopts this Resolution authorizing the extension of the emergency term and the provisions established by Ordinance No. 2020-28.

**NOW, THEREFORE, BASED UPON THE FINDINGS OF FACT REFERENCED AND SET OUT ABOVE, IT IS HEREBY RESOLVED BY THE MAYOR AN CITY COUNCIL OF THE CITY OF FLORENCE, SOUTH CAROLINA AS FOLLOWS:**

- a. The City hereby declares that the emergency situation created by the 2019 Novel Coronavirus (COVID-19) pandemic situation continues to exist, and, therefore, hereby extends the Emergency Term established by Ordinance No. 2020-28 for an additional sixty (60) days with the new expiration date now being January 11, 2021.

**AND IT IS SO RESOLVED THIS 9<sup>TH</sup> DAY OF NOVEMBER, 2020.**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**JAMES W. PETERSON, JR.**  
City Attorney

\_\_\_\_\_  
**STEPHEN J. WUKELA**  
Mayor

**ATTEST:**

\_\_\_\_\_  
**AMANDA P. POPE**  
Municipal Clerk

**EMERGENCY ORDINANCE NO. 2020-28**

**AN EMERGENCY ORDINANCE TO EXTEND EMERGENCY MEASURES PUT IN PLACE PREVIOUSLY BY EMERGENCY ORDINANCES NO. 2020-20, 2020-12, AND 2020-13 TO INCLUDE THE REQUIREMENT ESTABLISHED THAT INDIVIDUALS WEAR FACE COVERINGS IN ESTABLISHMENTS OPEN TO THE PUBLIC AND FOODSERVICE ESTABLISHMENTS, AND OTHER MATTERS RELATED IN RESPONSE TO THE COVID-19 EMERGENCY.**

**WHEREAS**, the 2019 Novel Coronavirus (“COVID-19”) is a respiratory disease that can result in serious illness or death by the SARS-CoV-2 virus, which is a new strain of coronavirus previously unidentified in humans and which can spread from person to person;

**WHEREAS**, the World Health Organization declared COVID-19 a Public Health Emergency of International Concern on January 30, 2020;

**WHEREAS**, the Centers for Disease Control and Prevention (the “CDC”) has warned of the high public health threat posed by COVID-19 globally and in the United States;

**WHEREAS**, on January 31, 2020, the United States Department of Health and Human Services Secretary declared a public health emergency in the United States for COVID-19 under Section 391 of the Public Health Service Act;

**WHEREAS**, on March 13, 2020, the President of the United States declared that the COVID-19 outbreak in the United States constitutes a national emergency, which began on March 1, 2020;

**WHEREAS**, also on March 13, 2020, the Governor of the State of South Carolina (the “State”) issued Executive Order 2020-08, declaring a State of Emergency based on a determination that the COVID-19 poses an actual or imminent public health emergency for the State;

**WHEREAS**, the Governor of the State has subsequently declared a continued State of Emergency in Executive Orders 2020-15 (March 28, 2020), and it has been repeatedly extended with the latest being Executive Order 2020-56 issued on August 25, 2020;

**WHEREAS**, the State and the Florence area have continued to experience an increase in the number of identified new COVID-19 cases, and the South Carolina Department of Health and Environmental Control (“DHEC”) has reported that the continuation of emergency measures to include face covering requirements is making a significant impact on slowing the spread of COVID-19 cases;

**WHEREAS**, health authorities, including the CDC, the Surgeon General of the United States, and DHEC have recommended the use of face coverings as a means of preventing the spread of COVID-19;

**WHEREAS**, the South Carolina Attorney General, on June 25, 2020, issued a public statement that enacting local mask requirements is within the police power of municipalities and is not preempted by State law;

**WHEREAS**, the Florence City Council has previously unanimously adopted Emergency Ordinances designed to properly react to the emergency presented by the pandemic including, but not limited to Emergency Ordinance No. 2020-20, Emergency Ordinance 2020-13, and Emergency Ordinance 2020-12;

**WHEREAS**, it has been determined by the City Council that the extension of the Emergency Ordinances is in the best interest of the City of Florence and its citizens;

**WHEREAS**, S.C. Code § 5-7-250(d) provides that “[t]o meet public emergencies affecting life, health, safety or the property of the people, council may adopt emergency ordinances; but such ordinances shall not levy taxes, grant, renew or extend a franchise or impose or change a service rate. Every emergency ordinance shall be enacted by the affirmative vote of at least two-thirds of the members of council present. An emergency ordinance is effective immediately upon its enactment without regard to any reading, public hearing, publication requirements, or public notice requirements. Emergency ordinances shall expire automatically as of the sixty-first day following the date of enactment;” and

**WHEREAS**, this Ordinance has been approved by at least two-thirds of the Councilmembers present at the meeting in which it was considered;

**NOW, THEREFORE**, it is hereby ordained by the City Council of the City of Florence as follows:

**I. Extension of Emergency Ordinance No. 2020-20**

- (a) The City hereby declares that the emergency situation created by the 2019 Novel Coronavirus (COVID-19) pandemic situation continues to exist, and, therefore, all of the provisions contained in Emergency Ordinance No. 2020-020 previously adopted are hereby extended for an additional sixty (60) days as fully as if set forth verbatim herein.
- (b) This Ordinance shall expire automatically at Midnight on November 11, 2020 unless its Term is extended by City Council by resolution for one or more additional terms, each such term for no more than sixty days, provided that the aggregate term of the Emergency Term, including all such extensions, does not exceed six months.

**II. Extension of Provisions in Emergency Ordinances No. 2020-12**

- (a) The City hereby declares that the emergency situation created by the 2019 Novel Coronavirus (COVID-19) pandemic situation continues to exist, and, therefore, all of the provisions contained in Emergency Ordinance No. 2020-012 previously



adopted are hereby extended for an additional sixty (60) days as fully as if set forth verbatim herein.

- (b) This Ordinance shall expire automatically at Midnight on November 11, 2020 unless its Term is extended by City Council by resolution for one or more additional terms, each such term for no more than sixty days, provided that the aggregate term of the Emergency Term, including all such extensions, does not exceed six months.

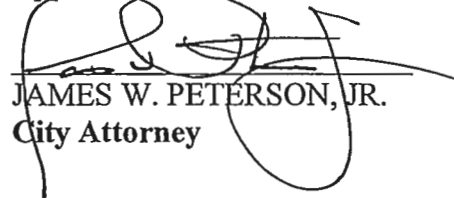
**III. Extension of Provisions in Emergency Ordinances No. 2020-13**

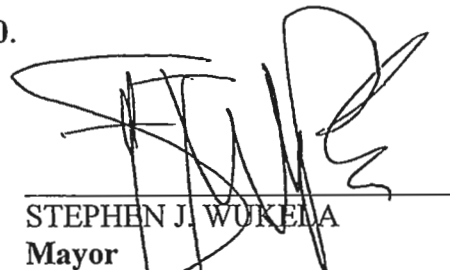
- (a) The City hereby declares that the emergency situation created by the 2019 Novel Coronavirus (COVID-19) pandemic situation continues to exist, and, therefore, all of the provisions contained in Emergency Ordinance No. 2020-013 previously adopted are hereby extended for an additional sixty (60) days as fully as if set forth verbatim herein.
- (b) This Ordinance shall expire automatically at Midnight on November 11, 2020 unless its Term is extended by City Council by resolution for one or more additional terms, each such term for no more than sixty days, provided that the aggregate term of the Emergency Term, including all such extensions, does not exceed six months.

**IV. Effective Date and Time.** This Emergency Ordinance shall take immediately upon its adoption by at least two-thirds of the Councilmembers present.

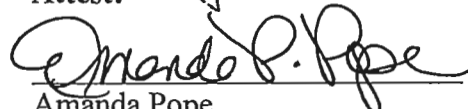
ADOPTED THIS 14<sup>th</sup> day of September, 2020.

Approved as to form:

  
JAMES W. PETERSON, JR.  
City Attorney

  
STEPHEN J. WUKELA  
Mayor

Attest:

  
Amanda Pope  
Municipal Clerk

**RESOLUTION NO. 2020-19**

**A RESOLUTION PURSUANT TO SECTION 3 OF ORDINANCE NO. 2020-13 TO EXTEND THE EMERGENCY TERM AND THE APPLICATION OF SAID ORDINANCE BY AN ADDITIONAL SIXTY (60) DAYS.**

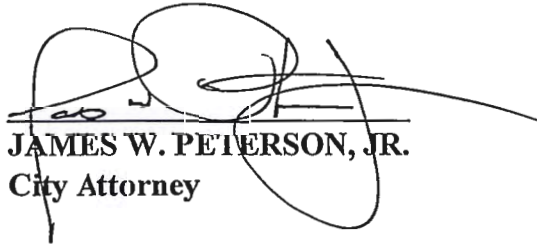
1. Incident to adoption of the Resolution, City Council ("Council") reiterates and adopts the findings of fact set out in Ordinance No. 2020-13 and specifically finds that the emergency situation created by the 2019 Novel Coronavirus (COVID-19) pandemic situation continues to exist.
2. City Council adopts this Resolution authorizing the extension of the emergency term and the provisions established by Ordinance No. 2020-13.

**NOW, THEREFORE, BASED UPON THE FINDINGS OF FACT REFERENCED AND SET OUT ABOVE, IT IS HEREBY RESOLVED BY THE MAYOR AN CITY COUNCIL OF THE CITY OF FLORENCE, SOUTH CAROLINA AS FOLLOWS:**

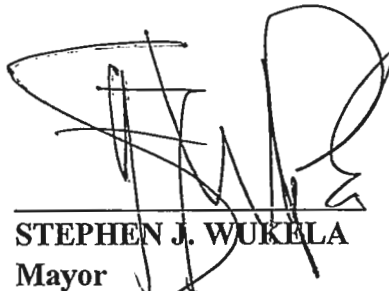
- a. The City hereby declares that the emergency situation created by the 2019 Novel Coronavirus (COVID-19) pandemic situation continues to exist, and, therefore, hereby extends the Emergency Term established by Ordinance No. 2020-13 for an additional sixty (60) days with the new expiration date now being October 11, 2020.

**AND IT IS SO RESOLVED THIS 10<sup>TH</sup> DAY OF AUGUST, 2020.**

**APPROVED AS TO FORM:**




**JAMES W. PETERSON, JR.**  
City Attorney



**STEPHEN J. WUKELA**  
Mayor

**ATTEST:**



**AMANDA P. POPE**  
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

**DATE:** November 9, 2020  
**AGENDA ITEM:** Report to Council  
**DEPARTMENT/DIVISION:** City Council

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**I. ISSUE UNDER CONSIDERATION**

A request to proclaim Friday, December 4, 2020 as Arbor Day in the City of Florence.

**II. CURRENT STATUS/PREVIOUS ACTION TAKEN**

The City of Florence began its Tree City USA program in 1980 and the Growth Award program in 2005. City Council has previously designated the first Friday in the month of December each year as Arbor Day in the City of Florence.

**III. POINTS TO CONSIDER:**

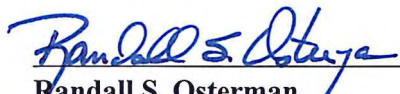
1. In order for the City to be eligible for the Tree City USA award, the National Arbor Day Foundation requires that the City sponsor an Arbor Day Celebration.
2. The Tree City USA program, sponsored by the Arbor Day Foundation in cooperation with the USDA Forest Service and the National Association of State Foresters, provides direction, technical assistance, public attention, and national recognition for urban and community forestry programs in thousands of cities.
3. The City of Florence has been recognized by the National Arbor Day Foundation as a Tree City USA for 40 consecutive years.

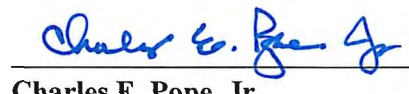
**IV. STAFF RECOMMENDATION:**

1. Staff recommends City Council approve the Resolution and proclaim Friday, December 4, 2020 as Arbor Day in the City of Florence.

**V. ATTACHMENTS**

1. Resolution Number 2020-22

  
\_\_\_\_\_  
Randall S. Osterman  
City Manager

  
\_\_\_\_\_  
Charles E. Pope, Jr.  
Public Works Director

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

**RESOLUTION NO. 2020-22**

**A RESOLUTION PROCLAIMING FRIDAY, DECEMBER 4, 2020 AS ARBOR DAY IN THE CITY OF FLORENCE**

- WHEREAS,** In 1872 the first Arbor Day was observed with the planting of more than a million trees in Nebraska;
- WHEREAS,** Arbor Day is now observed throughout the nation and the world; and
- WHEREAS,** trees can reduce erosion, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and
- WHEREAS,** trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products; and
- WHEREAS,** trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and
- WHEREAS,** trees are a source of joy and spiritual renewal; and
- WHEREAS,** Florence has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree planting ways.

**NOW, THEREFORE, BE IT RESOLVED,** that the City Council of the City of Florence, South Carolina, hereby declares December 4, 2020 as

**ARBOR DAY**

in the City of Florence, and all citizens are urged to support efforts to care for our trees and woodlands and to support our City's community forestry program.

**AND IT IS SO RESOLVED,** this 9<sup>th</sup> day of November, 2020.

**APPROVED AS TO FORM:**

\_\_\_\_\_  
JAMES W. PETERSON, JR.  
CITY ATTORNEY

\_\_\_\_\_  
STEPHEN J. WUKELA  
MAYOR

ATTEST:

\_\_\_\_\_  
AMANDA P. POPE  
MUNICIPAL CLERK

FLORENCE CITY COUNCIL MEETING

**DATE:** November 9, 2020

**AGENDA ITEM:** A Resolution to adopt the COVID-19 CARES Act Budget of \$312,331

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

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**I. ISSUE UNDER CONSIDERATION:**

A resolution to adopt the Coronavirus Aid, Relief, and Economic Security Act (CARES Act) budget for the additional allocation of funds totaling \$312,331 for fiscal year 2020-2021.

**II. CURRENT STATUS/PREVIOUS ACTION TAKEN:**

- (1) On May 11, 2020 the City of Florence adopted a Community Development Block Grant budget for the initial allocation of Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funds totaling \$161,263 for fiscal year 2020-2021.
- (2) On September 11, 2020, the City of Florence was allocated an additional \$312,331 focusing on communities with higher risk of eviction.

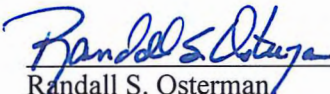
**III. POINTS TO CONSIDER:**

- (1) On March 27, 2020, the president signed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). The \$2 trillion aid package provides financial aid to families and businesses impacted by the COVID-19 coronavirus pandemic.
- (2) September 11, 2020, the United States Department of Housing and Urban Development Secretary announced the allocation of the remaining \$1.98 billion in CARES Act funding, of which, the City of Florence has been allocated an additional \$312,331.
- (3) According to SCDHEC, there have been 5,527 positive cases of COVID-19 in Florence County (as of November 3, 2020).
- (4) From March 15, 2020 through October 29, 2020, there were 20,643 initial claims for unemployment benefits in Florence County.
- (5) The City of Florence conducted a public hearing on November 4, 2020 to gather input on the use of the CARES Act funding.
- (6) Staff recommends the approval and adoption of the budget for the additional funds (\$312,331) as presented.

**IV. ATTACHMENTS:**

- A. Resolution to adopt the COVID-19 CARES Act Budget of \$312,331

  
Jerry B. Dudley  
Planning Director

  
Randall S. Osterman  
City Manager

**Resolution No. 2020**

**RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF FLORENCE, SOUTH CAROLINA**

**WHEREAS**, the City of Florence is an Entitlement City as defined by the United States Department of Housing and Urban Development; and

**WHEREAS**, on March 27, 2020, the president signed the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). The \$2 trillion aid package provides financial aid to families and businesses impacted by the COVID-19 coronavirus pandemic; and

**WHEREAS**, on May 11, 2020 the City of Florence adopted a Community Development Block Grant budget for the initial allocation of Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funds totaling **\$161,263** for fiscal year 2020-2021; and

**WHEREAS**, on September 11, 2020, the United States Department of Housing and Urban Development Secretary announced the allocation of the remaining \$1.98 billion in Coronavirus Aid, Relief, and Economic Security Act (CARES Act) funding, of which, the City of Florence has been allocated an additional **\$312,331**; and,

**WHEREAS**, the City of Florence is required by the United States Department of Housing and Urban Development to approve and adopt a Coronavirus Aid, Relief, and Economic Security Act (CARES Act) budget.

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Florence, South Carolina in a meeting duly assembled do hereby adopt the following Community Development Block Grant budget for the additional allocation of funds totaling **\$312,331** for fiscal year 2020-2021:

<b>Lighthouse Ministries</b>	<b>\$</b>	<b>112,331</b>
<b>Harvest Hope Food Bank</b>	<b>\$</b>	<b>50,000</b>
<b>Manna House</b>	<b>\$</b>	<b>50,000</b>
<b>Meals on Wheels</b>	<b>\$</b>	<b>50,000</b>
<b>My Brother's Keeper Shelter</b>	<b>\$</b>	<b>50,000</b>
<b>TOTAL</b>		<b><u>\$312,331</u></b>

ADOPTED, this 9th day of November, 2020.

**Approved as to form:**

\_\_\_\_\_  
James W. Peterson, Jr.  
City Attorney

\_\_\_\_\_  
Steven Wukela, Mayor

**Attest:**

\_\_\_\_\_  
Amanda P. Pope  
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

**DATE:** November 9, 2020  
**AGENDA ITEM:** Report to Council  
**DEPARTMENT/DIVISION:** City Council

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**I. ISSUE UNDER CONSIDERATION**

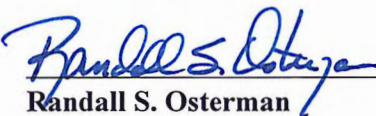
Council will consider nominations for City Boards and/or Commissions.

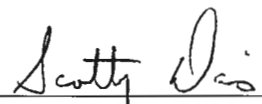
**II. CURRENT STATUS/PREVIOUS ACTION TAKEN**

A. There are three (3) Boards or Commissions that have vacancies.

**III. ATTACHMENTS**

- A. Spreadsheet of Council Nominations to Boards and Commissions.
- B. Applications received.

  
\_\_\_\_\_  
Randall S. Osterman  
City Manager

  
\_\_\_\_\_  
Scotty Davis  
Deputy City Manager

SCHEDULE OF COUNCIL NOMINATIONS TO BOARDS AND COMMISSIONS - NOVEMBER 2020							
	District 1	District 2	District 3	At-Large 1	At-Large 2	At-Large-3	Mayor
	Ervin	Moore	Brand	Jebaily	Wms-Blake	Willis	Wukela
Design Review Board	x						
Construction & Maintenance Board							x
Housing Authority Board	x						



## DESIGN REVIEW BOARD

### **I. NOMINATIONS:**

There is one (1) vacancy\* on the Design Review Board.

\* Mr. Tom Koliass has indicated that he would not like to be considered for reappointment. Mr. Koliass fulfilled the requirement of a person specifically qualified by reason of education, training, or experience in landscape design.

### **II. APPOINTMENT REQUIREMENTS:**

This appointment requires a person specifically qualified by reason of education, training, or experience in landscape design.

### **III. COUNCILMEMBER(S) TO MAKE NOMINATION:**

- Councilwoman Ervin

### **IV. NEW APPLICANTS:**

- Erik J. Healy (meets qualifications)

### **V. ATTACHMENTS:**

- Section of City Code – Appointment requirements.
- Application received.

Sec. 16-31. - Membership.

The City of Florence Design Review Board shall consist of ten (10) members appointed by the Mayor and City Council of Florence, South Carolina. All members of the board shall have an interest in historic preservation. Membership on the board shall be composed as follows: One (1) professional architect; one (1) historian, knowledgeable in local history; one (1) person either specifically qualified by reason of education, training, or experience in the financing of commercial and residential real property or in the area of real estate; one (1) person actively engaged in business, commerce, or industry; one (1) commercial general contractor duly licensed by the State of South Carolina; one (1) professional structural engineer; one (1) person specifically qualified by reason of education, training, or experience in landscape design; and one (1) at large resident of the City of Florence; and two (2) persons actively engaged in business, commerce, or industry within the Downtown Central District as established by Section 2.9, et seq., of the Zoning Ordinance. At all times, at least six (6) members of the Design Review Board shall be residents of the City of Florence.

(Ord. No. 2005-16, § 1, 6-13-2005; Ord. No. 2005-23, § 1, 8-8-2005; Ord. No. 2011-05, § 1, 1-31-2011)

Sec. 16-32. - Terms and rules of membership.

- (a) The members of the Florence Design Review Board appointed by city council, giving consideration to the recommendations of the board. Upon appointment the members shall serve four-year terms, or until successors are appointed, whichever is later. Provided, however, the terms of initial appointees shall be staggered so that two (2) of the appointees shall serve initial terms of two (2) years, four (4) of the appointees shall serve initial terms of four (4) years, and four (4) of the appointees shall serve initial terms of three (3) years. After completion of the initial terms, all members of the design review board appointed by city council shall serve four-year terms.
- (b) Members appointed by city council may be appointed to succeed themselves up to a maximum of three (3) full terms. Thereafter, such members may be appointed only after they have been off of the design review board for at least one (1) year.
- (c) The mayor and council may remove any member appointed by city council by majority vote of the council for cause, including repeated failure to attend meetings of the board or for any other cause deemed sufficient by the city council. If any place on the board becomes vacant due to resignation, removal, or for any reason, the city council shall appoint a replacement within sixty (60) days for the remainder of the unexpired term.
- (d) As required by S.C. Code § 6-29-870(C), no members shall hold any other municipal office or hold any position in the city, and all members shall serve without pay. Members may be reimbursed by the City of Florence for actual expenses incurred in the performance of their duties from available funds approved in advance.
- (e) *Conflicts of interest.* Any member of the board who has a personal or financial interest, either directly or indirectly, in any property which is the subject of, or affected by, a decision of the board shall be disqualified from participating in the decision of the board concerning the property.
- (f) *Liability of members.* Any member of the board acting within powers granted by the ordinance shall be relieved from personal liability for any damage and held harmless by the City of Florence. Any suit brought against any member of the board shall be defended by a legal representative furnished by the city until the termination of the proceedings.

(Ord. No. 2005-16, § 1, 6-13-2005; Ord. No. 2005-23, § 1, 8-8-2005; Ord. No. 2011-05, § 1, 1-31-2011)



APPLICATION FOR BOARDS AND COMMISSIONS  
CITY OF FLORENCE  
SOUTH CAROLINA

Board or Commission for which you are applying: <b>Design Review Board</b>			
Your Name (Last, First, Middle) <b>Healy Erik Joseph</b>		County <b>Florence</b>	Council District
Residential Address <b>2395 Trilly Lane</b>		City <b>Florence</b>	State. <b>South Carolina</b>
Mailing Address <b>same</b>		City	Zip Code <b>29505</b>
Your Occupation- Title <b>President - Healy Horticulture</b>		Business Phone <b>8432061385</b>	Residence Phone
Employer Name <b>Healy Horticulture</b>		E-mail Address <b>Erik@HealyHorticulture.com</b>	
Employer Address <b>2395 trilly lane</b>		City <b>florence</b>	Zip Code <b>29505</b>

**General Qualifications**

Are you a resident of the City? Yes  No  How Long? 22 years

Why would you like to serve?  
To give back to the community

Do you presently serve on any Commissions/ Boards of the City/ County/ State? If so, please list:  
No

Have you formerly served on any Commissions/ Boards of the City/ County/ State? If so, please list:  
No

Are you currently in a position of responsibility with an organization or board that has received or is seeking funding from the City of Florence? If so, list the position and date:  
No

Are you involved in any Community Activities? If so, please list:  
No

What are your goals and objectives if appointed to the Commission/Board?  
To ensure proper design principals are being utilized.

I certify that the information above is true and correct. EH Initial 10/12/20 Date  
Information on this form will be considered public. EH Initial 10/12/20 Date

**RETURN COMPLETED FORM TO:**

Office of the City Clerk  
City of Florence, City Center  
324 West Evans Street  
Florence, SC 29501  
Phone: 843-665-3113 Fax: 843-665-3110  
E-mail: ccmoores@cityofflorence.com

**FOR OFFICE USE ONLY**

Received:	10-12-2020 <i>AP</i>
Appointed to:	
Date:	

**CONSTRUCTION & MAINTENANCE BOARD OF  
ADJUSTMENTS & APPEALS**

**I. NOMINATIONS:**

There is one (1) vacancy\* on the Construction and Maintenance Board of Adjustments and Appeals.

\* Ms. Ann Scott has resigned her position on this Board. Ms. Scott fulfilled the requirement of a Layperson.

**II. COUNCILMEMBER(S) TO MAKE NOMINATION:**

- Mayor Wukela

**III. NEW APPLICANTS:**

None

**IV. ATTACHMENTS:**

- Board requirements.

Sec. 4-32. - Membership; compensation of members; removal of members; conflicts of interest.

The construction and maintenance board of adjustments and appeals shall consist of nine (9) members as follows: one architect, one engineer, one electrical contractor, one general contractor, one mechanical contractor, one plumbing contractor and three (3) laypersons who are residents of the city, provided, however, at all times at least four (4) of the members will be residents of the Community Development Block Grant (CDBG) area of the city. With the exception of the laypersons, all of the members of the board shall be licensed by the state in their respective professions and shall have done a significant amount of business with the city in their respective professions so as to be familiar with the city's code practices. Substantiation of having done a significant amount of business in the city will be established at the time of appointment by the prior issuance of business licenses to such individuals, or the businesses with which they are associated, in three (3) of the last five (5) calendar years. The members of the board shall be appointed by the mayor with the approval of the city council. They shall serve without compensation. Members shall be removed for cause by the mayor and city council upon written charges and a public hearing. A board member shall not participate in any case in which he has a personal or implied interest, and all members should avoid the appearance of impropriety. Continued absence of any member from meetings of the board shall at the discretion of the city council result in his removal from office.

(Ord. No. 2017-06, § 3(Exh. A), 3-13-2017)

## HOUSING AUTHORITY BOARD

### **I. NOMINATIONS:**

There is one (1) vacancy on the Housing Authority Board. A resignation letter was received from Felicia Smith Charles.

### **II. COUNCILMEMBER(S) TO MAKE NOMINATION:**

- Councilwoman Ervin

### **III. NEW APPLICANTS:**

- J. Lawrence Smith, II.
- Castine Jones

### **IV. ATTACHMENTS:**

- Resignation letter from Felicia Smith Charles.
- Housing Authority letter of recommendation.
- Applications received.

Felicia Smith-Charles  
307 South Johns Street  
Florence, South Carolina 29506  
Telephone: 843-662-7192  
Email: [smithfuneral@bellsouth.net](mailto:smithfuneral@bellsouth.net)

October 1, 2020

The Honorable Stephen Wukela  
403 2<sup>nd</sup> Loop Road  
Florence, South Carolina 29505  
[swukela@cityofflorence.com](mailto:swukela@cityofflorence.com)

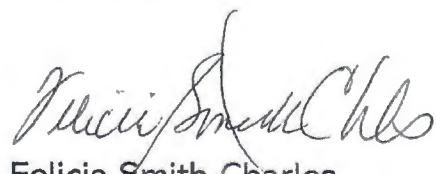
Regarding: Letter of Resignation

Dear Mayor Wukela:

Please accept my letter of resignation from the Housing Authority of Florence Board as I am currently holding dual office board positions in the State of South Carolina. I love my service to this Board and will appreciate the opportunity to serve again if I am able.

If you are looking for suggestions for my successor, I offer the name of Mr. J. Lawrence Smith, II. I have worked with Mr. Smith who has fresh ideas and active leadership, the skill set and dedication to being an effective Commissioner.

With Kind Regards,



Felicia Smith Charles

Cc:Tervin@cityofflorence.com



## Housing Authority of Florence

Post Office Drawer 969 / 400 East Pine Street  
Florence, South Carolina 29503

Phone (843) 669-4163 / TTY (800) 877-8339 / Fax (843) 679-2626

October 28, 2020

Mayor Stephen Wukela  
City Center  
324 West Evans Street  
Florence, South Carolina 29501

Dear Mayor Stephen Wukela,

I'm pleased to write to you today to recommend Castine Jones to fill the vacant seat for the Board of Commissioners of the Housing Authority of Florence.

I can assure you that Castine Jones has good work ethics and trustworthy. Castine Jones is a team player and proactively help where needed. I believe Castine Jones would be a fantastic addition to the Board of Commissioners and would benefit the Housing Authority of Florence.

I strongly recommend Castine Jones for the Board of Commissioners of the Housing Authority of Florence. I am willing to provide more information if needed.

Sincerely

Clamentine V. Elmore  
CEO/Executive Director







APPLICATION FOR BOARDS AND COMMISSIONS  
CITY OF FLORENCE  
SOUTH CAROLINA

Board or Commission for which you are applying: <b>Housing Authority Board</b>			
Your Name (Last, First, Middle) <b>Smith, II, J. Lawrence</b>		County <b>Florence</b>	Council District
Residential Address <b>305 S. Johns Street</b>		City <b>Florence</b>	State <b>South Carolina</b>
			Zip Code <b>29506</b>
Mailing Address <b>307 S. Johns Street</b>		City <b>Florence</b>	State <b>South Carolina</b>
			Zip Code <b>29506</b>
Your Occupation- Title <b>Funeral Director - Vice President</b>		Business Phone <b>843-662-7192</b>	Residence Phone <b>843-601-8534</b>
Employer Name <b>Smith Funeral Home of Florence, LLC</b>		E-mail Address <b>smithsfuneral@bellsouth.net</b>	
Employer Address <b>307 S. Johns Street</b>		City <b>Florence</b>	State <b>South Carolina</b>
			Zip Code <b>29506</b>

**General Qualifications**

Are you a resident of the City? Yes  No  How Long? 28 Years

Why would you like to serve?

I would like to serve on the Board of Commissioner to further enhance the City of Florence.

Do you presently serve on any Commissions/ Boards of the City/ County/ State? If so, please list:

I currently serve on the Boys and Girls Club of the Pee Dee Executive Board.

Have you formerly served on any Commissions/ Boards of the City/ County/ State? If so, please list:

No, I have not formerly served on any Commissions/Boards of the City/County/State.

Are you currently in a position of responsibility with an organization or board that has received or is seeking funding from the City of Florence? If so, list the position and date:

No, I am not currently in a position of responsibility with an organization or board that has received or is seeking funding from the City of Florence.

Are you involved in any Community Activities? If so, please list:

I am currently involved with coaching high school football and baseball.; as well as my involvement within my fraternity (Kappa Alpha Psi)

What are your goals and objectives if appointed to the Commission/Board?

As a Commissioner of this Board, my goal is to ensure the housing in our community meets the standards and needs of the families we serve. One of my mottos is "To keep families first."

This objective allows individuals housing regardless of the situation.

I certify that the information above is true and correct. JLS II Initial October 7, 2020 Date

Information on this form will be considered public. JLS II Initial October 7, 2020 Date

**RETURN COMPLETED FORM TO:**

Office of the City Clerk  
City of Florence, City Center  
324 West Evans Street  
Florence, SC 29501  
Phone: 843-665-3113 Fax: 843-665-3110  
E-mail: ccmoores@cityofflorence.com

**FOR OFFICE USE ONLY**

Received:	<u>10/8/2020</u>
Appointed to:	
Date:	



APPLICATION FOR BOARDS AND COMMISSIONS  
CITY OF FLORENCE  
SOUTH CAROLINA

Board or Commission for which you are applying: <b>Housing Authority Board</b>			
Your Name (Last, First, Middle) <b>Jones, Castine</b>	County <b>Florence</b>	Council District	
Residential Address <b>1336 Millbank Dr.</b>	City <b>Florence</b>	State <b>S.C.</b> South Carolina	Zip Code <b>29501</b>
Mailing Address <b>P.O. Box 3622</b>	City <b>Florence</b>	State <b>SC</b> South Carolina	Zip Code <b>29502</b>
Your Occupation- Title	Business Phone	Residence Phone	
Employer Name	E-mail Address <b>Castine.Jones@Hotmail.com</b>		
Employer Address	City	State South Carolina	Zip Code

General Qualifications

Are you a resident of the City? Yes  No  How Long? **59 yrs**

Why would you like to serve?

**I would like to serve to be a voice for those in need of housing.**

Do you presently serve on any Commissions/ Boards of the City/ County/ State? If so, please list:

**NO**

Have you formerly served on any Commissions/ Boards of the City/ County/ State? If so, please list:

**NO**

Are you currently in a position of responsibility with an organization or board that has received or is seeking funding from the City of Florence? If so, list the position and date:

**NO**

Are you involved in any Community Activities? If so, please list:

**NO**

What are your goals and objectives if appointed to the Commission/Board?

**To share the concerns and needs of those in housing and seeking housing.**

I certify that the information above is true and correct. **C.J** Initial **10-26-20** Date  
Information on this form will be considered public. **(C.J)** Initial **10-26-20** Date

RETURN COMPLETED FORM TO:

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City of Florence, City Center  
324 West Evans Street  
Florence, SC 29501  
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Received:	<b>10/26/2020</b> <b>AP</b>
Appointed to:	
Date:	