

**REGULAR MEETING OF FLORENCE CITY COUNCIL**

**MONDAY, APRIL 12, 2010 - 6:00 P.M.**

**CITY-COUNTY COMPLEX, CITY COUNCIL CHAMBERS, ROOM 604**

**FLORENCE, SOUTH CAROLINA**

**AGENDA**

**I. CALL TO ORDER**

**II. INVOCATION**

*Pledge of Allegiance to the American Flag*

**III. APPROVAL OF MINUTES**

*Special Meeting – March 1, 2010 (Corrected)*

*Regular Meeting – March 8, 2010*

*Special Meeting – March 22, 2010*

**IV. SPECIAL HONORS AND RECOGNITIONS**

*Citizen of the Month – Sensei Kevin Smith*

**V. APPEARANCE BEFORE COUNCIL**

*a. Mr. Ed Love – to give a report on Florence After Five*

**VI. ORDINANCES IN POSITION**

*a. Bill No. 2009-43 – Second Reading*

*An Ordinance to amend Article 5, Sign Regulations in the Zoning Ordinance relating to banners.*

*b. Bill No. 2010-03 – Second Reading*

*An Ordinance authorizing the conveyance of a portion of the parcel designated as Tax Map Parcel 90168-02-038 in the records of the Florence County Tax Assessor to the County of Florence as additional property to be used in the development of a new Florence County Museum.*

- c. **Bill No. 2010-12 –Second Reading**  
*A Series Ordinance making provision for the terms and conditions of an issue of combined Waterworks and Sewerage System Refunding and Capital Improvement Revenue Bonds, Series 2010, of the City of Florence, South Carolina, in the aggregate principal amount of not exceeding \$99,000,000 as authorized by a Bond Ordinance of the City of Florence adopted October 24, 1989; for the amendment of said Bond Ordinance; and other matters relating thereto.*
- d. **Bill No. 2010-13 –Second Reading**  
*An Ordinance to amend Article 6, Supplemental Off-Street Parking and Loading Regulations in the Zoning Ordinance relating to Parking Non-Residential Vehicles in Residential Zones.*
- e. **Bill No. 2010-14 –Second Reading**  
*An Ordinance to amend the Budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2009, and ending June 30, 2010.*

## **VII. INTRODUCTION OF ORDINANCES**

- a. **Bill No. 2010-15 – First Reading**  
*An Ordinance to annex and zone property owned by Dr. & Mrs. C. O'Bryan, 2637 Trotter Road.*
- b. **Bill No. 2010-16 – First Reading**  
*An Ordinance to annex and zone property owned by Ebenezer Baptist Church, 2806 W. Palmetto Street.*
- c. **Bill No. 2010-17 – First Reading**  
*An Ordinance to annex and zone property owned by Theodore Kampiziones, 109 & 110 Lawson Street and 110 Guerry Street.*
- d. **Bill No. 2010-18 – First Reading**  
*An Ordinance granting an exception for events sponsored by either the City of Florence, Florence County, or an agency of the State of South Carolina from the noise ordinances found in Section 10-9 and Section 10-10 of the Code of Ordinances for the City of Florence.*

## **VIII. INTRODUCTION OF RESOLUTION**

- a. *A Resolution to add Veteran's Day to the list of official holidays for the City of Florence.*

## **IX. REPORT TO COUNCIL**

- a. *An update by staff regarding the Levy Park Project.*
- b. *Appointments to Boards and Commissions – Housing Authority Board*

- c. *A request from Ms. Jill Heiden, Vice President for Institutional Advancement, Florence-Darlington TECH - Requesting funding in the amount of \$2,500 to be used for the 2010 summer camp, Discover Manufacturing: Camp Success.*

**X. EXECUTIVE SESSION**

- a. *Contractual Matter*

**XI. ADJOURNMENT**

**SPECIAL MEETING OF FLORENCE CITY COUNCIL  
MONDAY, MARCH 1, 2009 - 5:30 P.M.  
CITY-COUNTY COMPLEX, CITY COUNCIL CHAMBERS, ROOM 604  
FLORENCE, SOUTH CAROLINA**

**MEMBERS PRESENT:** Mayor Stephen J. Wukela called the special meeting to order at 5:30 p.m. with the following members present: Councilman Steve Powers, Councilman Frank J. Brand, II, Councilman Edward Robinson, Councilman Billy D. Williams, and Councilman William C. Bradham, Jr. Councilwoman Octavia Williams-Blake arrived at 5:54 p.m.

**ALSO PRESENT:** David N. Williams, City Manager; Dianne M. Rowan, Municipal Clerk; James W. Peterson, Jr., City Attorney; Drew Griffin, Director of Public Works and Utilities; Phillip Lookadoo, Director of Urban Planning and Development and Tom Shearin, Special Services Administrator.

Notices of this special meeting were sent to the media informing them of the date, place and time of the meeting. Traci Bridges of the Morning News was present for the meeting.

**INVOCATION**

Councilman Billy D. Williams gave the invocation, which was followed by the Pledge of Allegiance to the American Flag.

**INTRODUCTION OF ORDINANCES**

**BILL NO. 2010-03 – FIRST READING**

**AN ORDINANCE AUTHORIZING THE CONVEYANCE OF A PORTION OF THE PARCEL DESIGNATED AS TAX MAP PARCEL 90168-02-038 IN THE RECORDS OF THE FLORENCE COUNTY TAX ASSESSOR TO THE COUNTY OF FLORENCE AS ADDITIONAL PROPERTY TO BE USED IN THE DEVELOPMENT OF A NEW FLORENCE COUNTY MUSEUM.**

An Ordinance authorizing the conveyance of a portion of the parcel designated as Tax Map Parcel 90168-02-038 in the records of the Florence County Tax Assessor to the County of Florence as additional property to be used in the development of a new Florence County Museum was passed on first reading.

Mrs. Jean Leatherman, Chairman of the Florence County Museum Board, spoke to Council regarding the plans for the new museum.

Mr. Sanders Tate, architect with Watson Tate and Savory in Columbia, S.C. spoke to Council regarding the design of the new museum and the need for an additional 75' of frontage. Beginning, Monday, March 8, associate architects from New York will come and begin designing the Museum. This will be a critical time to understand the footprint on which the Museum will be constructed. At present, the conceptual plans are to have about a 30,000 square foot Museum on a significant, yet small, piece of property. In order to properly design that 30,000 square feet, with the full anticipation the Board has of being able to expand their mission, they need to know where they are going to grow. Having the additional 75' would be a key part in designing the Museum properly. If the additional 75' is not used for the foot print of the building, it could be utilized for another significant need: to provide a drop off site for school children. It could also be used for outside exhibit space. The Museum will be about 16,000 to 17,000 square feet on two stories.

Mayor Wukela stated the new museum is approximately a \$12,000,000 project with one-third of the cost being provided by the State; another one-third provided by the Drs. Bruce and Lee Foundation

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and the final one-third provided by the County. The operational costs will be provided by the County as well. The request today is for an additional 75' of frontage on Cheves Street.

Concerns expressed by Council included displacing the existing minority businesses in downtown; no opportunity for growth for minority businesses in the downtown area; and if an additional 75' is conveyed to the County, will there be enough room left on the property for any further development by the City.

Mrs. Leatherman stated that the new Museum and the new Performing Arts Center will bring people to downtown Florence and when there are people downtown new businesses will follow. This will provide jobs and tax revenue.

Councilman Robinson asked if the Museum could be constructed without the additional 75'?

Mr. Tate stated that the initial layout on the parcel that is there, pretty much takes the whole piece of property, especially in keeping some minor setbacks that are necessary. It does not provide for any school drop off or bus parking. Mr. Tate was unsure if the Museum could be constructed without the additional 75'.

Mayor Wukela made a motion to pass Bill No. 2010-03 on first reading. Councilman Bradham seconded the motion.

Councilman Powers stated he felt Council should go into Executive Session as this is a contractual matter. Councilman Williams seconded the motion.

Mayor Wukela asked the City Attorney, Mr. Jim Peterson if this issue would qualify for an Executive Session under the Freedom of Information Act.

Mr. Peterson responded that this would qualify under the Freedom of Information Act and would be an appropriate issue to discuss in Executive Session.

Voting aye to go into Executive Session were Councilman Powers, Councilman Brand, Councilman Robinson, and Councilman Williams.

Voting nay were Councilman Bradham, Mayor Wukela and Councilwoman Williams-Blake.

Council entered into Executive Session at 6:15 p.m.

Mayor Wukela reconvened the special meeting at 6:50 p.m.

Councilman Bradham stated he is in favor of the Museum and conveying the additional 75' to the County.

Councilman Powers stated he is also in favor of the Museum; however there are a lot of variables in the design of the Museum and what will eventually be constructed. Councilman Powers would like to have public input at a meeting that is scheduled for March 25<sup>th</sup> to discuss the new Comprehensive Plan for the City of Florence. The new Museum will be discussed at this meeting.

Councilman Powers made a motion to defer consideration of this matter until the next regular meeting after the 25<sup>th</sup> of March. Councilman Robinson seconded the motion.

Voting in favor of the motion to defer were Councilmen Powers, Councilman Robinson and Councilman Williams.

Voting nay were Mayor Wukela, Councilwoman Williams-Blake, Councilman Brand and Councilman Bradham.

The motion to defer failed.

Councilman Bradham suggested that before second reading is given to the Ordinance, to schedule a worksession that would include all parties involved to discuss and clear up some of the issues raised today.

Councilman Powers made a motion to amend the original motion to adopt this Ordinance with the contingency that Council will not have second reading on this ordinance until after March 25<sup>th</sup> so that a

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worksession on the Museum can be scheduled in the mean time. Councilman Williams seconded the motion.

Voting in favor of the Ordinance as amended were Councilman Robinson, Councilman Williams, Councilman Powers and Councilman Bradham.

Voting nay were Mayor Wukela, Councilman Brand and Councilwoman Williams-Blake.

Voting in favor of the principal motion to adopt Bill No. 2010-03 on first reading were Councilman Powers, Councilman Brand, Mayor Wukela, Councilman Bradham and Councilwoman Williams-Blake.

Voting nay were Councilman Robinson and Councilman Williams.

**EXECUTIVE SESSION**

Mayor Wukela stated that a Personnel Matter was discussed in Executive Session. Based on discussions held in Executive Session, Mayor Wukela made a motion to extend the City Manager's contract for one year (current contract expires July 1, 2010) under its current terms. Councilman Brand seconded the motion, which carried unanimously.

**ADJOURN**

There was unanimous consent by Council to adjourn the special meeting. The meeting was adjourned at 7:24 p.m.

Dated this 8<sup>th</sup> day of March, 2010.

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Dianne M. Rowan, Municipal Clerk

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Stephen J. Wukela, Mayor

**REGULAR MEETING OF FLORENCE CITY COUNCIL**  
**MONDAY, MARCH 8, 2010 – 1:00 P.M.**  
**CITY-COUNTY COMPLEX, CITY COUNCIL CHAMBERS, ROOM #604**  
**FLORENCE, SOUTH CAROLINA**

**MEMBERS PRESENT:** Mayor Stephen J. Wukela called the regular meeting to order at 1:00 p.m. with the following members present: Councilman Frank J. Brand, II; Councilman Steve Powers; Councilman Edward Robinson; Councilman Billy D. Williams; Councilman William C. Bradham, Jr.; and Councilwoman Octavia Williams-Blake.

**ALSO PRESENT:** David N. Williams, City Manager; Dianne M. Rowan, Municipal Clerk; James W. Peterson, Jr., City Attorney; Phillip Lookadoo, Director of Urban Planning & Development; Darene Stankus, Director of Human Resources; Scotty Davis, Director of Community Services; Chief Anson Shells, Florence Police Department; Drew Griffin, Director of Public Works & Utilities; Chief Randy Osterman, Florence Fire Department; Thomas Chandler, Director of Finance and Tom Shearin, Special Services Administrator.

Notices of this regular meeting were sent to the media informing them of the date, place and time of the meeting. Dwight Dana of the Morning News and Tonya Brown of TV-15 were present for the meeting.

**INVOCATION**

Councilman Billy D. Williams gave the invocation, which was followed by the Pledge of Allegiance to the American Flag.

**APPROVAL OF MINUTES**

Councilman Brand made a motion to adopt the minutes of the Regular Meeting of February 8, 2010 and the Special Meeting of March 1, 2010. Councilman Bradham seconded the motion, which carried unanimously.

**SPECIAL HONORS AND RECOGNITIONS**

**CITIZEN OF THE MONTH**

Councilman Brand presented Ralph Porter a certificate in recognition of being chosen the Citizen of the Month for March, 2010.

Charles Page was presented a certificate in recognition of completing 25 years of service with the City of Florence Public Works Department.

Amelia Ann Miles received a certificate in recognition of completing 25 years of service with the City of Florence Police Department.

Gordon Washington received an educational recognition for completing his "D" Biological Wastewater Operator Certification.

**APPEARANCE BEFORE COUNCIL**

**Mr. John Jebaily, Chairman – Parks and Beautification Commission**

Mr. Jebaily gave an update to Council on the Parks and Beautification Commission. Last year in the City of Florence, 529 trees were planted. This is the 29<sup>th</sup> year in a row that the City has been recognized as a Tree City, USA and the 6<sup>th</sup> year in a row to be recognized for the Growth Award. The City of Florence is one of only 2 cities in the State to receive the Growth Award. Mr. Jebaily stated they were only making one request to City Council this year and that request is to retain the present staff and allow it to grow to meet the increasing responsibilities.

Mr. Barry Wingard, Chairman of the Veterans' Park Committee gave an update on the Veterans' Park and activities of 2009. The park was dedicated on November 11, 2008. Since its dedication, it has become a tourist attraction, a solemn site for veterans and their families to gather and a place to bring the community together for entertainment and to honor distinguished speakers. In March 2009 a monument was dedicated to the POWs and MIAs. On Veterans' Day 2009 a monument was dedicated to the recipients of the Purple Heart. On December 19<sup>th</sup>, 72 new plaques were added to the Wall of Honor to bring the total to 516 veterans from the Florence area. During 2009, a handicapped ramp has been added and also more and better signage. The American Soldier Exhibit was held at the Civic Center for 10 weeks. Tentatively scheduled for May 1, 2010 is a dedication of a monument for the Marines. Plans are underway to bring the American Traveling Tribute, a 80% size-wise replica of the Vietnam Memorial to Florence around Veterans' Day 2010 for three to four days. Other activities include discussing the placement of a marker to acknowledge the growing list of VIPs that have visited the Park; adding two plaques from the old Library honoring Florence natives who served in World War I and World War II. A third plaque from the Civil War will be given to the Florence Museum. The most ambitious park project is the undertaking of an endeavor to raise money to place a memorial to the World War II veterans at the park.

Mr. Wingard thanked Council and staff for their continued support of the Veterans' Park.

**Mr. Jerry Dixon, CEO, Florence Family YMCA – To make a presentation to City Council**

Ms. Cindy Averette, Senior Program Director of Aquatics at the YMCA spoke with Council about the Partners with Youth and Families Campaign. This program aids disadvantaged children in the community who are unable financially to experience the YMCA. It also provides access to YMCA activities for families. This year 100 children will be targeted to receive free participation in youth sports, swim lessons and summer camps.

Mr. Jerry Dixon requested \$6,000 in funding for the Partners with Youth and Families Campaign.

Councilman Powers made a motion to approve the request. Councilman Bradham seconded the motion.

Mayor Wukela recused himself from the vote due to a conflict of interest. Mayor Wukela serves on the Board of Directors for the YMCA.

Voting aye were Councilman Powers, Councilman Brand, Councilman Robinson, Councilman Williams, Councilman Bradham and Councilwoman Williams-Blake.

**BREAK**

There was unanimous consent to take a short break.

Mayor Wukela recessed the meeting at 1:37 p.m.

Mayor Wukela reconvened the meeting at 1:44 p.m.

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**Rev. E. J. McIver – To make a presentation to Council regarding community concerns**

Reverend McIver presented a report to Council regarding his concerns for the young people in the community. Reverend McIver stated there is an overwhelming need for the Weed and Seed Program in the City of Florence and asked Council to revisit the requests made by the Weed and Seed Program. Reverend McIver feels that as a community, strategies should be adopted to change the public discourse on criminal justice when it comes to our young people. Further, every resource in the City should be utilized to help the young people with criminal records to access jobs and education. With this type of help, more of them will be able to repay their debt to society and their victims and the recidivism rate will be much lower.

Reverend McIver feels that an attempt should be made to work in collaboration with Florence School District One to try and come up with some multi-cultural understanding; tutoring; youth job placement; conflict resolution; anger management and family involvement. Through financial resources the city should retrain officers to discontinue and to prevent the practice of racial profiling; and to hold accountable those officers that continue to use racial profiling methods to stop and search young people.

Reverend McIver stated that a police review committee is needed in the City of Florence. There is a need to work with young people, who have had brushes with the law, by having youth job banks; increase job shadowing opportunities; collaboration of youth agencies and to assist with employment. Reverend McIver suggested communication between young people and the police; to increase communication with at-risk students; to increase opportunities for law-enforcement to interact with young people through recreational and leisure activities; to improve interpersonal skills (listen more effectively); foster a climate of trust; have discussions on resolving arguments and disagreements.

Reverend McIver suggested creating programs such as boot camps and mentoring; creating diversion programs like community projects (service); wilderness diversion programs, i.e., ropes-building teams.

Reverend McIver concluded by stating that the main need is to establish a Police Civilian Review Board with subpoena powers in cases involving police shootings and police misconduct situations where force is used.

Mayor Wukela thanked Reverend McIver for his report.

**Mr. Anthony Toney, Commissioner, American Basketball International League – To give Council a report on the basketball league and the impact it may have on the City.**

This item was withdrawn from the agenda.

**Mrs. Teresa Ervin – To speak to Council regarding the possibility of creating a Citizen's Review Board.**

Mrs. Ervin spoke to Council regarding a Citizen's Advisory Board being formed for the City of Florence. Mrs. Ervin stated the Citizen's Advisory Board would be made up of a group of citizens to work with the Chief of Police and City Council. The Board would look at incidents and offer suggestions of how the situation was handled and what to do in the future. Mrs. Ervin stated she hoped this would build trust between the police force and the community.

Councilman Robinson asked Mayor Wukela to consider having a worksession with members of the community regarding designing a Citizens' Advisory Board.

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Mayor Wukela stated he would consider the request and would also look forward to receiving recommendations from City staff.

Mayor Wukela thanked Mrs. Ervin for her report and stated Council will take her recommendations very seriously.

**PUBLIC HEARING**

**To receive input from the public regarding a curfew ordinance for the City of Florence.**

There was no one present to speak at the public hearing.

**EXECUTIVE SESSION**

Councilman Brand made a motion to enter into Executive Session. Councilman Powers seconded the motion, which carried unanimously.

Council entered into Executive Session at 2:30 p.m.

Mayor Wukela reconvened the regular meeting at 3:35 p.m.

Mayor Wukela stated that Council received legal advice in Executive Session on some of the ordinances that are before Council today.

**ORDINANCES IN POSITION**

**BILL NO. 2009-24 – SECOND READING**

**AN ORDINANCE TO ESTABLISH A DAYTIME CURFEW FOR JUVENILES FROM THE AGE OF SIX (6) THROUGH SIXTEEN (16) BETWEEN THE HOURS OF 8:30 A.M. AND 2:30 P.M. ON ANY SCHOOL DAY.**

An Ordinance to establish a daytime curfew for juveniles from the age of six (6) through sixteen (16) between the hours of 8:30 a.m. and 2:30 p.m. on any school day was adopted as amended on second reading.

Mayor Wukela stated that one concern of Council is juveniles out during the day during school hours engaging in activities that they shouldn't be engaged in. Also, there a concern about dealing with that without forcing these juveniles into a court system that may lead them into further engagements in the court system. The enforcement mechanism for the City is the police officers and Council is concerned about how a police officer is going to interact with the young person and whether the person's absence from school is going to be an offense they would be charged with or that their parent(s) would be charged with and how that would be dealt with. Also, what would be done with the custody of the child in the event that the child refuses to return to school?

Councilman Williams made a motion to adopt Bill No. 2009-24 as written with the exception of the amendments that will be written and presented by Mr. Jim Peterson, City Attorney. Councilman Robinson seconded the motion.

Councilman Robinson stated the whole purpose of the ordinance is not to arrest the child or children because Council does not want them to have a record. Councilman Robinson added that he would like to see the police officer approach the child and if the child refuses to cooperate with the police officer, then the officer will give the child a choice. Either the child will go with the officer or a citation will be issued to the parents.

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Councilman Brand commended Councilman Robinson on his work with the daytime curfew and to everyone else that has worked on the curfew. Councilman Brand stated there are three areas that he is concerned about: protection, policing and parenting. Councilman Brand stated his first concern is policing and he does not know how the City could have enough police officers to enforce this ordinance as well as perform their other required duties without raising the City's millage. The second concern is protection. Again, the number of police the City would need to protect the neighborhoods and the children is a concern. The last concern is parenting. Councilman Brand stated that nothing can be accomplished without good parenting. Councilman Brand concluded his remarks by saying that the Ordinance has some real good possibilities but there still needs to be more study done to make it work.

Councilman Bradham stated he is not in favor of the Ordinance. He feels this is a school problem and a truancy problem. Councilman Bradham stated that if the school is having a problem with a child, there is a truancy guide that has programs in place to deal with that child before any action is taken.

Councilman Bradham made a motion to amend the amended motion that the proposed ordinance be referred to the City County Conference Committee for discussion on how to handle city and county children in School District 1 as relates to the daytime curfew. Councilman Brand seconded the motion.

Voting aye on the amendment by Councilman Bradham to refer this to the City County Conference Committee were Councilman Bradham and Councilman Brand.

Voting nay were Mayor Wukela, Councilman Powers, Councilman Robinson, Councilman Williams and Councilwoman Williams-Blake.

The amendment failed with a vote of 2-5.

After Mr. Jim Peterson read the amendments to the curfew ordinance, Councilman Williams made a motion to amend Bill No. 2009-24. Councilman Robinson seconded the motion.

Voting aye on the amendments were Mayor Wukela, Councilman Powers, Councilman Williams and Councilman Robinson.

Voting nay were Councilman Brand, Councilman Bradham and Councilwoman Williams-Blake.

The amendment passed with a vote of 4-3.

Councilman Robinson made a motion that the ordinance shall become effective on the first day of the 2010-2011 school year as determined by the calendar approved by Florence School District One. Councilman Williams seconded the motion.

Councilman Bradham made a motion that the curfew ordinance be effective for one year.

This motion failed for lack of a second.

Voting aye on the motion to set the effective date were Mayor Wukela, Councilman Powers, Councilman Robinson, Councilman Williams, Councilman Brand and Councilwoman Williams-Blake.

Voting nay was Councilman Bradham.

The motion passed 6-1.

Voting aye on the principal motion to adopt Bill No. 2009-24 on second reading with the two amendments that were presented were Mayor Wukela, Councilman Powers, Councilman Robinson and Councilman Williams.

Voting nay were Councilman Brand, Councilman Bradham and Councilwoman Williams-Blake.

The motion passed 4-3.

**BILL NO. 2010-04 – SECOND READING**

**AN ORDINANCE TO AMEND THE TEXT OF ARTICLE I OF CHAPTER 19 REGARDING TRAFFIC BY AMENDING SECTION 19-1 OF THE CODE OF ORDINANCES REGARDING HANDICAPPED PARKING VIOLATIONS AND ASSOCIATED FINES.**

An Ordinance to amend the text of Article I of Chapter 19 regarding traffic by amending Section 19-1 of the Code of Ordinances regarding Handicapped Parking Violations and associated fines was adopted on second reading.

Councilman Brand made a motion to adopt Bill No. 2010-04 on second reading. Councilman Powers seconded the motion.

Voting aye were Mayor Wukela, Councilman Powers, Councilman Brand, Councilman Williams and Councilwoman Williams-Blake.

Voting nay were Councilman Robinson and Councilman Bradham.

**BILL NO. 2010-08 – SECOND READING**

**AN ORDINANCE REVISING THE WATER AND SEWER RATE SCHEDULE FOR THE CITY OF FLORENCE, SOUTH CAROLINA.**

An Ordinance revising the water and sewer rate schedule for the City of Florence, South Carolina was adopted on second reading.

Councilman Brand made a motion to adopt Bill No. 2010-08 on second reading. Councilwoman Williams-Blake seconded the motion.

Voting aye were Councilman Powers, Councilman Brand, Mayor Wukela, Councilman Williams, Councilman Bradham and Councilwoman Williams-Blake.

Voting nay was Councilman Robinson.

**BILL NO. 2010-09 – SECOND READING**

**AN ORDINANCE TO REZONE THE REAR PORTION OF 421 SECOND LOOP ROAD OWNED BY HONDROS ET AL FROM R-5 MULTI-FAMILY TO B-3 GENERAL COMMERCIAL DISTRICT.**

An Ordinance to rezone the rear portion of 421 Second Loop Road owned by Hondros Et Al from R-5 Multi-Family to B-3 General Commercial District was adopted on second reading.

Councilman Brand made a motion to adopt Bill No. 2010-09 on second reading. Councilman Powers seconded the motion, which carried unanimously.

**BILL NO. 2010-10 – SECOND READING**

**AN ORDINANCE TO AMEND THE SOMERSETT LLC PLANNED DEVELOPMENT DISTRICT BY ADDING A 20' EASEMENT.**

An Ordinance to amend the Somerset LLC Planned Development District by adding a 20' easement was adopted on second reading.

Councilman Brand made a motion to adopt Bill No. 2010-10 on second reading. Councilwoman Williams-Blake seconded the motion, which carried unanimously.

**INTRODUCTION OF ORDINANCES**

**BILL NO. 2009-43 – FIRST READING**

**AN ORDINANCE TO AMEND ARTICLE 5, SIGN REGULATIONS IN THE ZONING ORDINANCE RELATING TO BANNERS.**

An Ordinance to amend Article 5, Sign Regulations in the Zoning Ordinance relating to banners was passed on first reading.

Mr. Phillip Lookadoo, Director of Urban Planning and Development reported that at the July 13, 2009 City Council meeting Councilman Brand requested that the Planning Commission review the Zoning Ordinance regulations pertaining to banners. At the August 11, 2009 Planning Commission meeting, a sub-committee was appointed to review the current ordinance and to report back with recommendations. The sub-committee met on August 26 and September 22 and was provided information on sign regulations, addressing both constitutional and legal issues. The sub-committee presented their report of recommended changes to the Planning Commission at their meeting of October 13, 2009. After receiving legal advice, the Planning Commission voted 6-0 to recommend approval of the proposed changes as shown in the proposed Ordinance. City Council sent the proposed amendments back to the Planning Commission for more study on allowing an additional sign instead of banners. At the February 9, 2010 Planning Commission meeting, a public hearing was held to consider the proposed amendments from the sign sub-committee and approved a recommendation by a 7-0 vote to add an additional sign and 6 banners a year for 45 days each to the previous amendments. Other recommendations include that the signs be for non-profit organizations within residential districts with a maximum of 20 sq. ft., 32 sq. ft. for all other signs, and the fee for non-profits be waived.

Councilman Brand made a motion to pass Bill No. 2009-43 on first reading. Councilman Powers seconded the motion.

Mayor Wukela expressed his concerns that the result of passing this Ordinance would be to allow additional signage for a non-profit organization and deprive the additional signage for a for-profit organization.

Councilwoman Williams-Blake stated she agreed with Mayor Wukela and added that it is not fair to treat a non-profit organization differently than a for-profit organization as relates to the sign ordinance.

Voting aye were Councilman Powers, Councilman Brand, Councilman Robinson, Councilman Williams and Councilman Bradham.

Voting nay were Mayor Wukela and Councilwoman Williams-Blake.

**BILL NO. 2010-12 – FIRST READING**

**A SERIES ORDINANCE MAKING PROVISION FOR THE TERMS AND CONDITIONS OF AN ISSUE OF COMBINED WATERWORKS AND SEWERAGE SYSTEM REFUNDING AND CAPITAL IMPROVEMENT REVENUE BONDS, SERIES 2010, OF THE CITY OF FLORENCE, SOUTH CAROLINA, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$99,000,000 AS AUTHORIZED BY A BOND ORDINANCE OF THE CITY OF FLORENCE ADOPTED OCTOBER 24, 1989; FOR THE AMENDMENT OF SAID BOND ORDINANCE; AND OTHER MATTERS RELATING THERETO.**

A Series Ordinance making provision for the terms and conditions of an issue of combined waterworks and sewerage system refunding and capital improvement revenue bonds, Series 2010, of the City of Florence, South Carolina, in the aggregate principal amount of not exceeding \$99,000,000 as authorized by a bond ordinance of the City of Florence adopted October 24, 1989; for the amendment of said Bond Ordinance; and other matters relating thereto was passed on first reading.

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Contract I construction of the Wastewater Management Facility (WWMF) began in the fall of 2009. The total Contract I project cost is estimated to be \$18,900,000, and is funded by a Water Pollution Control Revolving Loan Fund approved by an Ordinance adopted by Florence City Council on June 15, 2009.

Bids were opened on February 25, 2010 for the construction on Contract II, scheduled to begin in May 2010. Contract II will complete the expansion started under Contract I and will complete treatment capability at the WWMF to 18 million gallons per day. Both contracts consist of improvements that will accommodate future expansions of the WWMF to 22 MGD.

The adoption of this Ordinance is required prior to the closing of the revenue bond issue for the financing of the WWMF Contract II.

The total amount of the revenue bonds, not to exceed \$99,000,000, includes approximately \$62,000,000 for costs related to Contract II, and an additional amount of up to \$37,000,000 to be used for refunding certain outstanding revenue bonds as well as funding of a required debt service reserve.

Councilman Brand made a motion to pass Bill No. 2010-12 on first reading. Councilman Powers seconded the motion, which carried unanimously.

**BILL NO. 2010-13 – FIRST READING**

**AN ORDINANCE TO AMEND ARTICLE 6, SUPPLEMENTAL OFF-STREET PARKING AND LOADING REGULATIONS IN THE ZONING ORDINANCE RELATING TO PARKING NON-RESIDENTIAL VEHICLES IN RESIDENTIAL ZONES.**

An Ordinance to amend Article 6, Supplemental Off-Street Parking and Loading Regulations in the Zoning Ordinance relating to parking non-residential vehicles in residential zones was passed on first reading.

Mr. Phillip Lookadoo, Director of Urban Planning and Development reported since July 2008, when the City established zoning enforcement, there have been several complaints relating to commercial vehicles parking in residential zones. The current regulations only apply to R-1, R-2 and R-3 zoning districts and vehicle weights are outdated. At the February 9, 2010 Planning Commission meeting, several amendments were approved with a 7-0 vote. The amendments are as follows:

1. Add R-4 and R-5 residential districts to those areas where there are restrictions on parking non-residential vehicles.
2. In Section 6.9 1 add “and adjacent properties”.
3. Update the gross vehicle weight from 2 tons to 3.5 tons.

Councilman Brand made a motion to pass Bill No. 2010-13 on first reading. Councilman Powers seconded the motion.

Voting aye were Councilman Powers, Councilman Brand, Mayor Wukela, Councilman Williams, Councilman Bradham and Councilwoman Williams-Blake.

Voting nay was Councilman Robinson.

**BILL NO. 2010-14 – FIRST READING**

**AN ORDINANCE TO AMEND THE BUDGET FOR THE CITY OF FLORENCE, SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2009, AND ENDING JUNE 30, 2010.**

An Ordinance to amend the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2009, and ending June 30, 2010 was passed on first reading.

Mr. David Williams, City Manager reported that this budget amendment is for the current year. The mid-year budget review has been completed and as anticipated the City’s revenues, in both the

**REGULAR MEETING OF FLORENCE CITY COUNCIL  
MARCH 8, 2010 – PAGE 9**

general fund and the water and sewer fund, are down. As a result a budget amendment has been provided to Council that would reduce the general fund budget by \$440,000 and the water and sewer and utility budget by \$965,000.

Councilman Brand made a motion to pass Bill No. 2010-14 on first reading. Councilman Powers seconded the motion, which carried unanimously.

**REPORT TO COUNCIL**

**AN UPDATE BY STAFF REGARDING THE LEVY PARK PROJECT**

Councilman Robinson requested that this item be deferred. There was no objection to deferring this item to the April agenda.

**ADJOURNMENT**

Council unanimously consented to adjourn the meeting. The meeting was adjourned at 4:35 p.m.

Dated this \_\_\_\_\_ day of April, 2010.

\_\_\_\_\_  
Dianne M. Rowan, Municipal Clerk

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

**SPECIAL MEETING OF FLORENCE CITY COUNCIL  
MONDAY, MARCH 22, 2010 - 5:30 P.M.  
CITY-COUNTY COMPLEX, CITY COUNCIL CHAMBERS, ROOM 604  
FLORENCE, SOUTH CAROLINA**

**MEMBERS PRESENT:** Mayor Wukela called the special meeting to order at 5:30 p.m. The following members were present: Councilman Steve Powers; Councilman Frank J. Brand, II; Councilman Edward Robinson; Councilman Billy D. Williams; Councilman William C. Bradham, Jr.; and Councilwoman Octavia Williams-Blake.

**ALSO PRESENT:** David N. Williams, City Manager; Dianne M. Rowan, Municipal Clerk; James W. Peterson, Jr., City Attorney; Scotty Davis, Director of Community Services; Philip Lookadoo, Director of Urban Planning and Development; Chief Randy Osterman, Florence Fire Department; and Tom Shearin, Special Services Administrator.

Notices of this special meeting were sent to the media informing them of the date, place and time of the meeting. Dwight Dana of the Morning News and Tonya Brown of WPDE TV-15 were present for the meeting.

**INVOCATION**

Councilman Billy D. Williams delivered the invocation which was followed by the Pledge of Allegiance to the American Flag.

**PUBLIC HEARING**

A public hearing was scheduled to receive public input regarding the proposed changes to Section 4-210 through 4-225, Section 9-24 through 9-39, and Section 4-2.1 of the City of Florence Code of Ordinances.

Ms. Jeanne Downing spoke against the three proposed ordinances as presented but stated the committee is very close to supporting the "Livability Ordinance" or Bill No. 2010-06. Ms. Downing fully supports the Mayor's goal of taking down abandoned, vacant and dilapidated dwellings. However, she asked Council to defer the three ordinances up for first reading today.

Mr. Gary Finklea believes City Council should not adopt any version of the ordinances on first reading. Mr. Finklea stated that the proposed ordinance is very broad reaching. However, he supports an ordinance that seeks to eliminate abandoned and vacant properties. Standards are needed that will protect property owner's rights.

Mrs. Betty Shelley stated that the Timrod Park Neighborhood Association is in favor of having an Appeals Board appointed. Mrs. Shelley stated that the Board could offer a method of approaching a person who is not maintaining their property.

Mr. Gary Dauksch agrees that vacant and abandoned properties in Florence are a big problem. Mr. Dauksch stated he supports the Mayor's efforts to clean them up. However, he cannot support the ordinances in their present form.

Mr. Tom Sheehy stated he has concerns with the authority invested in enforcement officers in the proposed ordinances to enter premises. The Supreme Court has ruled specifically that in non-criminal cases, a warrant is required to enter a property, unless the occupant agrees. Mr. Sheehy feels the language is too broad in the proposed ordinance.

Mr. Bill Pickle agreed with Mr. Sheehy's remarks and stated he feels the ordinances infringe on individual rights of people.

**SPECIAL MEETING OF FLORENCE CITY COUNCIL  
MARCH 22, 2010 – PAGE 2**

Ms. Debbie Eaddy asked Council to defer the proposed ordinances and to have another worksession to work on an ordinance that does the right thing for Florence.

Mr. Bryan Dowd stated he supports the cleaning up of abandoned and dilapidated properties. He does not see the need to have properties inspected at anytime. Mr. Dowd urged Council to defer the ordinances and schedule a worksession so further work can be done on the proposed ordinances.

Reverend Raymond Johnson stated he felt these ordinances would mostly affect the poor and the elderly. He would like Council to take a little more time and review these ordinances and make sure the ordinance affect everyone equally.

Ms. Pat Gibson-Hye stated there is a need to target homes that are not being maintained by landlords and that are unsafe and unfit to live in. The ordinance needs to be tweaked some more but needs to come into effect soon.

Ms. Teresa Ervin stated she would like to see the ordinance passed and realizes that more work is needed on the proposed ordinance. Ms. Ervin stated there are many properties that are being rented out that should not be.

Mr. Murray Jordan stated his concerns are that there are people living in inadequate homes but if evicted where will they live? In addition, the fees that will be charged for these inspections will be passed on to those who cannot afford them. The City needs to find a solution that includes finding somewhere for people to live.

Mr. Elijah Jones has concerns with the City government becoming involved in a contractual matter between a tenant and a landlord. He would like Council to give more thought to these ordinances before voting on them.

**INTRODUCTION OF ORDINANCES**

**BILL NO. 2010-06 – FIRST READING**

**AN ORDINANCE TO AMEND SECTIONS 4-210 THROUGH 4-225 OF THE CITY CODE TO UPDATE AND STREAMLINE THE PROCESSES WITHIN THE CITY FOR THE IDENTIFICATION AND HANDLING OF DWELLINGS UNFIT FOR HUMAN HABITATION.**

An Ordinance to amend Sections 4-210 through 4-225 of the City Code to update and streamline the processes within the City for the identification and handling of dwellings unfit for human habitation failed for lack of a second.

Mayor Wukela stated he has had numerous discussions with members of the Realtors Board Committee and the Builder's Association Committee related to these ordinances and in particular to the habitability ordinance, Bill No. 2010-06. During the public hearing many of their concerns were expressed. As a result of these discussions, a compromise of Bill No. 2010-06 was written and circulated to Councilmembers. Mayor Wukela added he felt that they were on the same page with regard to vacant properties and was appreciative of this. The new version of this Bill divides the properties into three classes: 1) Truly vacant, abandoned properties; 2) tenant occupied properties; and 3) owner occupied properties.

Mayor Wukela made a motion to pass Bill No. 2010-06 as amended on first reading.

This motion failed for lack of a second.

**BILL NO. 2010-05 – FIRST READING**

**AN ORDINANCE TO AMEND SECTION 4-2.1 OF THE CITY CODE TO UPDATE AND STREAMLINE THE PROCESSES WITHIN THE CITY FOR THE IDENTIFICATION AND ABATEMENT OF UNSAFE COMMERCIAL BUILDINGS.**

An Ordinance to amend Section 4-2.1 of the City Code to update and streamline the processes within the City for the identification and abatement of unsafe commercial buildings failed for lack of a second.

Mayor Wukela made a motion to pass Bill No. 2010-05 on first reading.

This motion failed for lack of a second.

**BILL NO. 2010-07 – FIRST READING**

**AN ORDINANCE TO AMEND SECTIONS 9-24 THROUGH 9-39 OF THE CITY CODE TO UPDATE AND STREAMLINE THE PROCESSES WITHIN THE CITY FOR THE IDENTIFICATION AND ABATEMENT OF NUISANCES.**

An Ordinance to amend Sections 9-24 through 9-39 of the City Code to update and streamline the processes within the City for the identification and abatement of nuisances failed for lack of a second.

Mayor Wukela made a motion to pass Bill No. 2010-07 on first reading.

This motion failed for lack of a second.

**REPORT TO COUNCIL**

**APPOINTMENTS TO HOUSING BOARD OF ADJUSTMENTS AND APPEALS**

Mayor Wukela stated that the last matter for discussion is the appointments to the Housing Board of Adjustments and Appeals.

Mayor Wukela stated that although the ordinances that were just presented to Council did not pass, there is still an ordinance in effect that calls for a Housing Board of Adjustments and Appeals. Mayor Wukela asked if it was Council's desire to appoint the Board of Appeals such that they could proceed under the prior ordinance. Two members have already been appointed to the Board and Mayor Wukela asked if there were any motions to appoint additional members to the Board.

Councilman Robison stated that two members had been appointed but those appointments had been repealed. Councilman Bradham agreed.

Councilwoman Williams-Blake added that because Council did not vote on the proposed ordinances, Council is still operating under the 1974 law which calls for a housing board. Councilwoman Williams-Blake stated she feels that Council needs to appoint the board because the members will need to be involved in the process of re-writing the housing ordinances.

Councilwoman Williams-Blake made a motion to proceed with appointing the Housing Board of Adjustments and Appeals. Mayor Wukela seconded the motion.

Councilman Williams stated he feels it would be better to have an ordinance adopted before appointing the Board.

Councilman Robinson stated that if the Board is going to be appointed it should be discussed how it will be appointed and what the make-up of the board will be. Councilman Robinson feels there should be a variety of people on the Board that will treat the people fairly and equitably.

Councilman Bradham made a motion to amend the motion to appoint the board such as it repeals the appointments that have already been made. Councilman Powers seconded the motion.

**SPECIAL MEETING OF FLORENCE CITY COUNCIL  
MARCH 22, 2010 – PAGE 4**

Councilman Powers stated he feels the appointment of this board should be done at a point when the ordinances are in place. Members should be appointed when they will know what the task is going to be.

Councilman Robinson added that this issue is just as important as the Curfew Ordinance that Council worked almost two years on. He added that there should be a good group of people from all sectors of the city to come in and work together and not rush through the process.

Mayor Wukela reviewed actions taken by Council up to this point. There was a motion to appoint the board that was made and seconded. There was discussion by Council and then Councilman Bradham made a motion to amend that motion such as to repeal the appointments that had already been made and that was made and seconded and that is the discussion Council is currently under. Mayor Wukela asked if there was any further discussion.

Voting in favor of amending the motion to appoint the Board such as to repeal the two appointments that have already been made were Councilman Powers, Councilman Brand, Councilman Robinson, Councilman Williams and Councilman Bradham.

Voting against the motion were Mayor Wukela and Councilwoman Williams-Blake.

The motion passed 5-2. The previous appointments are hereby repealed.

Mayor Wukela stated that the remaining motion is the motion to appoint the board on the prior 1970's law. Since no further law has been passed, it would be to appoint the board with the prior ordinance and a motion and a second has been made on that.

Voting in favor of appointing the board under the prior law were Mayor Wukela and Councilwoman Williams-Blake.

Voting nay were Councilman Powers, Councilman Brand, Councilman Robinson, Councilman Williams and Councilman Bradham.

The motion failed 5-2.

**ADJOURN**

Councilman Williams made a motion to adjourn. Councilman Robinson seconded the motion, which carried unanimously.

The meeting was adjourned at 6:40 p.m.

Dated this \_\_\_\_\_ day of April, 2010.

\_\_\_\_\_  
Dianne M. Rowan, Municipal Clerk

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

FLORENCE CITY COUNCIL MEETING

VI. a.  
Bill No. 2009-43  
Second Reading

**DATE:** March 8, 2010

**AGENDA ITEM:** First Reading, Ordinance to amend the Zoning Ordinance

**DEPARTMENT/DIVISION:** Urban Planning & Development

**I. ISSUE UNDER CONSIDERATION**

An amendment to Section 5 of the City of Florence Zoning Ordinance in relation to permanent and temporary signs (banners) for institutions or non-profit organizations. The current regulations do not allow banners in residential zones and where permitted, they are allowed for up to 30 days with a six month interval.

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

1. During the July 13, 2009 City Council meeting, Councilman Buddy Brand requested that Planning Commission review the Zoning Ordinance regulations pertaining to banners.
2. At the August 11<sup>th</sup> Planning Commission meeting, Chairman Glynn Willis appointed a sub-committee to review the current ordinance and report back with recommendations.
3. The sub-committee met on August 26 and September 22 while staff provided current information on sign regulations, addressing both constitutional and legal issues.
4. On October 13, 2009, the sub-committee presented their report of recommended changes at the Planning Commission meeting.
5. After receiving legal advice, Planning Commission voted 6-0 to recommend approval of the proposed changes as shown in the attached ordinance.
6. City Council sent the proposed amendments back to Planning Commission for more study on allowing an additional sign instead of banners.
7. Planning Commission at their February 9, 2010 meeting, held a public hearing to consider proposed amendments from the sign sub-committee and approved a recommendation by a 7-0 vote to add an additional sign and 6 banners a year for 45 days each to the previous amendments.

**III. POINTS TO CONSIDER**

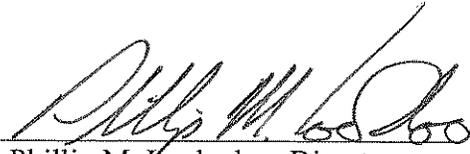
This item is being considered for first reading.

**IV. OPTIONS**

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

**V. ATTACHMENTS**

1. Ordinance
2. Sign Sub-Committee Report



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Phillip M. Lookadoo, Director  
Urban Planning & Development



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David N. Williams  
City Manager

City of Florence Planning Commission  
Sign Subcommittee Report  
January 28, 2010

**Members Present:** Mildred Welch and Louie Hopkins

**Staff :** Liz Shaw and Kendra Cobbs

The committee reviewed the comments and directions made by City Council at the December 14, 2009 meeting when the proposed changes to the regulations relating to banners has been introduced for first reading.

Councilman Brand had suggested that a second sign be permitted for non-profits in lieu of banners. This proposal was discussed by the sub-committee as an option to accommodate the needs of non-profits to advertize various activities and events. They recommended that a second permanent sign with changeable lettering be allowed on properties that had less than 300 feet of street frontage. This second sign should be no larger than 32 square feet. Applicants could choose between either a second permanent sign or using banners for temporary signage as previously proposed, but not both.

The sub-committee proposed the following amendments to the previous recommendations:

1. Amend Article 5, Table VIII, Regulation of Signs By Type, Characteristics and Zoning Districts to allow:
  - a. an additional free-standing permanent changeable copy sign for institutional organizations.
  - b. The additional sign to be no larger than 32 square feet in commercial zones. The sign size in residential zones is already limited to 20 square feet.
  - c. Entities may choose between an additional permanent sign OR continuing to display banners.

Staff Comments

Table VIII Regulation of Signs By Type, Characteristics and Zoning Districts in the Zoning Ordinance limits institutional signs to 20 square feet in residential districts. Staff recommends that this limit also be applicable to the second sign. Staff also researched street frontage and recommend that any reference number of signs per street frontage be removed as unnecessary

**ORDINANCE NO. 2010\_\_\_\_\_**

**AN ORDINANCE TO AMEND ARTICLE 5, SIGN REGULATIONS IN THE ZONING ORDINANCE RELATING TO SIGNAGE FOR INSTITUTIONAL USES**

**WHEREAS**, the Planning Commission was directed by City Council to review the current Zoning Ordinance in relation to signage for institutional uses and;

**WHEREAS**, the Planning Commission established a sub-committee to study this issue and report back to the Planning Commission with their findings and;

**WHEREAS**, the Planning Commission at their October 13, 2009, and February 9, 2010 meetings recommended approval of the amendments as submitted by the sub-committee as follows:

1. Current text with changes shown by a strikethrough:

**Table VII  
 Number, Dimension, and Location of Permitted Signs,  
 By Zoning District**

Sign Type	All Residential Zones	B-1	B-2	B-3	B-4	B-5/B-6	RU-1	RU-2	INS (3)	UZ (5)
<b>Permanent</b>										
Freestanding										
Billboards (4)	N	N	N	P	N	P	P	N	N	P
Other	P (1)	P (1)	P	P	P	P	P	P (1)	P	NA
Directional (6)	N	A	A	A	A	A	A	A	A	NA
<b>Building</b>										
Canopy	N	P	P	P	P	P	P	P	N	NA
Identification	A	A	A	A	A	A	A	A	A	NA
Directional	N	A	A	A	A	A	A	A	A	NA
Marquee	N	N	P	P	P	P	P	N	N	NA
Projecting	N	N	P	P	P	P	P	N	N	NA
Roof	N	N	P	P	P	P	P	N	N	NA
Roof, Integral	N	N	P	P	P	P	P	N	N	NA
Wall	N	P	P	P	P	P	P	P	N	NA
Window	N	A	A	A	A	A	A	A	A	NA
<b>Temporary (2)</b>										
A-Frame	N	N	A	A	A	A	A	N	N	NA
<del>Banner</del>	<del>N-P</del>	N	P	P	P	P	P	N	<del>N-P</del>	NA
Posters	A	A	A	A	A	A	A	A	A	NA
Portable	N	N	N	P	N	N	P	P	N	NA
Inflatable	N	N	P	P	N	N	P	N	N	NA
Pennant	N	N	P	P	N	P	P	N	N	NA
Identification	A	A	A	A	A	A	A	A	A	NA
<b>Sign Characteristics</b>										

Animated	N	N	P	P	P	P	P	N	N	NA
Changeable Copy	N	A	A	A	A	A	A	A	A	NA
Illumination Indirect	A	A	A	A	A	A	A	A	A	NA
Illumination Internal	A	A	A	A	A	A	A	A	A	NA
Illumination, Exposed bulbs or neon	N	N	N	N	N	N	N	N	N	NA

- 1 – Signs identifying or announcing land subdivisions, residential projects, or agricultural operations, where permitted.
- 2 – See Section 5.5
- 3 – This column does not represent a zoning district. It applies to institutional and other non-residential uses permitted in residential zoning districts, i.e., churches, schools, parks, etc., and includes historical markers.
- 4 – Where permitted by Table VII, billboards may be established only on lots or parcels fronting or within 600 feet of Interstate ROW as defined by Table VIII and U.S. designated highways.
- 5 – Un-zoned area of County.
- 6 – Though allowed w/o prior permitting, must meet the conditional requirements of Table VIII
- NA – Regulation not applicable in un-zoned area of county.

2.

**Table VIII  
 Regulation of Signs  
 By Type, Characteristics, and Zoning Districts**

	All Residential Zones	B-1	B-2	B-3	B-4	B-5/B-6	RU-1	RU-2	INS (B)
<b>FREESTANDING SIGNS</b>									
<b>Number Permitted Per lot (E)</b>									
Billboards	N	N	N	NA	N	NA	NA	N	N
Other (J)	1(A)	1	1	1	1	1	1	1 (A)	1-2
<b>Per Feet of St. Frontage</b>									
Billboards	N	N	N	1:1,200	N	1:1,200	1:1,200	N	N
Other	NA	NA	NA	(D)	NA	(D)	(D)	NA	NA
<b>Maximum Sign Area (s.f.)</b>									
Billboards	NA	NA	NA	(F)	NA	(F)	(F)	NA	NA
Other	20	20	32	3 s.f. for each ft. st. frontage (G)	80	80	32	20	20
<b>Minimum Setback from Property Line</b>									
Billboards	NA	NA	NA	10'	NA	10'	10'	NA	NA
Other	5'	5'	5'	5'	0'	5'	5'	5'	5'
Maximum Height	12'	12'	24'	(H)	24'	(H)	(H)	12'	12'
<b>BUILDING SIGNS</b>									
Number Permitted (K)	1	1	2	2	2	2	2	1	1
Maximum Sign Area (s.f.)	4	12	NA	NA	NA	NA	NA	12	12
Maximum Wall Area (K)	NA	NA	25 %	25%	25%	15%	25%	NA	NA
<b>TEMPORARY SIGNS</b>	<b>See Section 5</b>								

Table Notes: NA = Not Applicable N= Not Allowed s.f. = Square Feet

- A – One-use identification signs, not exceeding 20 s.f. each, are permitted for each entrance of a subdivision, residential project, or agricultural operation
- \* - Two-use identification signs, not exceeding 20 s.f. each, are permitted for each entrance of a subdivision, residential project, or agricultural operation for the City of Florence only.
- B – This column does not represent a zoning district. It applies to institutional and other non-residential uses permitted under the Zoning Ordinance in residential zoning district, i.e. churches, schools, parks, etc. A second sign is permitted with changeable copy.
- C – Minimum distances required by this section shall be measured between billboards located on either side of the street

along the centerline of the street from which the billboard is viewed.

- D – One per lot or one for each 300 linear feet of street frontage, whichever is less.
- E – Lots fronting on two or more streets are allowed one additional sign for each street frontage, but signage cannot be accumulated and used on one street in excess of that allowed for lots with only one street frontage.
- F – 378 s.f., except where located within 600 feet of an Interstate Highway ROW, where maximum shall be 672 square feet. Interstate highway ROW does not include I-20 Spur or McLeod Blvd. From W. Evans to I-95.
- G – Not to exceed 160 square feet.
- H - Maximum height of billboards shall not exceed 100 feet where located within 600 feet of Interstate Highway as defined above (measured from the average roadway grade level; maximum height of other signs and billboards not on Interstate ROW shall not exceed forty (40) feet.
- I – Un-zoned areas – Billboards must be within 600 feet of business operation for 12 months, with at least one employee available to public at least 36 hours per week for four (4) days. Business to be equipped with all utilities, including restroom and permanent floor.
- J – Directional signs shall meet the following conditional criteria:
  - (1) The display surface area of directional signs shall not exceed 2 square feet per sign.
  - (2) A limit of three signs stacked may be utilized and shall not exceed five feet in height measured from the ground up.
  - (3) The height of a directional sign shall not exceed five feet in height measured from the ground up.
  - (4) Sign cannot intrude into the required site triangle.
  - (5) Company colors and/or logo may be used but no commercial message may be displayed.
- K - One projection or wall sign may be allowed per tenant wall, not above the roof line, meeting the following size requirement and not to exceed 4 tenant walls; Front and rear walls=20% of wall area not to exceed 200 square feet; side walls=20% of wall areas not to exceed 100 square feet. **This provision shall apply to structures within line of sight of interstate highways and major thoroughfares.**

3. Proposed amendments are highlighted:

**Section 5.5 Temporary Signs**

Sign Type	Display Period	Display Intervals	Dimensions	Conditions
A-Frame	daylight hours only	off-hours	12 sq. ft.	A
Banner	30 days	6 months	None	B,H <b>Institutional uses only I,J,K,L, M</b>
Posters	30 days	None	6 sq. ft.	C
Portable	30 days	11 Months	32 sq. ft.	D
Inflatable	30 days	1 year	None	E
Pennants	30 days	6 months	None	B
Identification	90 days, or project completion	None	200 sq. ft.	F
Political	Unlimited	Not Applicable	6 sq. ft (Residentially zoned areas); 16 sq. ft (all other areas)	C/G

- A. A-Frame signs, where located on sidewalks, shall be located in such a manner as not to obstruct pedestrian movement.
- B. Banners and pennants shall be properly secured and maintained at all times, and shall not interfere with pedestrian or vehicular movement.
- C. Posters shall not be allowed on any telephone or power poles or any public right-of-way,

- and shall be placed no closer than five (5) feet from a street or curb.
- D. Portable signs shall be limited to one per establishment, shall have no colored or flashing lights, shall not be wired so as to obstruct or hinder pedestrian or vehicular traffic or pose any potential for such hindrance (i.e. exposed drop cord), shall not exceed six (6) feet in height, shall be anchored in accord with the Building Code, and shall not be converted to a permanent sign.
- E. Inflatable signs shall be properly anchored and shall not interfere with airport traffic.
- F. Temporary subdivision and work under construction identification signs shall adhere to the Development Standards of Section 5.7.
- G. Political signs shall be removed within 7 days after the election.
- H. The City Manager may declare a special event to be a special public function for a specific period of time during which temporary non-durable signs such as banners, pennants, etc. may be used. Permits are required for a special public function; however, normal fees shall be waived for governmental and eleemosynary (charitable) organizations.
- I. Banners in residential zones to be no larger than 32 square feet.
- J. Banners to be at least 5 feet from property lines.
- K. One banner allowed per 300 feet of street frontage.
- L. Banners limited to 6 events annually with a maximum of 45 days per event.
- M. Banners must be located in compliance with Section 7.5, Visibility at Intersections.

3. Current text with changes highlighted:

**Section 8.6 Filing Applications; Fees**

Applications for permits shall be filed on forms provided by the Zoning Administrator, signed by the owner or developer, and shall be accompanied by the following fees:

<b>Permit / Application</b>	<b>Fee</b>
Certificate of Zoning Compliance	\$25
Repair Permit	See Building Code
Outdoor Advertising Sign Permit	See Building Code
On-Premise Sign Permit	\$25 *
Certificate of Occupancy	No Charge
Summary Plat Approval	\$25

\*Fees to be waived for permanent and temporary signs for institutional uses

**WHEREAS**, Florence City Council concur 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 Ordinance as shown above.
2. That this Ordinance shall become effective immediately.

**ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010**

**Approved as to form:**

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

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

**Attest:**

\_\_\_\_\_  
Dianne Rowan  
**Municipal Clerk**

**FLORENCE CITY COUNCIL MEETING**

**VI. b.  
Bill No. 2010-03  
Second Reading**

**DATE:** March 1, 2010  
**AGENDA ITEM:** Ordinance - First Reading  
**DEPARTMENT/DIVISION:** Mayor

**I. ISSUE UNDER CONSIDERATION**

The Mayor has received a request relating to downtown property owned by the City. The request relates to the museum project at the corner of Dargan and Cheves. In 2009, council approved and sold a parcel of land to the County described on Exhibit A hereto for use in the development of a new museum building downtown. The city has now been asked to convey an additional 75' wide strip of land running back from Cheves to the back boundary of the parcel. To convey this land, council must authorize the conveyance by ordinance.

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

No action has been taken on this ordinance.

**III. POINTS TO CONSIDER**

Section 5-7-260(6) of the South Carolina Code of Laws and Section 2-26(8) of the Code of Ordinances for the City of Florence provides, in pertinent part, that property owned by the City can be conveyed only after approval by ordinance.

If Council decides it is in the City's best interest to convey the subject property, the proposed ordinance should be completed and Council should consider it on first reading.

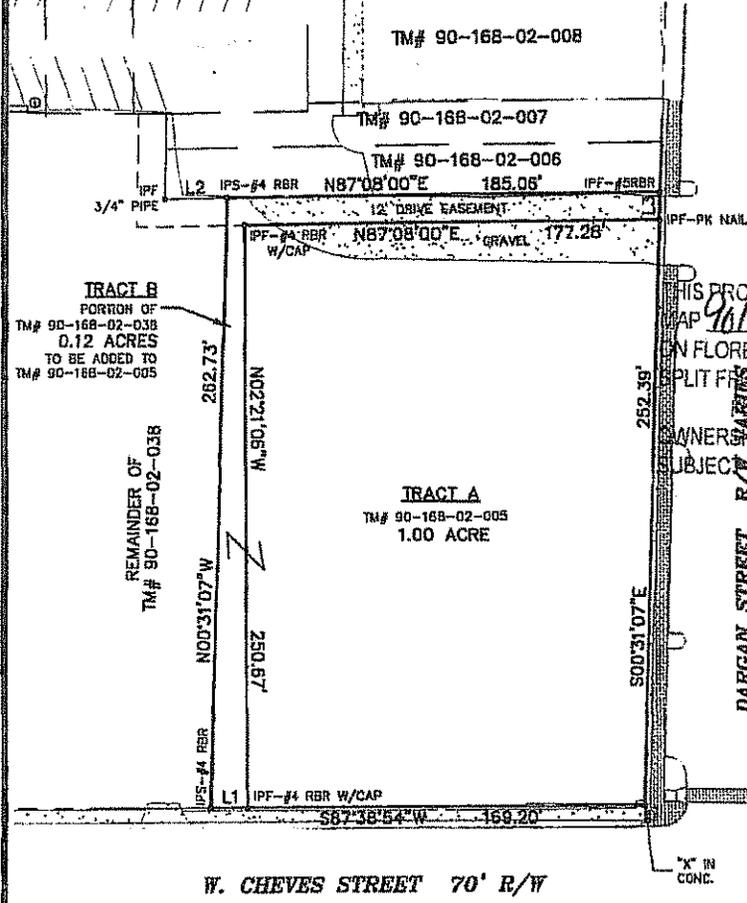
**IV. STAFF RECOMMENDATION**

Staff stands ready to proceed in accordance with council's wishes.

**V. ATTACHMENTS**

1. Exhibit A showing the original tract conveyed.
2. Copy of the proposed ordinance drafted with a description of the strip of land requested.

CITY OF FLORENCE PLANNING DEPARTMENT  
 Hereby certifies that this plat is approved on  
 the 26<sup>th</sup> day of March, 2009  
 CITY PLANNER Kendra Collier



**LOCATION MAP**

THIS PROPERTY DESIGNATED AS  
 MAP 90168 BLOCK 02 PARCEL 039  
 IN FLORENCE COUNTY TAX MAPS Part of  
 SPLIT FROM 70168-02-038  
 FLORENCE COUNTY TAX ASSESSOR  
 OWNERSHIP CHANGES  
 SUBJECT TO RECORDING

2009 APR - 3 PM 1:15  
 F.L.I. COUNTY CLERK'S OFFICE

LINE TABLE		
LINE	LENGTH	BEARING
L1	15.80	S87°38'54"W
L2	26.45	S87°08'00"W
L3	12.00	S00°31'06"E

CITY OF FLORENCE  
 FLORENCE COUNTY  
 SOUTH CAROLINA

**PLAT**

OF 2 TRACTS LOCATED IN THE CITY OF FLORENCE, FLORENCE COUNTY, SOUTH CAROLINA,  
 TRACT A- BEING THAT PROPERTY SHOWN AS "PARCEL 1" ON A PLAT FOR FLORENCE CENTER,  
 LLC, DATED NOV. 13, 2003, RECORDED IN PLAT BOOK 83, PG. 18. TRACT B- BEING A  
 PORTION OF THAT PROPERTY SHOWN ON A PLAT FOR CITY CENTER LLC, DATED MARCH 1,  
 2004, RECORDED IN PLAT BOOK 84, PAGE 289. SURVEYED FOR:

**CITY OF FLORENCE**

95-214

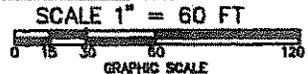
DATE: MARCH 12, 2009 JOB NO: 07603C FLD BK: 247 PAGE: 38 REF JOB NO: TM#: 90-168-02-005

I HEREBY STATE TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMAL 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 ENCROACHMENTS, PROJECTIONS, OR SETBACKS AFFECTING THE PROPERTY OTHER THAN THOSE SHOWN. ALSO I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD MAP 4504100135D, EFFECTIVE DATE DEC. 16, 2004 AND FOUND THE SUBJECT PROPERTY TO NOT BE IN A FLOOD ZONE.

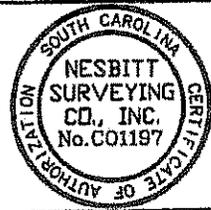
NOTE: THIS PROPERTY IS SUBJECT OF ANY AND ALL RIGHTS-OF-WAY, EASEMENTS, COVENANTS AND RESTRICTIONS, RECORDED OR UNRECORDED, THAT MAY APPLY, UNLESS NOTED HEREON THIS MAP DOES NOT ADDRESS ENVIRONMENTAL CONCERNS OR SUBSURFACE INVESTIGATION.



**NESBITT SURVEYING CO., INC.**  
 4340 ALLIGATOR ROAD  
 U.S. HIGHWAY 76 & ALLIGATOR ROAD  
 TIMMONSVILLE, S.C. 29161  
 PHONE (843) 346-3302  
 email davidn@nesbittsurveying.com



*David Nesbitt*  
 DAVID A. NESBITT RLS NO 7823



## **ORDINANCE NO. 2010-\_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE CONVEYANCE OF A PORTION OF THE PARCEL DESIGNATED AS TAX MAP PARCEL 90168-02-038 IN THE RECORDS OF THE FLORENCE COUNTY TAX ASSESSOR TO THE COUNTY OF FLORENCE AS ADDITIONAL PROPERTY TO BE USED IN THE DEVELOPMENT OF A NEW FLORENCE COUNTY MUSEUM.**

**WHEREAS**, after due consideration, the City previously concluded that it was in the public's best interest that the parcels of land more particularly described on Exhibit "A" attached hereto and incorporated herein by reference be conveyed to the County of Florence for the development and maintenance of a new Florence County Museum, said property having been conveyed to the County by deed dated March 27, 2009 and recorded in the office of the Clerk of Court for Florence County on April 3, 2009 in Deed Book B238 at page 1665; and

**WHEREAS**, the City has received a request from the County for an additional 75' of frontage on Cheves Street as described on Exhibit "B" hereto for the Museum Project; and

**WHEREAS**, the City has determined that it is in the best interest of the City and its citizens that it convey control of the property described herein to the said Florence County in the fashion described below to benefit the museum and to encourage appropriate economic development of the downtown area ;

**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 and deliver an appropriate deed and such other documents as may be necessary to convey the above described property to the County of Florence, said conveyance to be subject to the same restrictions contained in the deed to the County described above.

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 \_\_\_\_\_, 2010.**

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

**Approved as to form:**

**Attest:**

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

\_\_\_\_\_  
**DIANNE M. ROWAN**  
**Municipal Clerk**

FLORENCE CITY COUNCIL MEETING

DATE: April 16, 2010  
AGENDA ITEM: Ordinance (with Amendments) – Second Reading  
DEPARTMENT/DIVISION: Finance

I. ISSUE UNDER CONSIDERATION

A Series Ordinance to provide for combined water and sewer system revenue bonds not to exceed \$99,000,000 to finance, over a period of thirty (30) years, a portion of the construction of the Florence Regional Wastewater Management Facility (WWMF) at the existing facility site, and to finance the refunding certain outstanding revenue bonds as well as funding a required debt service reserve. **NOTE: This ordinance contains amendments that were made by the City's Bond Attorney since first reading on March 8, 2010. See attached memo for further explanation of these changes.**

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

Contract I construction of the WWMF began in the fall of 2009. The total Contract I project cost, including construction, inspection and engineering, legal fees, construction contingency, and loan closing fees, is estimated to be \$18,900,000, and is funded by a Water Pollution Control Revolving Loan Fund at a total blended interest rate of 2.81% approved by an ordinance adopted by City Council on June 15, 2009.

III. POINTS TO CONSIDER

- A. Bids were opened on February 25, 2010 for the construction of Contract II of the WWMF and construction is scheduled to begin in May 2010. Contract II will complete the expansion started under Contract I and will complete treatment capability at the WWMF to 18 million gallons per day begun under Contract I. Both contracts consist of improvements that will accommodate future expansion of the WWMF to 22 MGD.
- B. Funding for the construction of a new wastewater treatment facility requires several sources of funding including a state revolving fund loan, a bond issue, a designation of available cash on hand, and grant funding .
- C. The adoption of this ordinance is required prior to the closing of the revenue bond issue for the financing of the WWMF Contract II.
- D. The total amount of the revenue bonds, not to exceed \$99,000,000, includes approximately \$62,000,000 for costs related to Contract II, and an additional amount of up to \$37,000,000 to be used for refunding certain outstanding revenue bonds as well as funding of a required debt service reserve.

IV. STAFF RECOMMENDATION

Approval and adoption of the proposed ordinance.

  
Thomas W. Chandler  
Finance Director

  
David N. Williams  
City Manager

## MEMORANDUM

**TO:** David Williams  
**FROM:** Charlton deSaussure, Jr.  
**DATE:** April 6, 2010  
**RE:** Series Ordinance

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The Ordinance authorizing the Combined Waterworks and Sewerage System Revenue Bonds received first reading on March 8. Since that time, City staff and the City's professional advisors have met with Moody's and Standard & Poor's in connection with the ratings given the 2010 bond issue. I was pleased to learn of the ratings of A1 and A+ received from Moody's and Standard & Poor's, respectively. Highlights from those reports include the following.

### Moody's

WELL-MANAGED FINANCIAL OPERATIONS SUPPORTED BY A SOLID LIQUIDITY POSITION; 10-YEAR ADOPTED RATE INCREASES ENSURE DEBT SERVICE COVERAGE WILL REMAIN SOLID.

The system's financial position is expected to remain sound given satisfactory debt service coverage projections once the new debt is layered in, a healthy liquidity position and a strong and conservative management team.

### Standard & Poor's

The rating reflects our assessment of the city's:

- Sound financial operations, including strong current coverage of debt service obligations, coupled with a strong liquidity position and a low debt-to-plant ratio;
- Stable and steady annual rate increases in accordance with its present and future 10-year plans, which is projected to provide coverage that is well above the covenanted requirement of 1.25x; and
- Primarily residential service area that acts as a regional hub with manageable customer growth.

April 6, 2010  
Page 2

As we know from our meetings with them, Moody's and Standard & Poor's put the City through its paces. Standard & Poor's sent two analysts to Florence who spent a 24-hour period in the City. In addition to the approximate three hours we spent with them in person, various members of the working group have had numerous phone and e-mail conversations with them since that time. Due to bad weather in New York, the Moody's representatives could not be in attendance but we had an extended conference call with their analyst and have had follow-up phone conversations with her as well.

As a result of those meetings and continuing dialogue, the working group recommends to City Council amendments to the Ordinance which received first reading on March 8. I have a medical procedure scheduled for April 9, the recuperation from which may not allow me to attend the April 12 meeting in person. Therefore, I wanted to provide this memo by way of explanation of some changes to the Ordinance which received first reading. My partner Ben Zeigler looks forward to attending the April 12 meeting.

In terms of the Ordinance to be considered for final reading, please note the issue size, overall structure, manner of award based on the lowest interest rate received and other financial aspects of the bond issue itself remain the same as that which received first reading. The proposed amendments are responsive to insight provided by Moody's and Standard & Poor's as to how the financing might be received most favorably in terms of the rating process. For example, further modernizing the 1989 Bond Ordinance, which provides the general structure for specific bond issues such as the 2010 borrowing, is viewed favorably as providing the City greater flexibility and financing options in the bond market of 2010 as compared to that of 1989. Several of the changes in this Ordinance are designed to further modernize the 1989 document.

The one change of note I would bring to your attention is calculation of interest expense in the event a portion of the 2010 Bonds are issued as Build America Bonds. The rating agencies each indicated that calculating total interest costs without deducting the subsidy received from the Federal government for Build America Bonds is the more conservative approach and therefore more to their liking. As a practical matter, the City intended to treat debt service on Build America Bonds in this fashion. This draft of the Series Ordinance provides that structure while the earlier draft did not. In other words, this technical change to calculating interest expense in the Series Ordinance has been made in an attempt to structure the financing in the manner preferred by the rating agencies. However, the working group believes that this change is not material in the day-to-day operation of the System.

April 6, 2010  
Page 3

In conclusion, this version of the Series Ordinance reflects some fine tuning to the document which received first reading based on the very productive input received from Moody's and Standard & Poor's. With these changes, the Series Ordinance is improved as is the response of the rating agencies to the structure. I recommend it to the Mayor and members of Council.

A SERIES ORDINANCE

MAKING PROVISION FOR THE TERMS AND CONDITIONS OF AN ISSUE OF COMBINED WATERWORKS AND SEWERAGE SYSTEM REFUNDING AND CAPITAL IMPROVEMENT REVENUE BONDS, SERIES 2010, OF THE CITY OF FLORENCE, SOUTH CAROLINA, IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$99,000,000 AS AUTHORIZED BY A BOND ORDINANCE OF THE CITY OF FLORENCE ADOPTED OCTOBER 24, 1989; FOR THE AMENDMENT OF SAID BOND ORDINANCE; AND OTHER MATTERS RELATING THERETO.

SERIES ORDINANCE

STATE OF SOUTH CAROLINA

WHEREAS, the City Council ("City Council") of the City of Florence (the "City") has made general provision for the issuance of Combined Waterworks and Sewerage System Revenue Bonds through the means of an ordinance entitled "AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF COMBINED WATERWORKS AND SEWERAGE SYSTEM REVENUE BONDS OF THE CITY OF FLORENCE, SOUTH CAROLINA, AND OTHER MATTERS RELATING THERETO," adopted on October 24, 1989, as amended (the "Bond Ordinance"); and

WHEREAS, it is provided in and by the Bond Ordinance that, upon adoption of a "Series Ordinance" there may be issued one or more series of Bonds for the purpose of providing funds for improvements and extensions to the Combined Waterworks and Sewerage System of the City (the "System") or to refund bonds payable from the revenues of the System; and

WHEREAS, the revenues derived from the System are now hypothecated and pledged to the payment of the following:

- (1) the outstanding installments of an original issue of \$858,982 State Water Pollution Revolving Fund Loan dated August 19, 1991 (the "Bonds of 1991").
- (2) the outstanding installments of an original issue of \$23,828,128 South Carolina Pollution Control Revolving Fund Loan dated June 25, 1993 (the "Bonds of 1993").
- (3) the outstanding installments of an original issue of \$2,779,488 South Carolina Drinking Water Revolving Loan Fund Loan dated May 10, 1999 (the "Bonds of 1999").
- (4) the outstanding installments of an original issue of \$6,000,000 State Drinking Water Fund Loan dated May 10, 2000 (the "Drinking Water Fund Loan of 2000").
- (5) the outstanding installments of an original issue of \$4,000,000 South Carolina Infrastructure Revolving Loan Fund Loan dated May 10, 2000 (the "Infrastructure Revolving Fund Loan of 2000").
- (6) the outstanding \$22,120,000 of an original issue of \$25,690,000 Combined Waterworks and Sewerage System Revenue Bonds, Series 2000, dated May 10, 2000 (the "Bonds of 2000").
- (7) the outstanding \$6,680,000 of an original issue of \$8,360,000 Combined Waterworks and Sewerage System Acquisition Revenue Bond, Series 2002, dated October 3, 2002 (the "Bonds of 2002").
- (8) the outstanding installments of an original issue of \$2,517,834 State Drinking Water Fund Loan dated January 30, 2003 (the "Drinking Water Fund Loan of 2003").
- (9) the outstanding \$1,400,000 of an original issue of \$2,000,000 Combined Waterworks and Sewerage System Revenue Bond, Series 2003B, dated November 5, 2003 (the "Bonds of 2003").
- (10) the outstanding installments of an original issue of not exceeding \$18,868,479 plus accrued interest, if any, South Carolina Water Quality Revolving Fund Loan dated June 25, 2009 (the "Bond of 2009"); and

WHEREAS, the obligations described in (1), (3), (4), (5), (8) and (10) above are hereinafter referred to as the "SRF Bonds." The obligations described in (7) and (9) above are hereinafter referred to as the "Bank Bonds." The obligations described in (2) and (6) above are hereinafter referred to as the "Refunded Bonds." The obligations described above at (1) through (10), inclusive, are hereinafter referred to as the "Parity Bonds;" and

WHEREAS, the City has determined that it is necessary to construct certain capital improvements to the System, specifically rehabilitation and expansion of its wastewater treatment facility to then be known as the Florence Regional Wastewater Management Facility (the "Project"); and

WHEREAS, certain of the existing covenants and agreements in the Bond Ordinance hamper and impede the ability of the City to borrow moneys which are required to provide for improvements, enlargements and extensions to the System; and

WHEREAS, the City has obtained the consent of the Holders of the SRF Bonds and the Bank Bonds to amend certain provisions of the Bond Ordinance; and

WHEREAS, the City has determined that a savings in debt service requirements may be achieved through the refunding of the Refunded Bonds and, in addition, such refunding, together with the consent obtained from the Holders of the SRF Bonds and the Bank Bonds, will allow those covenants and agreements in the Bond Ordinance which hamper and impede the ability of the City to borrow moneys to be amended; and

WHEREAS, it has been determined that not exceeding \$99,000,000 may be required in order to provide funds for the Project as well as the refunding of the Refunded Bonds and costs related to the financing and providing necessary reserves; and

WHEREAS, it has been determined that a provision relating to "Conditions of Issuance of Bonds of a Series" set forth at Article IV of the Bond Ordinance should be amended in order to make operation of Article IV more efficient and economical; and

WHEREAS, it has been further determined that a provision relating to "The Debt Service Reserve Fund" set forth at Article VII of the Bond Ordinance should be amended in order to make operation of Article VII more efficient and economical; and

WHEREAS, it has also been determined that several definitions shall be added to the Bond Ordinance in order to facilitate the amendments described above as well as make operation of the Bond Ordinance more efficient and economical; and

WHEREAS, by reason of the foregoing, it has been determined to adopt this ordinance as a "Series Ordinance" in accordance with the terms and provisions of the Bond Ordinance.

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

ARTICLE I

DEFINITIONS, AUTHORITY,  
AMENDMENTS TO BOND ORDINANCE

Section 1.01. Definitions.

All terms which are defined in Section 1.01 of the Bond Ordinance shall have the same meanings in this Series Ordinance as such terms are prescribed to have in the Bond Ordinance.

Section 1.02. Authority for Series Ordinance.

This Series Ordinance is adopted pursuant to the provisions of the Bond Ordinance.

Section 1.03. Provisions Amending Bond Ordinance.

Pursuant to Article XII of the Bond Ordinance and to amend agreements of the City in the Bond Ordinance hereafter to be observed, the Bond Ordinance is amended upon the defeasance of the Refunded Bonds and consent of the Holders of the SRF Bonds and the Bank Bonds as follows:

1) The definition of "Authorized Investments" at Section 2.02 shall be deleted and the following substituted therefor:

"Authorized Investments" shall mean those investments described in Section 6-5-10, Code of Laws of South Carolina 1976, as now or hereafter amended, and shall also include the South Carolina Investment Fund established at Sections 6-6-10 to 6-6-40, Code of Laws of South Carolina 1976, as now or hereafter amended.

2) A definition of "Financial Consultant" shall be added at Section 2.02 to read as follows:

"Financial Consultant" shall mean a financial consultant appointed by the City with written notice to the Trustee and who or which is not a full-time employee of the City.

3) The definition of "Debt Service Reserve Fund" at Section 2.02 shall be deleted and the following substituted therefor:

"Debt Service Reserve Fund" shall mean, with respect to the Bonds of any Series, the fund, if any, so designated and designed to insure the timely payment of the principal of and interest on all Bonds of such Series and to provide for the redemption of such Bonds prior to their stated maturity as established by the provisions of any Series Ordinance.

4) The definition of Reserve Requirement at Section 2.02 shall be deleted and the following substituted therefor:

"Reserve Requirement" shall mean, with respect to the Debt Service Reserve Fund, if any, established for the Bonds of any Series, the amount required to be on deposit in such Fund as provided by any Series Ordinance.

- 5) The second sentence of Section 4.01(A) is deleted and the following substituted therefor:

The pledge of the Revenues made hereafter, the statutory lien herein granted, and the covenants and remedies applicable to the Holders of the Bonds shall be applicable and available to the Holders of such Bonds.

- 6) Paragraphs (2) and (3) of Section 4.02(A) are deleted and the following substituted therefor:

(2) There shall be on deposit in each Debt Service Reserve Fund established pursuant to any Series Ordinance the amount then required to be on deposit therein by the provisions of such Series Ordinance; and

(3) Except in the case of Bonds issued for the purpose of refunding any Bonds:

(i) (A) there shall be delivered to the Trustee a certificate, which is not required to be based upon an audit of the City, from an Accountant, a Financial Consultant or a Consulting Engineer, to the effect that Net Earnings during any consecutive 12-month period out of the 24 months immediately preceding the issuance date of the proposed Bonds (the "Test Period") are not less than 125% of the greatest sum for any Fiscal Year ending after the date of delivery of the Bonds proposed to be issued obtained by adding the Annual Principal and Interest Requirements for each Fiscal Year for all Series of Bonds then proposed to be Outstanding, or (B) there shall be delivered to the Trustee a certificate from a Financial Consultant or a Consulting Engineer to the effect that for each of the three full Fiscal Years following the later of the date of the delivery of the Bonds proposed to be issued or the period (if any) for which interest is funded from proceeds of such Bonds, Net Earnings will not be less than 125% of the greatest sum for any Fiscal Year ending after the date of delivery of the Bonds proposed to be issued obtained by adding the Annual Principal and Interest Requirements for each Fiscal Year for all Series of Bonds then proposed to be Outstanding.

(ii) For purposes of part (i) above, Net Earnings may be adjusted as provided in this part (ii) as follows: Net Earnings, whether determined for the Test Period or on a three-year forecasted basis as described in (B) of part (i) (the "Forecast Period"), may be adjusted to reflect any rate increases approved by the City and to be in effect prior to or coincident with the issuance of such proposed Series of Bonds and shall be determined as though such rate increases had been in continuance effect during the Test Period or three-year Forecast Period. For purposes of part (i)(A), if the City shall have acquired or has contracted to acquire any privately or publicly owned existing facilities, then the Net Earnings derived from the System during the Test Period or Forecast Period shall be increased by the amount of Net Earnings which would have been derived from said existing facilities as if such existing facilities had been a part of the System during the Test Period or

Forecast Period. For the purposes of part (i), the Net Earnings derived from said existing facilities during the Test Period or Forecast Period shall be determined by deducting the cost of operation and maintenance of the existing facilities from the gross revenues of the existing facilities in the same manner provided in the Bond Ordinance for the determination of Net Earnings. When provision has been made for the defeasance and discharge of any Bonds in accordance with the provisions of Section 16.01 hereof, then, in all instances, the principal and interest requirements of those Bonds shall be excluded from the calculation required by part (i).

7) Sections 4.02(B) is deleted and the following substituted therefor:

(B) In the case of Bonds issued for the purpose of refunding any Bonds either:

(1) Independent of any of the requirements of Section 4.02(A), the amount required in each Fiscal Year to pay the installments of principal of and interest on the refunding Bond shall not exceed one hundred five percent (105%) of the amount of principal and interest scheduled to become due on the refunded Bonds for such Fiscal Year, until a Fiscal Year subsequent to the last maturity of any Bonds not refunded and which remain Outstanding following the issuance of the refunding Bonds; or

(2) The earnings tests prescribed by paragraph (3) of the preceding subsection (A) shall be complied with.

8) Section 4.03 is deleted and the following substituted therefor:

The City, the Trustee and any purchaser of any Bonds shall be entitled to rely upon certificates of Accountants as to Net Earnings as set forth in Section 4.02(A)(3) above and the reports of the Consulting Engineers or Financial Consultant pursuant to any provision of this Article.

9) The first sentence of Section 7.02(B) is deleted and the following substituted therefor:

Except as permitted by Sections 10.01(E) and 11.01(C) hereof, all Revenues shall be deposited in accordance with and in the manner prescribed by Article VIII hereof into this fund.

10) Section 7.05 is deleted and the following substituted therefor:

Section 7.05. The Debt Service Reserve Fund.

(A) Each Series Ordinance may provide for the establishment of a Debt Service Reserve Fund for any Series of Bonds Outstanding. Each such Debt Service Reserve Fund shall bear a number series designation as may be necessary to distinguish such Debt Service Reserve Fund and shall, subject to the other provisions of this Bond Ordinance, be maintained in an amount equal to the applicable Reserve Requirement, as determined pursuant to the applicable Series Ordinance so long as the applicable Series of Bonds shall be Outstanding. Each such fund is

intended to insure the timely payment of the principal of, premium, if any, and interest on the applicable Series of Bonds, and to provide for the redemption of such Series of Bonds prior to their stated maturities. Money in each Debt Service Reserve Fund shall be used for the following purposes, and for no other (provided, however that if sufficient funds have been paid to defease the lien of this Ordinance with respect to any Series of Bonds in accordance with Section 16.01, or if by reason of authorized replacement or otherwise is no longer required under the terms of the applicable Series Ordinance, and there exists no Event of Default with respect to any Series of Bonds, any funds remaining in the Debt Service Reserve Fund with respect to such Series may be paid as directed by the City):

(1) To prevent a default in the payment of the principal of or interest on the applicable Series of Bonds, by reason of the fact that money in the Debt Service Fund is insufficient for such purposes;

(2) To pay the principal of, interest on, and redemption premium of the applicable Series of Bonds in the event that all Outstanding Bonds of such Series be redeemed as a whole; or

(3) To effect partial redemption of the applicable Series of Bonds; provided that subsequent to said partial redemption, the market value of the cash and securities in such Debt Service Reserve Fund shall be not less than the applicable Reserve Requirement.

(B) Each Debt Service Reserve Fund shall be kept in the complete custody and control of the Trustee and withdrawals from each Debt Service Reserve Fund shall be made only by such Trustee, or to the Paying Agent, if the Trustee is not the Paying Agent, in which event the Paying Agent, who shall transmit to a Bondholder of the applicable Series, at such times as may be appropriate the sums required to pay the principal of, redemption premium, if any, and interest on such Series of Bonds.

(C) Money in each Debt Service Reserve Fund shall be invested and reinvested by the Trustee at the written direction of the City in Authorized Investments. Subject to the remaining provisions of this paragraph (C), the earnings from such investments shall be added to and become a part of the applicable Debt Service Reserve Fund. Whenever, and as of the date of calculation, the value of the securities and money in each Debt Service Reserve Fund shall exceed the applicable Reserve Requirement such excess shall, as directed in writing by the City, (1) be used to effect partial redemption of the applicable Series of Bonds, or (2) be removed from such Debt Service Reserve Fund and transferred to the applicable Construction Fund established pursuant to the applicable Series Ordinance so long as the project or projects financed with such Series of Bonds shall be continuing or, if such Construction Fund is no longer continuing, may be used to pay for capital expenditures of the System, or (3) be removed from such Debt Service Reserve Fund and transferred to a segregated account in the Debt Service Fund, which the Trustee is hereby directed to establish at the time of such transfer, to be applied to the payment of debt service on that Series of Bonds. The payments required of the City by the provisions of Section 8.04 shall be reduced to the extent of any such transfer to the Debt Service Fund.

In lieu of the deposit of securities or monies into any Debt Service Reserve Fund established by any Series Ordinance for any Series of Bonds, the City may satisfy all or a portion of the applicable Reserve Requirement established by the applicable Series Ordinance by causing to be so credited a surety bond, a line of credit, insurance policy or a letter of credit payable to the Trustee for the benefit of the Holders of the outstanding Series of Bonds in an amount which

together with monies on deposit in such Debt Service Reserve Fund is equal to such Reserve Requirement. In the event any Debt Service Reserve Fund is funded with both monies and a surety bond, insurance policy, line of credit or letter of credit, any withdrawals from such Debt Service Reserve Fund pursuant to the provisions of the Bond Ordinance shall be made first from such monies (or the liquidation of investments made therewith) and second from such surety bond, insurance policy, line of credit or letter of credit. The surety bond, insurance policy, line of credit or letter of credit shall be payable (upon the giving of notice by the Trustee as required thereunder) on any date on which monies will be required to be withdrawn from any Debt Service Reserve Fund and applied to the payment of the principal and redemption premium, if any, of, or interest on, the applicable outstanding Series of Bonds. The insurer providing such surety bond, line of credit or insurance policy, as of the date of issuance of such surety bond, line of credit or insurance policy, shall be an insurer whose municipal bond insurance policies insuring the payment of the principal of and interest on municipal bond issues results in such issues being rated in a rating category equal to or better than the ratings given the applicable Series of Bonds by Moody's Investors Service, Inc. ("Moody's") and Standard & Poor's Corporation ("S&P"). The letter of credit issuer shall be a bank or trust company which is rated not lower than the highest rating on the applicable Series of Bonds at such time. The insurance policy, line of credit or surety bond must extend for the life of the Series of Bonds which receives the benefit of the same and must be unconditional and irrevocable. If a disbursement is made pursuant to a surety bond, insurance policy, line of credit or letter of credit, the City shall be obligated either (a) to reinstate the maximum limits of such surety bond, insurance policy, line of credit or letter of credit, or (b) to deposit into the applicable Debt Service Reserve Fund cash in the amount of the disbursement made under such surety bond, insurance policy, line of credit or letter of credit, or a combination of such alternatives, as shall provide that the amount credited to such Debt Service Reserve Fund equals the Reserve Requirement within a time period not longer than one year.

11) Section 7.07(E) is deleted and the following substituted therefor:

(E) For purposes hereof, all amounts paid into the Rebate Fund shall be treated as sums required or permitted to be paid to operate, maintain or repair the System as provided in Section 7.03 of this Ordinance.

12) Section 8.05 is deleted and the following substituted therefor:

Section 8.05. Deposits for the Debt Service Reserve Funds. Provision shall then be made for deposit to any Debt Service Reserve Fund of such amount as shall be required by the provisions of any Series Ordinance.

(A) Unless the respective Debt Service Reserve Funds contain at the time of valuation prescribed below in cash and securities an amount at least equal to the Reserve Requirement, there shall be paid into any Debt Service Reserve Fund as necessary on or before the 15<sup>th</sup> day of the month following such determination, and on or before the 15<sup>th</sup> day of each of the next succeeding ten months, one-eleventh of the amount necessary to reestablish in such Debt Service Reserve Fund the respective Reserve Requirement.

(B) The market value of the cash and securities in the respective Debt Service Reserve Funds shall be established as of July 31 of each year and within 45 days of such date in order to determine if the respective Debt Service Reserve Funds contain the amount required and the extent to which payments therefor or withdrawals therefrom must be made.

- 13) Section 15.17 is deleted and the following substituted therefor:

The Trustee shall (a) prior to the occurrence of an Event of Default as set forth in Section 13.1 hereof, and after the curing of all Events of Default which may have occurred, perform such duties and obligations as are specifically set forth in this Ordinance, and no implied covenants or obligations shall be read into this Ordinance against the Trustee, and (b) during the existence of any Event of Default (which has not been cured or waived) exercise the rights and powers vested in it by this Ordinance and use the same degree of care and skill in their exercise, as a prudent person would exercise or use in the conduct of such person's own affairs.

## ARTICLE II

### AUTHORIZATION AND TERMS OF THE SERIES OF BONDS

#### Section 2.01. Conditions Precedent to Issuance of Series of Bonds.

The Bond Ordinance provides that a Series Ordinance shall be adopted with respect to each Series of Bonds which Series Ordinance shall express the approval of City Council to the issuance of a Series of Bonds and City Council's agreement to abide by the terms, provisions and agreements set forth in the Bond Ordinance and shall specify and determine:

- 1) As prescribed by Section 6-17-60 of the Enabling Act, the then period of usefulness of the System;
- 2) The Date or Dates of Issue of such Series of Bonds;
- 3) The precise principal amount of the Series of Bonds;
- 4) The specific purposes for which the proceeds of such Series will be used;
- 5) The title and designation of the Bonds of such Series and manner of numbering and lettering, and the denomination or denominations of the Bonds of such Series;
- 6) The date or dates of maturity and the amounts thereof;
- 7) The interest rate or rates, or the manner of determining such rate or rates, of the Bonds of such Series;
- 8) The time for the payment of interest on the Bonds in such Series and the Record Date;
- 9) The redemption price or redemption prices and the redemption date or redemption dates and other terms of redemption (if any) applicable to any of the Bonds of such Series for such payments;
- 10) The Registrar for such Bonds if other than the Trustee;
- 11) The portion of such Series that are serial Bonds and that are term Bonds, if any, including the amount and date of each mandatory redemption or sinking fund installment, if any, required by such Series Ordinance to be paid for the retirement of any such Bonds;

12) The portion of such Series that are Capital Appreciation Bonds, if any, including the time for payment of such Capital Appreciation Bonds in order to address the information requested in paragraphs (7) and (8) above.

13) Any other applicable redemption requirement for the Bonds of such Series and the method of satisfying the same;

14) The manner in which Bonds of such Series are to be sold and provisions for the sale thereof;

15) The form or forms for the Bonds of each Series;

16) That the then applicable Reserve Requirement has been or will be met;

17) The disposition of the proceeds of the sale of the Bonds of such Series and the manner of their application; and

18) Any other provisions deemed advisable by the City not in conflict with or in substitution for the provisions of the Bond Ordinance and the Series Ordinance relating to the Bonds of such Series.

Section 2.02. Findings, Determinations, Agreements and Covenants.

Pursuant to the provisions of the Bond Ordinance described in Section 2.01 above, it is hereby found and determined that, and the City hereby covenants and agrees, as applicable:

1) The useful life of the System is found to be 40 years.

2) The Date of Issue of the Bonds whose issuance is provided for herein (the "Series 2010 Bonds") is to be the date of delivery of the Series 2010 Bonds.

3) The Series 2010 Bonds shall be in the original principal amount of not exceeding \$99,000,000. The final principal amount shall be set forth in a certificate to be signed by the Mayor and included with this Ordinance in the records of City Council.

4) The proceeds of the Series 2010 Bonds shall be used:

(a) to provide moneys which will be sufficient to defease the Refunded Bonds;

(b) to provide moneys which will be sufficient, with other funds contributed by the City, to construct the Project;

(c) to make provision for satisfying the Reserve Requirement; and

(d) to pay certain costs and expenses relating to the issuance of the Series 2010 Bonds.

5) Subject to the provisions of paragraph 6 below, the Series 2010 Bonds shall be designated City of Florence, South Carolina, Combined Waterworks and Sewerage System Refunding and Capital Improvement Revenue Bonds, Series 2010 and shall be issued in book-entry form. The Series 2010 Bonds shall be numbered and lettered in such way as to maintain a proper record thereof and will be issued in the form of a single bond per each maturity.

6) The Mayor of the City is hereby authorized and empowered to determine the aggregate principal amount of the Series 2010 Bonds, the principal amount of each maturity of the Series 2010 Bonds, the interest rates for the Series 2010 Bonds, the Series 2010 Bonds to be subject to mandatory and optional redemption and the redemption prices of the Series 2010 Bonds subject to optional redemption and shall be set forth in a certificate to be signed by the Mayor and included with this Ordinance in the records of City Council. As described herein, the Series 2010 Bonds may be sold as either, or as a combination of, Tax-Exempt Bonds or Build America Bonds, each as defined below.

City Council is advised that in reaction to the current economic crisis, the United States Congress adopted in February 2009 the American Recovery and Reinvestment Act of 2009 ("ARRA") which provides for, among many other things, a new federal tax treatment of obligations of political subdivisions and states known as "Build America Bonds." As provided in Section 54AA(g) of the Code, a political subdivision may issue obligations, which otherwise qualify for issuance as tax-exempt bonds, as taxable Build America Bonds. The issuer of Build America Bonds is entitled to receive from the United States Treasury on each interest payment date for such bonds a subsidy in the form of a refundable tax credit equal to 35% of the interest payable by the issuer on that interest payment date. While the interest rate on Build America Bonds will most likely be higher than the interest rate on identical obligations issued as Tax-Exempt Bonds, City Council is advised that the 35% subsidy may result in net debt service on Build America Bonds which is lower than that on Tax-Exempt Bonds.

Therefore, while this Series Ordinance provides for the issuance of the Series 2010 Bonds as obligations the interest upon which is excludable from income for federal income tax purposes ("Tax-Exempt Bonds") and, notwithstanding any provision of the Series Ordinance to the contrary, the Series 2010 Bonds, or portion thereof, in lieu of issuance as Tax-Exempt Bonds, may be issued as Build America Bonds. Series 2010 Bonds issued as Build America Bonds shall be designated in such manner, but in any case including a year and alphabetical identifier, as determined by the Mayor, upon advice of bond counsel. Tax-Exempt Bonds hereafter issued pursuant to the Series Ordinance shall also contain a year and alphabetical identifier. The City is authorized to make an irrevocable election that Section 54AA(g) of the Code apply to all or a portion of the Series 2010 Bonds.

The Mayor is authorized to designate portions of the Series 2010 Bonds as one or several series. If more than one series of Series 2010 Bonds is issued, the Mayor shall so designate the several series, the uses to which the proceeds shall be applied and such other matters and items as shall be necessary in connection with the issuance of the Series 2010 Bonds.

The Mayor, City Manager or Finance Director is authorized to file, or cause to be filed, such application as may be required in order for the City to receive the refundable tax credit subsidy applicable to Build America Bonds pursuant to Section 6431 of the Code. Refundable tax credits paid to the City on account of Build America Bonds shall, upon receipt, be deposited in the debt service fund established for the repayment of such Series 2010 Bonds and applied to payment of principal of and interest as the same shall become due; provided, however, such sums may be deposited in such other fund or account as shall be designated by written direction of the City.

The Mayor is further authorized to take any and all actions which, upon advice of the City's financial advisor, enable all or any portion of the Series 2010 Bonds to take advantage of any subsidies or programs permitted under federal law.

7) Interest on the Series 2010 Bonds shall be payable on March 1 and September 1 of each year commencing September 1, 2010, at which time interest from the date of delivery shall be due, to the

Registered Holder thereof as of the Record Date. The Record Dates for the Series 2010 Bonds shall be February 15 and August 15 of each year. Interest payments to a person who is a Holder of \$1,000,000 or more in aggregate principal amount of the Series 2010 Bonds may be made by wire transfer to such Holder to an account within the continental United States upon request in writing to the Trustee prior to the applicable Record Date specifying the account to which such payments are to be made.

8) Such of the Series 2010 Bonds as the Mayor shall determine pursuant to paragraph (6) above shall be subject to mandatory redemption at the redemption price equal to the principal amount of the Series 2010 Bonds to be redeemed, together with interest accrued from the date of redemption, in the years and in the amounts determined by the Mayor and shall be set forth in a certificate to be signed by the Mayor and included with this Ordinance in the records of City Council.

9) The Registrar for the Series 2010 Bonds shall be the Trustee under the Bond Ordinance.

10) The Series 2010 Bonds shall be sold to successful purchaser at public sale offering the lowest interest cost to the City (the "Underwriter"). It is specifically provided that the Series 2010 Bonds may be sold as separate series as contemplated at paragraph 6 above.

11) The Series 2010 Bonds shall be substantially in the form attached hereto as Exhibit A and Exhibit B and are eligible securities for the purposes of the Book-Entry System of transfer maintained by the any securities depository (the "Depository") that is a "clearing corporation" within the meaning of the New York Uniform Commercial Code and a "clearing agency" registered pursuant to the provisions of Section 17A of the Securities Exchange Act of 1934, operating and maintaining, with its Participants or otherwise, a Book-Entry System to record ownership of beneficial interests in the Series 2010 Bonds, and to effect transfers of the Series 2010 Bonds, in Book-Entry Form, and includes and means initially The Depository Trust Company (a limited purpose trust company), New York, New York.

12) The Reserve Requirement with respect to the Series 2010 Bonds (the "Series 2010 Reserve Requirement") shall be an amount equal to one-half of the maximum Annual Principal and Interest Requirement on the Series 2010 Bonds, or such other amount as the Mayor shall determine, and may be paid from the proceeds of the Series 2010 Bonds or other System funds as determined by the Mayor and shall be set forth in a certificate to be signed by the Mayor and included with this Ordinance in the records of City Council.

13) The proceeds of the Series 2010 Bonds shall be applied as set forth in a certificate to be signed by the Mayor and included with this Ordinance in the records of City Council.

14) City Council hereby authorizes the issuance of the Series 2010 Bonds and agrees to abide by all of the terms, provisions and agreements set forth in the Bond Ordinance.

15) City Council hereby approves the Preliminary Official Statement in connection with the issuance of the Series 2010 Bonds and authorizes preparation of a final Official Statement for the Series 2010 Bonds, both of which shall be signed on behalf of the City by the Mayor.

16) Pursuant to Section. 7.01 of the Bond Ordinance, there is hereby created a fund to be known as the "Series 2010 Construction Fund". There shall be paid into the Series 2010 Construction Fund the sums prescribed below. The Series 2010 Construction Fund shall be held, maintained and controlled by the City. Moneys in the Series 2010 Construction Fund shall be invested and reinvested in Authorized Investments. All earnings on this fund shall be added to and become a part of the Series 2010 Construction Fund. Withdrawal from the Series 2010 Construction Fund shall be made upon the written order of any

authorized Officer of the City. Following completion of the Project, any amounts on deposit in the Series 2010 Construction Fund shall be deposited in the Debt Service Fund.

17) Pursuant to the Bond Ordinance, thereby is hereby created a Debt Service Reserve Fund with respect to the Series 2010 Bonds designated the "City of Florence, South Carolina, Combined Waterworks and Sewerage System Refunding and Capital Improvement Revenue Bonds Series 2010 Debt Service Reserve Fund," and shall, subject to the other provisions of this Series Ordinance, be maintained in an amount equal to the Series 2010 Reserve Requirement for so long as the Series 2010 Bonds shall be Outstanding.

Money in the Series 2010 Debt Service Reserve Fund shall be invested and reinvested by the Trustee at the written direction of the City in Authorized Investments. Subject to the remaining provisions of this paragraph, the earnings from such investments shall be added to and become a part of the Series 2010 Debt Service Reserve Fund. The value of the Series 2010 Debt Service Reserve Fund shall be established (i) as of July 31 of each year, and (ii) on the date of any withdrawal therefrom. Securities shall be valued at market value as of the date of such valuation; any insurance policy, surety bond or letter of credit shall be valued at the face value or stated amount thereof less the amount of any payments thereunder or draws thereon which have not been reimbursed and reinstated. Whenever, and as of any date of calculation, the value of the Series 2010 Debt Service Reserve Fund shall exceed the Series 2010 Reserve Requirement, any excess, to the extent represented by cash and/or securities, shall be used as described at Section 7.05 of the Bond Ordinance.

18) Pursuant to Section 16.01 of the Bond Ordinance, the City irrevocably elects to redeem the Refunding Bonds. The City shall deposit with the Trustee the funds described in the Escrow Deposit Agreement, in substantially the form attached hereto as Exhibit C, with such changes as the Mayor shall approve (his execution to be conclusive evidence of such approval). The proceeds of the Bonds necessary to refund the Refunded Bonds shall be applied as described in the Escrow Deposit Agreement.

19) The City finds that with respect to the SRF Bonds and the Bank Bonds, Series specific Debt Service Reserve Funds should be established for each of those Series of Bonds. The City further finds that each of the Debt Service Reserve Funds shall have a Reserve Requirement and should be funded in an amount equal to the maximum Annual Principal and Interest Requirement for such Series of Bonds. The City Manager is authorized to cause to be deposited to such Series specific Debt Service Reserve Funds the applicable Reserve Requirement. The source of such deposit may be funds available in connection with any of the Parity Bonds, other available moneys including, if authorized by the Mayor, proceeds of the Series 2010 Bonds. It is specifically recognized that the Series specific Debt Service Reserve Funds are herein established by this Series Ordinance and are subject to provisions relating to Debt Service Reserve Funds so established in the Bond Ordinance.

Money in each of the Debt Service Reserve Funds shall be invested and reinvested by the Trustee at the written direction of the City in Authorized Investments. Subject to the remaining provisions of this paragraph, the earnings from such investments shall be added to and become a part of the respective Debt Service Reserve Fund. The value of each of the Debt Service Reserve Funds shall be established (i) as of July 31 of each year, and (ii) on the date of any withdrawal therefrom. Securities shall be valued at market value as of the date of such valuation; any insurance policy, surety bond or letter of credit shall be valued at the face value or stated amount thereof less the amount of any payments thereunder or draws thereon which have not been reimbursed and reinstated. Whenever, and as of any date of calculation, the value of each of the Debt Service Reserve Funds shall exceed each of the respective Reserve Requirements, any excess, to the extent represented by cash and/or securities, shall be used as described at Section 7.05 of the Bond Ordinance.

20) The City finds that the provisions of Section 4.02(A) may be satisfied permitting the Series 2010 Bonds to be issued on a parity with the outstanding Parity Bonds.

21) The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Agreement attached hereto as Exhibit C. Notwithstanding any other provision of this Series Ordinance, failure of any party to comply with the Continuing Disclosure Agreement shall not be considered an Event of Default. Any Bondholder may take such actions as may be necessary and appropriate, including seeking specific performance by court order, to cause the City to comply with its obligations hereunder and under the Continuing Disclosure Agreement to comply with its obligations under the Continuing Disclosure Agreement.

22) City Council hereby authorizes the Mayor to take such further action as may be necessary to effect the issuance of the Series 2010 Bonds.

DONE, RATIFIED AND ADOPTED THIS 12<sup>th</sup> day of April, 2010.

(SEAL)

\_\_\_\_\_  
Mayor, City of Florence, South Carolina

Attest:

\_\_\_\_\_  
Clerk, City of Florence, South Carolina

First Reading: March 8, 2010

Second Reading: April 12, 2010

(FORM OF BOND)  
(FACE OF BOND)

CITY OF FLORENCE, SOUTH CAROLINA  
COMBINED WATERWORKS AND SEWERAGE SYSTEM  
REFUNDING REVENUE BONDS, SERIES 2010A

No. \_\_\_\_\_

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Issue</u>	<u>CUSIP</u>
	March 1, _____	_____, 2010	

Registered Owner:

Principal Amount: \_\_\_\_\_ Dollars (\$ \_\_\_\_\_)

THE CITY OF FLORENCE, SOUTH CAROLINA (the "City") acknowledges itself indebted and for value received hereby promises to pay, solely from the sources and as hereinafter provided, to the Registered Owner named above or registered assigns, the Principal Amount set forth above on the Maturity Date stated above, unless this Bond be subject to redemption and shall have been redeemed prior thereto as hereinafter provided, upon presentation and surrender of this Bond at the corporate trust office of The Bank of New York Mellon Trust Company, N.A. (the "Trustee") in the City of East Syracuse, State of New York, and to pay interest on such Principal Amount at the Interest Rate stated above (calculated on the basis of a 360-day year of twelve 30-day months), until the obligation of the City with respect to the payment of such Principal Amount shall be discharged.

THIS BOND HAS BEEN ISSUED UNDER THE PROVISIONS OF TITLE 6, CHAPTER 17, CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, AND DOES NOT CONSTITUTE AN INDEBTEDNESS OF THE CITY WITHIN STATE CONSTITUTIONAL PROVISIONS (OTHER THAN ARTICLE X, SECTION 14, PARAGRAPH 10 OF THE SOUTH CAROLINA CONSTITUTION AUTHORIZING OBLIGATIONS PAYABLE SOLELY FROM SPECIAL SOURCES NOT INVOLVING REVENUES FROM ANY TAX OR LICENSE). THIS BOND AND THE BONDS OF THE SERIES OF WHICH IT IS ONE SHALL NOT CONSTITUTE A DEBT OF THE CITY, NOR A CHARGE, LIEN OR ENCUMBRANCE, LEGAL OR EQUITABLE, UPON ANY PROPERTY OF THE CITY OR ON ANY INCOME, RECEIPTS OR REVENUES THEREOF, OTHER THAN THE AFORESAID NET REVENUES OF THE SYSTEM PLEDGED THERETO. NO RECOURSE SHALL BE HAD FOR THE PAYMENT OF THIS BOND OR THE INTEREST THEREON AGAINST THE GENERAL FUND OF THE CITY AND NEITHER THE CREDIT NOR THE TAXING POWER OF THE CITY SHALL BE DEEMED TO BE PLEDGED THERETO. THE FULL FAITH, CREDIT AND TAXING POWERS OF THE CITY ARE NOT PLEDGED TO THE PAYMENT OF THE PRINCIPAL OF OR INTEREST ON THIS BOND.

Both the principal of and interest on this Bond, as the same shall become due, are payable solely from the revenues derived from the operation of the Combined Waterworks and Sewerage System of the City (the "System") as described herein. This Bond shall not in any event constitute an indebtedness of the City within the meaning of any provision, limitation or restriction of the Constitution or statutes of the State

of South Carolina (the "State"). The City is not obligated to pay this Bond, or the interest hereon, save and except from revenues derived from the operation of the System.

This Bond shall not be valid or obligatory for any purpose until the Certificate of Authentication hereon shall have been duly executed by the Registrar, initially the Trustee.

This Bond will bear interest from the later of the date of delivery or the date to which interest has been paid immediately preceding the authentication date hereof, unless the authentication date hereof is a March 1 or September 1, in which event, this Bond will bear interest from the earlier of such authentication date or the date to which interest has last been paid; provided that if the authentication date hereof precedes September 1, 2010, or if the City shall fail to pay interest on September 1, 2010, then this Bond will bear interest from the date of delivery. Interest on this Bond is payable on March 1 and September 1 of each year beginning September 1, 2010, at which time interest from the date of delivery will be due. The interest so payable on any March 1 or September 1 will be paid to the person in whose name this Bond is registered at the close of business on the February 15 or August 15 immediately preceding such March 1 or September 1 (the "Record Date").

Interest hereon shall be payable by check or draft mailed at the times provided herein from the office of the Registrar to the person in whose name this Bond is registered on the Record Date at the address shown on the registration books. The principal of, redemption premium, if any, and interest on this Bond are payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

This Bond is one of a Series of Bonds in the aggregate principal amount of \$ \_\_\_\_\_ of like tenor, except as to number, rate of interest, date of maturity and redemption provisions, issued pursuant to and in accordance with the Constitution and statutes of the State of South Carolina (the "State"), including particularly Chapter 17, Title 6, Code of Laws of South Carolina 1976, as amended, an ordinance duly adopted by the City Council of the City of Florence ("Council") on October 24, 1989, as amended by an ordinance (the "Series Ordinance") duly adopted by Council on April 12, 2010 (as so amended, the "Bond Ordinance") (the Bond Ordinance and the Series Ordinance are hereinafter collectively referred to as the "Ordinances") for the purpose of defeasing the outstanding \$7,596,592.19 of an original issue of \$23,828,128 South Carolina Pollution Control Revolving Fund Loan dated June 25, 1993 and the outstanding \$21,565,000 of an original issue of \$25,690,000 Combined Waterworks and Sewerage System Revenue Bonds, Series 2000, dated May 10, 2000, to satisfy the Reserve Requirement with respect to the bonds and to pay certain costs incidental to the issuance of the Bonds.

Certain capitalized terms used herein and not otherwise defined shall have the meanings ascribed thereto in the Ordinances. Certified copies of the Ordinances are on file in the office of the Trustee and in the office of the Clerk of Court for Florence County, South Carolina.

The Bonds will be issued on a parity with the City's outstanding \$139,306,798.80 of eight issues and any Additional Bonds hereafter issued.

The City has covenanted to continuously operate and maintain the System and fix and maintain such rates for the services and facilities furnished by the System as shall at all times be sufficient (a) to provide for the payment of the expenses of the administration and operation and such expenses for maintenance of the System as may be necessary to preserve the same in good repair and working order, (b) to provide for the punctual payment of the principal of and interest on the Bonds and all Junior Lien Bonds, (c) to maintain the Debt Service Fund and thus provide for the punctual payment of the principal of and interest on the Bonds, (d) to maintain each Debt Service Reserve Fund in the manner prescribed in the

Ordinances, (e) to build and maintain a reserve for depreciation of the System, for contingencies and for improvements, betterments and extensions to the System other than those necessary to maintain the same in good repair and working order, and (f) to discharge all obligations imposed by the Enabling Act and the Ordinances.

For the payment of the principal of and interest on the Bonds, there are hereby irrevocably pledged that portion of the Revenues which remain after paying the cost of the operation and maintenance of the System; and a lien upon such Revenues has been granted to the Holders of the Bonds.

This Bond and the interest hereon are exempt from all State, county, municipal, school district, and all other taxes or assessments imposed within the State, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate, transfer or certain franchise taxes.

This Bond is transferable, as provided in the Bond Ordinance, only upon the registration books of the City kept for that purpose by the Trustee or other registrar, by the Holder hereof in person or by his duly authorized attorney, upon (a) surrender of this Bond and an assignment with a written instrument of transfer satisfactory to the Trustee duly executed by the Holder hereof or his duly authorized attorney and (b) payment of the charges, if any, prescribed in the Bond Ordinance. Thereupon a new Bond or Bonds of the same aggregate principal amount, maturity and interest rate shall be issued to the transferee in exchange therefor as provided in the Bond Ordinance. The City, the Trustee and any Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal or redemption price hereof and interest due hereon and for all other purposes.

For every exchange or transfer of the Bonds, the City or the Trustee or Registrar, as the case may be, may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer.

The Bonds maturing on and after September 1, 2019, are subject to redemption prior to maturity on or after September 1, 2018, at the option of the City, as a whole or in part at any time, but if in part, in inverse order of their maturities, at par and accrued interest to the date fixed for redemption.

If less than all of the Bonds are to be redeemed, the particular Bonds or portions of Bonds to be redeemed shall be selected not less than 45 days prior to the date fixed for redemption by the Trustee by lot. If this Bond be in a denomination of more than \$5,000, it may be redeemed in part from time to time in one or more units of \$5,000 in the manner provided in the Bond Ordinance.

If any of the Bonds, or portions thereof, are called for redemption, the Trustee will give notice to the Holders of any such Bonds to be redeemed, in the name of the City, of the redemption of such Bonds, or portions thereof, which notice will specify the Bonds to be redeemed, the redemption date and the place or places where amounts due upon such redemption will be payable and, if less than all of the Bonds are to be redeemed, the numbers of such Bonds so to be redeemed, and, in the case of Bonds to be redeemed in part only, such notice will also specify the respective portions of the principal amount thereof to be redeemed. Such notice will be given by mailing a copy of the redemption notice by first class mail at least 30 days prior to the date fixed for redemption to the Holder of each Bond to be redeemed, at the address shown on the registration books; provided, however, that failure to give such notice by mail, or any defect in the notice mailed to the Holder of any Bond, shall not affect the validity of the proceedings for the redemption of any other Bond. Provided funds for their redemption are on deposit with the Registrar, all Bonds so called for redemption will cease to bear interest on the specified redemption date.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and statutes of the State to exist, be performed or happen precedent to or in the issuance of this Bond, exist, have been performed and have happened, and that the amount of this Bond, together with all other indebtedness of the City, does not exceed any limit prescribed by such Constitution or statutes.

IN WITNESS WHEREOF, CITY OF FLORENCE, SOUTH CAROLINA, has caused this Bond to be signed by the manual signature of the Mayor of the City, its seal to be reproduced hereon and the same to be attested by the manual signature of the Finance Director of the City.

CITY OF FLORENCE, SOUTH CAROLINA

(SEAL)

By \_\_\_\_\_  
Mayor, City of Florence, South Carolina

Attest:

By \_\_\_\_\_  
Finance Director, City of Florence,  
South Carolina

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds of the Series described in the within mentioned Bond Ordinance.

THE BANK OF NEW YORK MELLON TRUST  
COMPANY, N.A., TRUSTEE

\_\_\_\_\_  
Authorized Signatory

Date:

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

\_\_\_\_\_  
(please print or type name and address of Transferee and Social Security or other identifying number of Transferee)

the within Bond and all rights and title thereunder, and hereby irrevocably constitutes and appoints attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Date: \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_

\_\_\_\_\_

(FORM OF BOND)  
(FACE OF BOND)

CITY OF FLORENCE, SOUTH CAROLINA  
COMBINED WATERWORKS AND SEWERAGE SYSTEM  
CAPITAL IMPROVEMENT REVENUE BONDS,  
SERIES 2010B

No. \_\_\_\_\_

<u>Interest Rate</u>	<u>Maturity Date</u>	<u>Date of Issue</u>	<u>CUSIP</u>
	March 1, _____	_____, 2010	

Registered Owner:

Principal Amount: \_\_\_\_\_ Dollars (\$ \_\_\_\_\_)

THE CITY OF FLORENCE, SOUTH CAROLINA (the "City") acknowledges itself indebted and for value received hereby promises to pay, solely from the sources and as hereinafter provided, to the Registered Owner named above or registered assigns, the Principal Amount set forth above on the Maturity Date stated above, unless this Bond be subject to redemption and shall have been redeemed prior thereto as hereinafter provided, upon presentation and surrender of this Bond at the corporate trust office of The Bank of New York Mellon Trust Company, N.A. (the "Trustee") in the City of East Syracuse, State of New York, and to pay interest on such Principal Amount at the Interest Rate stated above (calculated on the basis of a 360-day year of twelve 30-day months), until the obligation of the City with respect to the payment of such Principal Amount shall be discharged.

THIS BOND HAS BEEN ISSUED UNDER THE PROVISIONS OF TITLE 6, CHAPTER 17, CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED, AND DOES NOT CONSTITUTE AN INDEBTEDNESS OF THE CITY WITHIN STATE CONSTITUTIONAL PROVISIONS (OTHER THAN ARTICLE X, SECTION 14, PARAGRAPH 10 OF THE SOUTH CAROLINA CONSTITUTION AUTHORIZING OBLIGATIONS PAYABLE SOLELY FROM SPECIAL SOURCES NOT INVOLVING REVENUES FROM ANY TAX OR LICENSE). THIS BOND AND THE BONDS OF THE SERIES OF WHICH IT IS ONE SHALL NOT CONSTITUTE A DEBT OF THE CITY, NOR A CHARGE, LIEN OR ENCUMBRANCE, LEGAL OR EQUITABLE, UPON ANY PROPERTY OF THE CITY OR ON ANY INCOME, RECEIPTS OR REVENUES THEREOF, OTHER THAN THE AFORESAID NET REVENUES OF THE SYSTEM PLEDGED THERETO. NO RECOURSE SHALL BE HAD FOR THE PAYMENT OF THIS BOND OR THE INTEREST THEREON AGAINST THE GENERAL FUND OF THE CITY AND NEITHER THE CREDIT NOR THE TAXING POWER OF THE CITY SHALL BE DEEMED TO BE PLEDGED THERETO. THE FULL FAITH, CREDIT AND TAXING POWERS OF THE CITY ARE NOT PLEDGED TO THE PAYMENT OF THE PRINCIPAL OF OR INTEREST ON THIS BOND.

Both the principal of and interest on this Bond, as the same shall become due, are payable solely from the revenues derived from the operation of the Combined Waterworks and Sewerage System of the City (the "System") as described herein. This Bond shall not in any event constitute an indebtedness of the City within the meaning of any provision, limitation or restriction of the Constitution or statutes of the State

of South Carolina (the "State"). The City is not obligated to pay this Bond, or the interest hereon, save and except from revenues derived from the operation of the System.

This Bond shall not be valid or obligatory for any purpose until the Certificate of Authentication hereon shall have been duly executed by the Registrar, initially the Trustee.

This Bond will bear interest from the later of the date of delivery or the date to which interest has been paid immediately preceding the authentication date hereof, unless the authentication date hereof is a March 1 or September 1, in which event, this Bond will bear interest from the earlier of such authentication date or the date to which interest has last been paid; provided that if the authentication date hereof precedes September 1, 2010, or if the City shall fail to pay interest on September 1, 2010, then this Bond will bear interest from the date of delivery. Interest on this Bond is payable on March 1 and September 1 of each year beginning September 1, 2010, at which time interest from the date of delivery will be due. The interest so payable on any March 1 or September 1 will be paid to the person in whose name this Bond is registered at the close of business on the February 15 or August 15 immediately preceding such March 1 or September 1 (the "Record Date").

Interest hereon shall be payable by check or draft mailed at the times provided herein from the office of the Registrar to the person in whose name this Bond is registered on the Record Date at the address shown on the registration books. The principal of, redemption premium, if any, and interest on this Bond are payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

This Bond is one of a Series of Bonds in the aggregate principal amount of \$ \_\_\_\_\_ of like tenor, except as to number, rate of interest, date of maturity and redemption provisions, issued pursuant to and in accordance with the Constitution and statutes of the State of South Carolina (the "State"), including particularly Chapter 17, Title 6, Code of Laws of South Carolina 1976, as amended, an ordinance duly adopted by the City Council of the City of Florence ("Council") on October 24, 1989, as amended by an ordinance (the "Series Ordinance") duly adopted by Council on April 12, 2010 (as so amended, the "Bond Ordinance") (the Bond Ordinance and the Series Ordinance are hereinafter collectively referred to as the "Ordinances") for the purpose of obtaining funds to construct improvements to the City's Combined Waterworks and Sewerage System, to satisfy the Reserve Requirement with respect to the bonds and to pay certain costs incidental to the issuance of the Bonds.

Certain capitalized terms used herein and not otherwise defined shall have the meanings ascribed thereto in the Ordinances. Certified copies of the Ordinances are on file in the office of the Trustee and in the office of the Clerk of Court for Florence County, South Carolina.

The Bonds will be issued on a parity with the City's outstanding \$139,306,798.80 of eight issues and any Additional Bonds hereafter issued.

The City has covenanted to continuously operate and maintain the System and fix and maintain such rates for the services and facilities furnished by the System as shall at all times be sufficient (a) to provide for the payment of the expenses of the administration and operation and such expenses for maintenance of the System as may be necessary to preserve the same in good repair and working order, (b) to provide for the punctual payment of the principal of and interest on the Bonds and all Junior Lien Bonds, (c) to maintain the Debt Service Fund and thus provide for the punctual payment of the principal of and interest on the Bonds, (d) to maintain each Debt Service Reserve Fund in the manner prescribed in the Ordinances, (e) to build and maintain a reserve for depreciation of the System, for contingencies and for improvements, betterments and extensions to the System other than those necessary to maintain the same in

good repair and working order, and (f) to discharge all obligations imposed by the Enabling Act and the Ordinances.

For the payment of the principal of and interest on the Bonds, there are hereby irrevocably pledged that portion of the Revenues which remain after paying the cost of the operation and maintenance of the System; and a lien upon such Revenues has been granted to the Holders of the Bonds.

This Bond and the interest hereon are exempt from all State, county, municipal, school district, and all other taxes or assessments imposed within the State, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, except inheritance, estate, transfer or certain franchise taxes.

This Bond is transferable, as provided in the Bond Ordinance, only upon the registration books of the City kept for that purpose by the Trustee or other registrar, by the Holder hereof in person or by his duly authorized attorney, upon (a) surrender of this Bond and an assignment with a written instrument of transfer satisfactory to the Trustee duly executed by the Holder hereof or his duly authorized attorney and (b) payment of the charges, if any, prescribed in the Bond Ordinance. Thereupon a new Bond or Bonds of the same aggregate principal amount, maturity and interest rate shall be issued to the transferee in exchange therefor as provided in the Bond Ordinance. The City, the Trustee and any Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of or on account of the principal or redemption price hereof and interest due hereon and for all other purposes.

For every exchange or transfer of the Bonds, the City or the Trustee or Registrar, as the case may be, may make a charge sufficient to reimburse it for any tax, fee or other governmental charge required to be paid with respect to such exchange or transfer.

The Bonds maturing on and after September 1, 2021, are subject to redemption prior to maturity on or after September 1, 2020, at the option of the City, as a whole or in part at any time, but if in part, in inverse order of their maturities, at par and accrued interest to the date fixed for redemption.

If less than all of the Bonds are to be redeemed, the particular Bonds or portions of Bonds to be redeemed shall be selected not less than 45 days prior to the date fixed for redemption by the Trustee by lot. If this Bond be in a denomination of more than \$5,000, it may be redeemed in part from time to time in one or more units of \$5,000 in the manner provided in the Bond Ordinance.

If any of the Bonds, or portions thereof, are called for redemption, the Trustee will give notice to the Holders of any such Bonds to be redeemed, in the name of the City, of the redemption of such Bonds, or portions thereof, which notice will specify the Bonds to be redeemed, the redemption date and the place or places where amounts due upon such redemption will be payable and, if less than all of the Bonds are to be redeemed, the numbers of such Bonds so to be redeemed, and, in the case of Bonds to be redeemed in part only, such notice will also specify the respective portions of the principal amount thereof to be redeemed. Such notice will be given by mailing a copy of the redemption notice by first class mail at least 30 days prior to the date fixed for redemption to the Holder of each Bond to be redeemed, at the address shown on the registration books; provided, however, that failure to give such notice by mail, or any defect in the notice mailed to the Holder of any Bond, shall not affect the validity of the proceedings for the redemption of any other Bond. Provided funds for their redemption are on deposit with the Registrar, all Bonds so called for redemption will cease to bear interest on the specified redemption date.

It is hereby certified and recited that all conditions, acts and things required by the Constitution and statutes of the State to exist, be performed or happen precedent to or in the issuance of this Bond, exist, have been performed and have happened, and that the amount of this Bond, together with all other indebtedness of the City, does not exceed any limit prescribed by such Constitution or statutes.

IN WITNESS WHEREOF, CITY OF FLORENCE, SOUTH CAROLINA, has caused this Bond to be signed by the manual signature of the Mayor of the City, its seal to be reproduced hereon and the same to be attested by the manual signature of the Finance Director of the City.

CITY OF FLORENCE, SOUTH CAROLINA

(SEAL)

By \_\_\_\_\_  
Mayor, City of Florence, South Carolina

Attest:

By \_\_\_\_\_  
Finance Director, City of Florence,  
South Carolina

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds of the Series described in the within mentioned Bond Ordinance.

THE BANK OF NEW YORK MELLON TRUST  
COMPANY, N.A., TRUSTEE

\_\_\_\_\_  
Authorized Signatory

Date:

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto

\_\_\_\_\_ (please print or type name and address of Transferee and Social Security or other identifying number of Transferee)

the within Bond and all rights and title thereunder, and hereby irrevocably constitutes and appoints attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Date: \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_

\_\_\_\_\_

ESCROW DEPOSIT AGREEMENT

between

CITY OF FLORENCE, SOUTH CAROLINA

and

THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A.  
AS ESCROW HOLDER

Dated as of May 4, 2010

## ESCROW DEPOSIT AGREEMENT

This ESCROW DEPOSIT AGREEMENT, dated as of May 4, 2010, by and between the CITY OF FLORENCE, SOUTH CAROLINA (the "City"), and THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A. (the "Escrow Holder"), successor to The Bank of New York, a national banking association organized and existing under the laws of the United States of America, having its designated corporate trust office in Jacksonville, Florida, and authorized under such laws to exercise corporate trust powers

### WITNESSETH:

WHEREAS, the Series Ordinance adopted by the City Council of the City ("City Council") on April 12, 2010, contemplates the issuance of bonds in an amount sufficient to, among other things, provide funds necessary to refund the outstanding installments of an original issue of \$23,828,128 South Carolina Pollution Control Revolving Fund Loan dated June 25, 1993 and that portion of the Combined Waterworks and Sewerage System Revenue Bonds, Series 2000, dated May 10, 2000, maturing on March 1, 2011 to 2030, inclusive (collectively, the "Refunded Bonds"), which debt service requirements and redemption date appear in Exhibit A; and

WHEREAS, the Refunded Bonds were issued and are now outstanding, in registered form, payable at The Bank of New York Mellon Trust Company, N.A., as Registrar and Paying Agent (the "Paying Agent"); and

WHEREAS, The Bank of New York Mellon Trust Company, N.A. also serves as Trustee (the "Trustee") for the Refunded Bonds pursuant to an ordinance entitled AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF COMBINED WATERWORKS AND SEWERAGE SYSTEM REVENUE BONDS OF THE CITY OF FLORENCE, SOUTH CAROLINA, AND OTHER MATTERS RELATING THERETO," adopted on October 24, 1989, as amended (the "Bond Ordinance"); and

WHEREAS, it is the obligation of the City to pay all of the principal of and interest on the Refunded Bonds unless the Refunded Bonds have been fully defeased in the manner provided in the Bond Ordinance authorizing the issuance of the Refunded Bonds by depositing in an irrevocable trust moneys to pay when due the principal of and interest on the bonds so defeased; and

WHEREAS, City Council has determined to make provision for the refunding of the Refunded Bonds as described herein by depositing with the Trustee as Escrow Holder immediately available funds in an amount sufficient to pay on June 1, 2010, the principal of, redemption premium and interest on the Refunded Bonds; and

WHEREAS, in order to obtain funds needed for such purpose, the City has authorized and is, concurrently with the delivery of this Agreement, issuing its \$\_\_\_\_\_ Combined Waterworks and Sewerage System Refunding Revenue Bonds, Series 2010A (the "Series 2010A Bonds"), a portion of which shall be applied to pay on June 1, 2010 the principal of, redemption premium and interest on the Refunded Bonds; and

WHEREAS, the sum necessary to pay the Refunded Bonds on June 1, 2010, is \$29,784,543.48, which sum the City shall deposit to the Escrow Account; and

WHEREAS, the City has therefore determined the amount on deposit from time to time in the Escrow Account herein will be sufficient to pay the principal of, redemption premium and interest on the Refunded Bonds;

WHEREAS, the City directs the Escrow Holder to establish the Escrow Account and the Escrow Holder has agreed with the City to act as Escrow Holder hereunder and to perform the duties and functions herein imposed upon the Escrow Holder;

WHEREAS, The Bank of New York Mellon Trust Company, N.A. has agreed with City Council to act as Escrow Holder hereunder and to perform the duties and functions herein imposed upon the Escrow Holder; and

WHEREAS, the Refunded Bonds include the obligations so defined at Section 1 herein.

NOW THEREFORE, in consideration of the mutual covenants and agreements herein contained, City Council, acting for the City, and the Escrow Holder do irrevocably agree as follows:

Section 1. Definitions. As used herein including the recitals hereof, the following terms mean:

"Aggregate Debt Service" means, as of any date, the sum of all present and future Annual Debt Service payments (as shown on Exhibit A) then remaining unpaid with respect to the Refunded Bonds then outstanding.

"Agreement" means this Escrow Deposit Agreement.

"Annual Debt Service" means, in any calendar year, the principal, interest and redemption premium due in such calendar year on the Refunded Bonds as shown on Exhibit A.

"Authorized Officer" means the Mayor and/or the City Manager of the City.

"Bondholders" means the holders of the Refunded Bonds.

"Code" means the Internal Revenue Code of 1986, as amended.

"Escrow Account" means the account established and held by the Escrow Holder pursuant to this Agreement, in which cash and securities will be held for payment of the Refunded Bonds.

"Escrow Holder" means the financial institution designated to act as Escrow Holder under the terms hereunder.

"Escrow Requirement" means, as of any date of calculation, the sum of the cash and the principal amount of Government Obligations in the Escrow Account which, together with the interest on the Government Obligations to the respective maturities thereof will be sufficient to pay, as the same becomes due, the Aggregate Debt Service.

"Government Obligations" means direct general obligations of the United States of America or obligations, the timely payment of principal of or interest on which is fully and unconditionally guaranteed by the United States of America.

"Notice of Redemption" means the notice, in substantially the form attached hereto as Exhibit C, to be mailed by the Escrow Holder in its capacity as Trustee calling for redemption of the Refunded Bonds.

"Paying Agent" means The Bank of New York Mellon Trust Company, N.A., at the corporate trust office which the holders of the Refunded Bonds may obtain payment of the principal of, redemption premium and interest on the Refunded Bonds.

"Refunded Bonds" means the outstanding installments of an original issue of \$23,828,128 South Carolina Pollution Control Revolving Fund Loan dated June 25, 1993 and the outstanding principal amount of an original issue of \$25,690,000 Combined Waterworks and Sewerage System Revenue Bonds, Series 2000, dated May 10, 2000, which mature and bear interest as follows:

<u>Calendar Year</u>	<u>Principal Amount</u>	<u>Interest Rate</u>	<u>Calendar Year</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2011	\$ 590,000	7.50%	2021	\$1,045,000	5.50%
2012	620,000	7.50	2022	1,110,000	5.50
2013	655,000	7.50	2023	1,175,000	5.50
2014	695,000	7.50	2024	1,250,000	5.50
2015	735,000	7.50	2025	1,325,000	5.50
2016	780,000	7.50	2026	1,405,000	5.50
2017	825,000	7.50	2027	1,495,000	5.50
2018	875,000	7.50	2028	1,590,000	5.50
2019	925,000	5.75	2029	1,690,000	5.50
2020	985,000	5.75	2030	1,795,000	5.50

Section 2. Deposit of Funds. The City represents and warrants that it is entitled to receive from the proceeds of the Series 2010A Bonds the sum of \$29,784,543.48. This sum is the amount necessary to pay on June 1, 2010, the principal of, redemption premium and interest on the Refunded Bonds.

The City represents that it has caused the purchaser of the Series 2010A Bonds to deliver immediately available funds in the amount of \$\_\_\_\_\_ from the proceeds of the Series 2010A Bonds to the Escrow Holder to be held in the Escrow Account, which satisfies the Escrow Requirement. All such funds are to be held in the Escrow Account and applied by the Escrow Holder solely as provided in Section 3 of this Agreement. Such deposit shall constitute an irrevocable pledge of such funds to the payment of the Refunded Bonds. City Council represents that such funds have been derived from the net proceeds of the Series 2010A Bonds.

It is represented and warranted by the City to the Escrow Holder that the amount so deposited will be sufficient to meet the principal of and interest on the Refunded Bonds as the same become due and payable and the redemption premium to become due on the Refunded Bonds, and accordingly equals or exceeds the Escrow Requirement.

The City and the Escrow Holder agree that the Escrow Holder will hold the Government Obligations for the benefit of the Paying Agent thus effecting the defeasance of the Refunded Bonds as provided for at paragraph 18 of Section 2.02 of the Series Ordinance.

Section 3. Use and Investment of Funds. The Escrow Holder acknowledges receipt of the sum of \$29,784,543.48 in immediately available funds, \$\_\_\_\_\_ of which shall be immediately invested in

the Government Obligations set forth on Exhibit B attached hereto. The remaining sum of \$ \_\_\_\_\_ will remain uninvested. **[TO BE DISCUSSED]**

The Escrow Holder agrees to deposit in the Escrow Account, as received, the receipts of the maturity principal of and interest on such Government Obligations held in the Escrow Account and to apply the same as provided in Section 4 hereof.

Section 4. Payment of Refunded Bonds.

Refunded Bonds. The Escrow Holder shall pay to the Paying Agent from the funds on hand in the Escrow Account a sum sufficient to pay the Annual Debt Service of the Refunded Bonds coming due on such dates as provided in Exhibit A.

Priority of Payments. The Bondholders of the Refunded Bonds shall have, and are hereby granted, an express first lien upon and security interest in all funds and Government Obligations in the Escrow Account from time to time until the same are used and applied as provided in this Agreement. If the cash or other investments on hand in the Escrow Account are ever insufficient to make the payments required hereunder, the City shall, promptly after notice has been given by the Escrow Holder, provide the required sum of money necessary to discharge such deficiency.

Section 5. Investments by the Escrow Holder. Except as required or permitted by Section 3 above or in the following paragraphs of this Section 5, the Escrow Holder shall have no power or duty to invest any funds initially deposited in the Escrow Account or received from payments made on account of such deposits.

Investments made with such moneys shall consist solely of Government Obligations. Under the terms and conditions of this section and at the written request of an Authorized Officer of the City, the Escrow Holder shall (i) sell, transfer, request the redemption of or otherwise dispose of the Government Obligations in the Escrow Account, (ii) invest the proceeds therefrom and other money in the Escrow Account in Government Obligations, which are available for purchase with such money on the date of such transaction, or (iii) release and deliver money or Government Obligations in the Escrow Account to the City; but prior to taking any such action, the Escrow Holder shall have received (1) the unqualified opinion of a firm of nationally recognized municipal bond attorneys to the effect that such transaction would not affect the tax-exempt status of interest on the Refunded Bonds; and (2) a certification from a nationally recognized firm of independent certified public accountants that, after such transaction, and after making all payments or releases then or thereafter contemplated by such transaction, the principal of and interest on the Government Obligations in the Escrow Account will, together with any money in the Escrow Account available for such purpose, be sufficient to pay, when due, the Aggregate Debt Service.

Section 6. Notice of Redemption and Defeasance. The City hereby gives notice to the Escrow Holder and the Paying Agent of its irrevocable election to redeem the Refunded Bonds on such date as provided in Exhibit A.

The Escrow Holder in its capacity as Trustee and as Paying Agent for the Refunded Bonds agrees to cause the Notice of Redemption to be mailed by first class mail at least 30 days prior to June 1, 2010, in form substantially similar to Exhibit C, to the Holder of each Bond to be redeemed at the address shown on the registration books. The City shall be responsible for the fees and expenses of such mailing.

Section 7. Indemnity. To the extent permitted by law, the City hereby assumes liability for, and hereby agrees (whether or not any of the transactions contemplated hereby are consummated) to indemnify, protect, save and keep harmless the Escrow Holder and its respective successors, assigns, agents and servants, from and against any and all liabilities, obligations, losses, damages, penalties, claims, actions, suits, costs, expenses and disbursements (including legal fees and disbursements) of whatsoever kind and nature which may be imposed on, incurred by, or asserted against at any time, the Escrow Holder (whether or not also indemnified against the same by any other person under any other agreement or instrument) and in any way relating to or arising out of the execution and delivery of this Agreement, the establishment of the Escrow Account, the acceptance of the money deposited therein, the purchase of the Government Obligations, the retention of the Government Obligations or the proceeds thereof and any payment, transfer or other application of funds or Government Obligations by the Escrow Holder in accordance with the provisions of this Agreement; provided, however, that the City expressly does not indemnify the Escrow Holder against its own negligence or willful misconduct. Except as to the Holders of the Bonds, in no event shall the City or the Escrow Holder be liable to any person by reason of the transactions contemplated hereby other than to each other as set forth in this Section. The indemnities contained in this Section shall survive the termination of this Agreement.

Section 8. Responsibilities of Escrow Holder. The Escrow Holder and its respective successors, assigns, agents and servants shall not be held to any personal liability whatsoever, in tort, contract, or otherwise, in connection with the execution and delivery of this Agreement, the establishment of the Escrow Account, the acceptance of the money and Government Obligations deposited in the Escrow Account, the purchase of the Government Obligations, the retention of the Government Obligations or the proceeds thereof or any payment, transfer or other application of money or securities by the Escrow Holder or any act, omission or error of the Escrow Holder made in good faith in the conduct of its duties and not constituting negligence. The Escrow Holder shall, however, be liable for its negligent or willful acts, omissions or errors which violate or fail to comply with the terms of this Agreement. The duties and obligations of the Escrow Holder shall be determined solely and no implied duties for obligations shall be read into this Agreement against the Escrow Holder by the express provisions of this Agreement. The Escrow Holder may consult with counsel, who may or may not be counsel to the City, and in reliance upon the opinion of such counsel shall have full and complete authorization and protection in respect of any action taken, suffered or omitted by it in good faith in accordance therewith. The Escrow Holder may conclusively rely upon any notice, request, consent, direction, certificate, opinion or other document received by the Escrow Holder without verifying the authenticity or correctness of such writing. Whenever the Escrow Holder shall deem it necessary or desirable that a matter be proved or established prior to taking, suffering or omitting any action under this Agreement, such matter may be deemed to be conclusively established by a certificate signed by an Authorized Officer of the City.

Notwithstanding any provision herein to the contrary, in no event shall the Escrow Holder be liable for special, indirect or consequential loss or damage of any kind whatsoever (including but not limited to lost profits), even if the Escrow Holder has been advised of the likelihood of such loss or damage and regardless of the form of action. The Escrow Holder may act through its agents and attorneys and shall not be responsible for any misconduct or negligence on the part of any such person so appointed with due care. Any payment obligation of the Escrow Holder hereunder shall be paid from, and is limited to funds available, established and maintained under this Agreement; the Escrow Holder shall not be required to expend its own funds for the performance of its duties hereunder. The Escrow Holder shall not be responsible or liable for any failure or delay in the performance of its obligations under this Agreement arising out of or caused, directly or indirectly, by circumstances beyond its reasonable control, including, without limitation, acts of God; earthquakes; fire; flood; hurricanes or other storms; wars; terrorism; similar military disturbances; sabotage; epidemic; pandemic; riots; interruptions; loss or malfunctions of utilities, computer (hardware or software) or communications

services; accidents; labor disputes; acts of civil or military authority or governmental action; it being understood that the Escrow Holder shall use commercially reasonable efforts which are consistent with accepted practices in the banking industry to resume performance as soon as reasonably practicable under the circumstances.

Section 9. Resignation of Escrow Holder. The Escrow Holder may resign and thereby become discharged from the duties and obligations hereby created, by notice in writing given to City Council not less than 60 days before such resignation is scheduled to take effect. Such resignation shall take effect only upon the appointment of a new Escrow Holder and such new Escrow Holder may be appointed by City Council before the time scheduled by such notice and such new Escrow Holder may then take over the duties and obligations thereof. If no successor Escrow Holder shall have been so appointed and have accepted such appointment within such 60-day period, the resigning Escrow Holder, at the City's expense, may petition the court of competent jurisdiction for the appointment of a successor Escrow Holder.

The Paying Agent may resign pursuant to the terms of the ordinance of City Council authorizing the Refunded Bonds.

Section 10. Removal of Escrow Holder. (a) The Escrow Holder may be removed at any time by an instrument or concurrent instruments in writing, executed by the holders of not less than 51% in aggregate principal amount of the Refunded Bonds then outstanding, such instruments to be filed with City Council, and notice in writing given by such holders to City Council and (unless all of the Bondholders have consented to such removal) published once in a newspaper of general circulation in the City of Columbia, South Carolina, and once in a daily newspaper of general circulation or a financial journal published in the City and State of New York, not less than 60 days before such removal is to take effect as stated in such instrument or instruments. A photographic copy of any instrument filed with City Council under the provisions of this paragraph shall be delivered by City Council to the Escrow Holder.

(b) The Escrow Holder may also be removed at any time for any breach of trust or for acting or proceeding in violation of, or for failing to act or proceed in accordance with, any provisions of this Agreement with respect to the duties and obligations of the Escrow Holder, by any court of competent jurisdiction upon the application of City Council or the holders of not less than 10% in aggregate principal amount of the Refunded Bonds then outstanding.

The Paying Agent may be removed pursuant to the terms of the ordinance of City Council authorizing the Refunded Bonds.

Section 11. Successor Escrow Holder. (a) Any corporation or association into which the Escrow Holder may be converted or merged, or with which it may be consolidated, or with which it may sell or transfer its corporate trust business and assets as a whole or substantially as a whole, or any corporation or association resulting from any such conversion, sale, merger, consolidation, or transfer to which it is a party, ipso facto, shall be and become successor Escrow Holder hereunder and vested with all of the title to the whole property or trust estate and all the trusts, powers, discretions, immunities, privileges, and all other matters as was its predecessor, without the execution or filing of any instruments or any further act, deed, or conveyance on the part of any of the parties hereto, anything herein to the contrary notwithstanding.

(b) If at any time hereafter the Escrow Holder shall resign, be removed, be dissolved or otherwise become incapable of acting, or shall be taken over by any governmental official, agency, department or board and, in any case, a successor Escrow Holder has not been appointed and accepted

such appointment, City Council shall appoint a temporary Escrow Holder. City Council shall thereupon publish notice of any such appointment once in each week for four successive weeks in a newspaper of general circulation published in the City of Columbia and in a daily newspaper of general circulation or a financial journal published in the Borough of Manhattan, City and State of New York, and, before the second publication of such notice shall mail a copy thereof to each Bondholder.

(c) At any time within one year after such appointment of a temporary Escrow Holder shall have occurred, the holders of a majority in principal amount of the Refunded Bonds then outstanding, by an instrument or concurrent instruments in writing, executed by all such bondholders and filed with City Council, may appoint a successor Escrow Holder, which shall supersede any temporary Escrow Holder theretofore appointed by City Council. Photographic copies of each such instrument shall be delivered promptly by City Council to the predecessor Escrow Holder and to the Escrow Holder so appointed by the Bondholders.

(d) If no appointment of a successor Escrow Holder shall be made pursuant to the foregoing provisions of this section, then the incumbent temporary Escrow Holder or any Bondholder may, at the option of the City, apply to any court of competent jurisdiction to appoint a successor Escrow Holder. Such court may thereupon, after such notice, if any, as such court may deem proper and prescribe, appoint a successor Escrow Holder.

(e) A successor may be named for the Paying Agent pursuant to the terms of the ordinance of City Council authorizing the Refunded Bonds.

Section 12. Term. This Agreement, which is hereby declared to be irrevocable, shall commence upon its execution and delivery and shall terminate only when funds sufficient to pay the Aggregate Debt Service shall have been deposited with the Paying Agent, at which time all money and securities remaining in the Escrow Account shall be delivered to the City.

Section 13. Compensation for Escrow Holder. The Escrow Holder shall receive a fee for its services hereunder as set forth in a separate agreement between the City and Escrow Holder. The City shall be responsible and agrees to pay all costs and expenses, including the reasonable counsel fees, which the Escrow Holder may properly incur acting hereunder. The Escrow Holder shall under no circumstances have any claim to or any lien upon any cash or Government Obligations in the Escrow Account. The City shall pay to the Escrow Holder for any extraordinary services or expenses (including attorney's fees, costs and expenses) performed or incurred by the Escrow Holder in connection with its duties under this Agreement (other than due to Escrow Holder's negligence or willful misconduct), if notified in writing prior to the performance of those services or the incurring of those expenses so as to allow the City to appropriate sufficient funds for their payment.

Section 14. Severability. If any one or more of the provisions of this Agreement should be determined by a court of competent jurisdiction to be contrary to law, such provision shall be null and void and shall be severed from the remaining provisions and shall in no way affect the validity of the remaining provisions of this Agreement.

Section 15. Amendments. This Escrow Agreement may be amended upon the consent of all of the holders of the Refunded Bonds then outstanding and may be amended for the following purposes without the consent of the holders of the Refunded Bonds: (a) insertion of unintentionally omitted material, (b) correction of manifest errors or clarification of ambiguities, (c) pledging of additional security, or (d) providing for the deposit of additional cash or Government Obligations into the Escrow Account.

Section 16. Counterparts. This Agreement may be executed in several counterparts, all of which shall be regarded for all purposes as duplicate originals and shall constitute and be but one and the same instrument.

Section 17. Governing Law. This Agreement shall be construed under the laws of the State of South Carolina without regard to conflict of law principles.

Section 18. Security for Accounts and Funds. All uninvested funds held pursuant to this Agreement shall be continuously secured in the same manner as other deposits of trust funds are secured by the Escrow Holder.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their duly authorized officers as of the date first above written.

CITY OF FLORENCE, SOUTH CAROLINA

By \_\_\_\_\_  
Mayor

THE BANK OF NEW YORK MELLON TRUST  
COMPANY, N.A. as Escrow Holder

By: \_\_\_\_\_

Its: \_\_\_\_\_

Exhibit A

Debt service requirements for City of Florence, South Carolina, South Carolina Pollution Control Revolving Fund Loan dated June 25, 1993 and the City of Florence, South Carolina, Combined Waterworks and Sewerage System Revenue Bonds, Series 2000, dated May 10, 2000, maturing on March 1, 2011 to 2030, inclusive (collectively, the "Refunded Bonds"). The Refunded Bonds will be redeemed on June 1, 2010.

Principal and interest payable as shown at the principal office of The Bank of New York Mellon Trust Company, N.A., in the City of East Syracuse, New York.

Bond of 1993

<u>Date</u>	<u>Interest</u>	<u>Principal</u>	<u>Premium</u>	<u>Total</u>
6/1/2010	\$80,713.79	\$7,596,592.19	-0-	\$7,677,305.98

Bonds of 2000

<u>Date</u>	<u>Interest</u>	<u>Principal</u>	<u>Premium</u>	<u>Total</u>
6/1/2010	\$326,587.50	\$21,565,000	\$215,650	\$22,107,237.50

Exhibit B

Schedule of Securities

<u>Principal Amount</u>	<u>Interest Rate</u>	<u>Issue Date</u>	<u>Maturity Date</u>	<u>First Interest Payment Date</u>
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Exhibit C

NOTICE OF REDEMPTION

CITY OF FLORENCE, SOUTH CAROLINA

To the Holder of the Outstanding \$7,596,592.19 of an original issue of South Carolina Pollution Control Revolving Fund Loan dated June 25, 1993.

NOTICE IS HEREBY GIVEN that pursuant to the provisions of a Bond Ordinance adopted October 24, 1989 and a Series Ordinance adopted by the City Council of City of Florence, South Carolina, on April 12, 2010, the City has elected to call for redemption on June 1, 2010, the outstanding principal amount of the above issue at par together with interest thereon to the redemption date.

Interest on the Bonds to be redeemed shall cease to accrue from and after June 1, 2010, and on such date the above-mentioned redemption price will become due and payable.

Payment will be made upon surrender of said Bonds to the Corporate Trust Office of The Bank of New York Mellon Trust Company, N.A., in the City of East Syracuse, New York.

CITY OF FLORENCE, SOUTH CAROLINA

Dated: April \_\_, 2010

NOTICE OF REDEMPTION

CITY OF FLORENCE, SOUTH CAROLINA

To the Holders of All Outstanding \$21,565,000 of an original issue of \$25,690,000 Combined Waterworks and Sewerage System Revenue Bonds, Series 2000, dated May 10, 2000, maturing March 1, 2011 to 2030, inclusive.

NOTICE IS HEREBY GIVEN that pursuant to the provisions of a Bond Ordinance adopted October 24, 1989 and a Series Ordinance adopted by the City Council of City of Florence, South Carolina, on April 12, 2010, the City has elected to call for redemption on June 1, 2010, all of the Bonds of the above issue maturing on March 1, 2011 to 2030, inclusive, at par together with interest thereon to the redemption date.

Interest on the Bonds to be redeemed shall cease to accrue from and after June 1, 2010, and on such date the above-mentioned redemption price will become due and payable.

Payment will be made upon surrender of said Bonds to the Corporate Trust Office of The Bank of New York Mellon Trust Company, N.A., in the City of East Syracuse, New York.

CITY OF FLORENCE, SOUTH CAROLINA

Dated: April \_\_, 2010

**CONTINUING DISCLOSURE CERTIFICATE**

This Continuing Disclosure Certificate (the "Disclosure Certificate") is executed and delivered by the City of Florence, South Carolina (the "Issuer") in connection with the issuance of \$ \_\_\_\_\_ Combined Waterworks and Sewerage System Refunding and Capital Improvement Revenue Bonds, Series 2010, of the City of Florence, South Carolina (the "Bonds"). The Bonds are being issued pursuant to an Ordinance adopted October 24, 1989 and a Series Ordinance adopted \_\_\_\_\_, 2010 (collectively, the "Ordinances"). The Issuer covenants and agrees as follows:

SECTION 1. Purpose of the Disclosure Certificate. This Disclosure Certificate is being executed and delivered by the Issuer for the benefit of the Bondholders and in order to assist the Participating Underwriters in complying with Securities Exchange Commission Rule 15c2-12(b)(5).

SECTION 2. Definitions. In addition to the definitions set forth in the Ordinance, which apply to any capitalized term used in this Disclosure Certificate unless otherwise defined in this Section, the following capitalized terms shall have the following meanings:

"Annual Report" shall mean any Annual Report provided by the Issuer pursuant to, and as described in, Sections 3 and 4 of this Disclosure Certificate.

"Dissemination Agent" shall mean the Issuer or any successor Dissemination Agent designated in writing by the Issuer and which has filed with the Issuer a written acceptance of such designation.

"Listed Events" shall mean any of the events listed in Section 5(a) of this Disclosure Certificate.

"Participating Underwriter" shall mean any of the original underwriters of the Bonds required to comply with the Rule in connection with offering of the Bonds.

"Repository" shall mean the Municipal Securities Rulemaking Board through its Electronic Municipal Market Access ("EMMA") system at [www.emma.msrb.org](http://www.emma.msrb.org).

"Rule" shall mean Rule 15c2-12(b)(5) adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

SECTION 3. Provision of Annual Reports.

(a) The Issuer shall, or shall cause the Dissemination Agent to, not later than 180 days following the end of the Issuer's fiscal year (presently July 1 to June 30) commencing with the fiscal year ending June 30, 2010, provide to each Repository an Annual Report which is consistent with the requirements of Section 4 of this Disclosure Certificate. Not later than 15 business days prior to said date, the Issuer shall provide the Annual Report to the Dissemination Agent, if other than the Issuer. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in Section 4 of this Disclosure Certificate; provided that the audited financial statements of the Issuer may be submitted separately from the balance of the Annual Report.

(b) If the Issuer is unable to provide to the Repository an Annual Report by the date required in subsection (a), the Issuer shall send a notice to the Repository in substantially the form attached as Appendix I.

(c) The Dissemination Agent shall:

- (i) determine each year prior to the date for providing the Annual Report the name and address of the Repository; and,
- (ii) if the Dissemination Agent is other than the Issuer, file a report with the Issuer certifying that the Annual Report has been provided pursuant to this Disclosure Certificate, stating the date it was provided and the Repository to which it was provided.

SECTION 4. Content of Annual Reports. The Issuer's Annual Report shall contain or incorporate by reference the following:

- (a) The City's complete audited financial statements prepared in accordance with generally accepted accounting principles as promulgated to apply to governmental entities from time to time by the Governmental Accounting Standards Board. If the City's audited financial statements are not available by the time the Annual Report is required to be filed pursuant to Section 3(a), the Annual Report shall contain unaudited financial statements in a format similar to the financial statements contained in the final Official Statement, and the audited financial statements shall be filed in the same manner as the Annual Report when they become available.
- (b) If generally accepted accounting principles have changed since the last Annual Report was submitted pursuant to this Disclosure Certificate and if such changes are material to the System, a narrative report describing the impact of such change in the System.
- (c) Financial and operating data for each fiscal year which shall consist of the operating data generally consistent with the information contained in the tables in the Official Statement dated as of \_\_\_\_\_, 2010, with respect to the Bonds under the captioned "The City and the System."

Any or all of the items listed above may be incorporated by reference from other documents, including official statements of debt issues of the Issuer or related public entities, which have been submitted to each of the Repositories or the Securities and Exchange Commission. If the document incorporated by reference is a final official statement, it must be available from the Municipal Securities Rulemaking Board. The Issuer shall clearly identify each such other document so incorporated by reference.

SECTION 5. Reporting of Significant Events.

(a) This Section 5 shall govern the giving of notices of the occurrence of any of the following events:

- 1. principal and interest payment delinquencies.
- 2. non-payment related defaults.
- 3. modifications to rights of Bondholders.
- 4. optional, contingent or unscheduled bond calls.

5. defeasances.
6. rating changes.
7. adverse tax opinions or events affecting the tax-exempt status of the Bonds.
8. unscheduled draws on the debt service reserves reflecting financial difficulties.
9. unscheduled draws on the credit enhancements reflecting financial difficulties.
10. substitution of the credit or liquidity providers or their failure to perform.
11. release, substitution or sale of property securing repayment of the Bonds.

(b) Whenever the Issuer obtains knowledge of the occurrence of a Listed Event, the Issuer shall as soon as possible determine if such event would be material under applicable federal securities laws.

(c) If the Issuer determines that knowledge of the occurrence of a Listed Event would be material, the Issuer shall promptly file a notice of such occurrence with the Repository. Notwithstanding the foregoing, notice of Listed Events described in subsections (a) (4) and (5) need not be given under this subsection any earlier than the notice (if any) of the underlying event is given to Holders of affected Bonds pursuant to the Ordinance.

SECTION 6. Termination of Reporting Obligation. The Issuer's obligations under this Disclosure Certificate shall terminate upon the defeasance, prior redemption or payment in full of all of the Bonds.

SECTION 7. Dissemination Agent. The Issuer may, from time to time, appoint or engage a Dissemination Agent to assist it in carrying out its obligations under this Disclosure Certificate, and may discharge any such Agent, with or without appointing a successor Dissemination Agent. The initial Dissemination Agent shall be the Issuer.

SECTION 8. Amendment; Waiver. Notwithstanding any other provision of this Disclosure Certificate, the Issuer may amend this Disclosure Certificate, and any provision of this Disclosure Certificate may be waived, if such amendment or waiver is supported by an opinion of counsel expert in federal securities laws, to the effect that such amendment or waiver would not, in and of itself, cause the undertakings herein to violate the Rule if such amendment or waiver had been effective on the date hereof but taking into account any subsequent change in or official interpretation of the Rule.

SECTION 9. Additional Information. Nothing in this Disclosure Certificate shall be deemed to prevent the Issuer from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other information in any Annual Report or notice of occurrence of a Listed Event, in addition to that which is required by this Disclosure Certificate. If the Issuer chooses to include any information in any Annual Report or notice of occurrence of a Listed Event in addition to that which is specifically required by this Disclosure Certificate, the Issuer shall have no obligation under this Agreement to update such information or include it in any future Annual Report or notice of occurrence of a Listed Event.

SECTION 10. Default. In the event of a failure of the Issuer to comply with any provision of this Disclosure Certificate, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandamus or specific performance by court order, to cause the Issuer to comply with its obligations under this Disclosure Certificate. A default under this Disclosure Certificate shall not be deemed an event of default under the Ordinance, and the sole remedy under this Disclosure Certificate in the event of any failure of the Issuer to comply with this Disclosure Certificate shall be an action to compel performance.

SECTION 11. Duties, Immunities and Liabilities of Dissemination Agent. The Dissemination Agent shall have only such duties as are specifically set forth in this Disclosure Certificate, and the Issuer agrees to indemnify and save the Dissemination Agent, its officers, directors, employees and agents, harmless against any loss, expense and liabilities which it may incur arising out of or in the exercise or performance of its powers and duties hereunder, including the costs and expenses of defending against any claim of liability, but excluding liabilities due to the Dissemination Agent's gross negligence or willful misconduct. The obligations of the Issuer under this Section shall survive resignation or removal of the Dissemination Agent and payment of the Bonds.

SECTION 12. Beneficiaries. This Disclosure Certificate shall inure solely to the benefit of the Issuer, the Dissemination Agent, the Participating Underwriters and Holders from time to time of the Bonds, and shall create no rights in any other person or entity.

CITY OF FLORENCE, SOUTH CAROLINA

By: \_\_\_\_\_

Dated: \_\_\_\_\_, 2010

STATE OF SOUTH CAROLINA

COUNTY OF FLORENCE

I, the undersigned, Clerk of the City Council of the City of Florence, South Carolina ("City Council"), DO HEREBY CERTIFY:

That the foregoing constitutes a true, correct and verbatim copy of an Ordinance adopted by City Council. The Ordinance was read at two public meetings of City Council held on March \_\_ and April 12, 2010. An interval of at least six days occurred between each reading. At each meeting, a quorum of City Council was present and remaining present throughout the meeting.

The Ordinance is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my Hand this 12<sup>th</sup> day of April, 2010.

---

Clerk

CITY OF FLORENCE COUNCIL MEETING

DATE: March 8, 2009

AGENDA ITEM: Ordinance  
First Reading

DEPARTMENT/DIVISION: City of Florence Urban Planning & Development Department

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**I. ISSUE UNDER CONSIDERATION:**

*Amendments to Article 6, Supplemental Off-Street Parking and Loading Regulations to enable more uniform and efficient enforcement.*

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

*Since the city established zoning enforcement starting in July 2008, there have been several complaints relating to commercial vehicles parking in residential zones. The current regulations only apply to R-1, R-2 and R-3 zoning districts and vehicle weights are outdated. At their February 9, 2010 meeting, Planning Commission recommended approval of several amendments by a 7-0 vote. The amendments are as follows:*

- 1. Add R-4 and R-5 residential districts to those areas where there are restrictions on parking non-residential vehicles.*
- 2. In Section 6.9 I add "and adjacent properties".*
- 3. Update the gross vehicle weight from 2 tons to 3.5 tons*

**III. POINTS TO CONSIDER:**

*This item is being introduced for first reading only.*

**IV. OPTIONS:**

*City Council may:*

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

**V. PERSONAL NOTES:**

**VI. ATTACHMENTS:**

*Staff Report*

*Ordinance*



Phillip M. Lookadoo, AICP  
Urban Planning and Development Director



David N. Williams  
City Manager

**CITY OF FLORENCE URBAN PLANNING & DEVELOPMENT  
STAFF REPORT  
TO THE  
CITY OF FLORENCE PLANNING COMMISSION**

**CASE NO:** PC# 2010-03

**DATE:** February 9, 2010

**SUBJECT:** Text amendment to Section 6.9 of the Zoning Ordinance relating to parking in residential areas.

**STAFF ANALYSIS:**

There have been several recent complaints from residents about commercial and construction vehicles being parked in their neighborhoods. A review of the current ordinance was undertaken by staff from the Urban Planning and Development and Community Services Departments. Staff included were as follows: Scotty Davis, Director, Community Services; Marshall McKeever, Community Services; Phillip Lookadoo, Director, Urban Planning & Development; Tyrone Simon, Zoning Enforcement Officer and Liz Shaw, Zoning Administrator

The following amendments are being proposed to be able to include all residentially zoned areas in the regulations and to update the previous vehicle weight limits.

The current text, proposed for deletion, is shown with a strike-through, and proposed new text is underlined and highlighted.

**Section 6.9 Parking, Storage, and Use of Non-Residential Vehicles and Equipment in Residential Zones**

1. No automobile, truck, or trailer of any kind or type, without current license plates, shall be parked and construction equipment shall not be stored on any lot in the R-1, R-2, ~~or R-3~~, R-4 and R-5 Zone Districts, other than in completely enclosed buildings, or physically removed from vision from the public street serving the property and adjacent properties.
2. Parking of vehicles, implements and/or equipment used for commercial, industrial, or construction purposes in the R-1, R-2, ~~or R-3~~, R-4 and R-5 Zone Districts shall be limited to one vehicle per residence, with a capacity no greater than three and a half two (3.52) tons and one implement or equipment no greater than (3.5) tons.
3. Vehicles with capacity greater than ~~two (2) tons~~ three and a half (3.5) tons and used for commercial, industrial, or construction purposes are prohibited from parking in the R-1, R-2, R-3, R-4 and R-5 Zoning Districts, including the street/highway right-of-way in such districts, when not actively involved in commerce.

Staff Recommendation

Staff recommends approval of this text change to provide consistency in enforcement of parking of commercial and construction vehicles in residentially zoned areas city wide.

**ORDINANCE NO. 2010 \_\_\_\_\_**

**AN ORDINANCE TO AMEND ARTICLE 6, SUPPLEMENTAL OFF-STREET PARKING AND LOADING REGULATIONS IN THE ZONING ORDINANCE RELATING TO PARKING NON-RESIDENTIAL VEHICLES IN RESIDENTIAL ZONES**

**WHEREAS**, since the city has taken over zoning responsibilities there have been several complaints relating to commercial vehicles parking in residential zones and;

**WHEREAS**, several amendments were proposed by zoning and code enforcement staff to the Planning Commission to enable more uniform and efficient enforcement and;

**WHEREAS**, the Planning Commission held a Public Hearing on February 9, 2010 to consider amendments to the existing ordinance and recommended the following changes;

1. Current text with changes shown by a strikethrough:

**Section 6.9 Parking, Storage, and Use of Non-Residential Vehicles and Equipment in Residential Zones**

1. No automobile, truck, or non-residential trailer of any kind or type, without current license plates, shall be parked and construction equipment shall not be stored on any lot in the R-1, R-2, ~~or R-3~~, R-4 and R-5 Zone Districts, other than in completely enclosed buildings, or physically removed from vision from the public street serving the property and adjacent properties.
2. Parking of vehicles, implements and/or equipment used for commercial, industrial, or construction purposes in the R-1, R-2, ~~or R-3~~, R-4 and R-5 Zone Districts shall be limited to one vehicle per residence, with a capacity no greater than three and a half (3.5) tons and one implement or equipment no greater than (3.5) tons.

Vehicles with capacity greater than ~~two (2) tons~~ three and a half (3.5) tons and used for commercial, industrial, or construction purposes are prohibited from parking in the R-1, R-2, R-3, R-4 and R-5 Zoning Districts, including the street/highway right-of-way in such districts, when not actively involved in commerce.

**WHEREAS**, Florence City Council concur 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 Ordinance as shown above.
2. That this Ordinance shall become effective immediately.

**ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010**

**Approved as to form:**

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

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

**Attest:**

\_\_\_\_\_  
Dianne Rowan  
**Municipal Clerk**

**FLORENCE CITY COUNCIL MEETING**

**DATE:** March 8, 2010  
**AGENDA ITEM:** Ordinance – First Reading  
**DEPARTMENT/DIVISION:** Finance

**I. ISSUE UNDER CONSIDERATION**

Amendment to the FY 2009-10 City of Florence Budget.

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

No previous action has been taken on this ordinance.

**III. POINTS TO CONSIDER**

The objective of the proposed ordinance is to more closely align budgeted amounts with actual revenues and expenditures thereby eliminating or reducing significant variances between budgeted and actual amounts in both revenue and expenditure categories.

Based on a midyear review of projections in the General Fund and the Water and Sewer Enterprise Fund, budget reductions are proposed in the revenues and expenditures for both funds to ensure that the City maintains a realistic and balanced budget wherein revenues and expenditures are appropriately aligned.

**IV. STAFF RECOMMENDATION**

Approval and adoption of the proposed ordinance.

**VI. ATTACHMENTS**

Copy of the proposed ordinance.



Thomas W. Chandler  
Finance Director



David N. Williams  
City Manager

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

**AN ORDINANCE TO AMEND THE BUDGET FOR THE CITY OF FLORENCE,  
SOUTH CAROLINA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2009, AND  
ENDING JUNE 30, 2010.**

**BE IT ORDAINED** by the City Council of the City of Florence, South Carolina, in a meeting duly assembled and by the authority thereof that the budget for the City of Florence, South Carolina, for the fiscal year beginning July 1, 2009, and ending June 30, 2010, is hereby amended as follows:

- Section 1.** That the category of revenues of the General Fund in said budget is hereby amended by revising appropriations in Business & Professional License, Franchise Fees, Local Government Fund, Miscellaneous Grants, Interest Earnings and other revenue categories, for a net reduction in total General Fund revenues of \$440,000.
- Section 2.** That the category of expenditures of the General Fund in said budget is hereby amended by revising departmental and non-departmental expenditures for a net reduction in total General Fund expenditures of \$440,000.
- Section 3.** That the category of revenues of the Water and Sewer Utilities Enterprise Fund in said budget is hereby amended by revising appropriations in Water Charges, Sewer Charges, and other revenue categories for a net reduction in total Water and Sewer Utilities Enterprise Fund revenues of \$965,000.
- Section 4.** That the category of expenses of the Water and Sewer Utilities Enterprise Fund in said budget is hereby amended by revising departmental and non-departmental expenses for a net reduction in total Water and Sewer Utilities Enterprise Fund expenses of \$965,000.

This Ordinance shall become effective immediately upon its approval and adoption by the City Council of the City of Florence.

**ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.**

**Approved as to form:**

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

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

**Attest:**

\_\_\_\_\_  
Diane Rowan  
Municipal Clerk

**MID-YEAR REVIEW SUMMARY  
FISCAL YEAR 2009-2010**

**General Fund**

**REVENUES**

	DEPT NO.	CURRENT BUDGET	INCREASE/ (DECREASE)	ADJUSTED BUDGET
<b>TOTAL REVENUES</b>		<b>\$28,552,900</b>	<b>(\$440,000)</b>	<b>\$28,112,900</b>

**EXPENDITURES**

DEPARTMENT	DEPT NO.	CURRENT BUDGET	INCREASE/ (DECREASE)	ADJUSTED BUDGET
City Council	410	\$254,220	(\$16,120)	\$238,100
Legal Services	411	\$164,940	(\$330)	\$164,610
Justice & Law	412	\$428,130	\$60,680	\$488,810
City Manager	413	\$472,810	(\$11,440)	\$461,370
Finance	415	\$739,500	(\$6,240)	\$733,260
Personnel Office	416	\$467,140	(\$4,110)	\$463,030
Community Services	419	\$484,760	(\$24,270)	\$460,490
Police	421	\$8,854,160	(\$148,640)	\$8,705,520
Fire	422	\$4,444,560	(\$24,750)	\$4,419,810
Streets And Beautification	431	\$1,496,800	(\$116,580)	\$1,380,220
Sanitation	432	\$3,081,600	(\$18,600)	\$3,063,000
Equipment Maintenance	433	\$386,760	(\$1,630)	\$385,130
Parks & Leisure Services	451	\$1,642,750	(\$81,070)	\$1,561,680
Athletic Programs	453	\$1,106,850	(\$41,300)	\$1,065,550
Urban Planning & Development	463	\$917,320	(\$60,800)	\$856,520
Employee Fringe & Benefits	490	\$524,500	\$90,200	\$614,700
General Insurance/Claims	491	\$435,000	\$3,000	\$438,000
Community Programs & Projects	492	\$115,000	\$0	\$115,000
Non-Departmental Expenditures	493	\$2,536,100	(\$38,000)	\$2,498,100
<b>TOTAL EXPENDITURES</b>		<b>\$28,552,900</b>	<b>(\$440,000)</b>	<b>\$28,112,900</b>
<b>EXCESS REVENUES/(EXPENDITURES)</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>MID-YEAR REVIEW SUMMARY FISCAL YEAR 2009-2010</b>				
<b>Water &amp; Sewer Utility Fund</b>				
<b>REVENUES</b>				
	<b>DEPT NO.</b>	<b>CURRENT BUDGET</b>	<b>INCREASE/ (DECREASE)</b>	<b>ADJUSTED BUDGET</b>
<b>TOTAL REVENUES</b>		<b>\$27,378,100</b>	<b>(\$965,000)</b>	<b>\$26,413,100</b>
<b>EXPENSES</b>				
<b>DEPARTMENT</b>	<b>DEPT NO.</b>	<b>CURRENT BUDGET</b>	<b>INCREASE/ (DECREASE)</b>	<b>ADJUSTED BUDGET</b>
Engineering	441	\$1,016,620	(\$23,740)	\$992,880
Utility Finance	442	\$893,250	(\$19,950)	\$873,300
Waste Water Treatment	443	\$3,754,520	(\$200,260)	\$3,554,260
Surface Water Production	444	\$1,416,560	(\$112,150)	\$1,304,410
Ground Water Production	445	\$1,675,800	(\$26,370)	\$1,649,430
Distribution Operations	446	\$2,353,750	(\$22,740)	\$2,331,010
Collection Operations	448	\$817,500	(\$10,590)	\$806,910
Debt Service Fund	470	\$6,337,200	\$2,500	\$6,339,700
Employee Fringe & Benefits	490	\$183,500	\$37,300	\$220,800
General Insurance/Claims	491	\$226,000	\$36,000	\$262,000
Non-Dept. Expenses	493	\$8,703,400	(\$625,000)	\$8,078,400
<b>TOTAL EXPENSES</b>		<b>\$27,378,100</b>	<b>(\$965,000)</b>	<b>\$26,413,100</b>
<b>EXCESS REVENUES/(EXPENSES)</b>		<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

CITY OF FLORENCE COUNCIL MEETING

VII. a.  
Bill No. 2010-15  
First Reading

DATE: April 5, 2010

AGENDA ITEM: Ordinance  
First Reading

DEPARTMENT/DIVISION: City of Florence Urban Planning & Development Department

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**I. ISSUE UNDER CONSIDERATION:**

*Request to annex and zone 2637 Trotter Road from unzoned to R-1, Single-Family Residential District, pending annexation into the City of Florence. Tax Map 01221-01-179. The request is being made by the owners, Dr and Mrs C. O'Bryan.*

*Water and Sewer services are already available, no cost to provide utility services.*

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

*No previous action has been taken on this request. A Public Hearing for rezoning was held at the March 9, 2010 Planning Commission meeting. Planning Commission members voted to approve the request 7-0.*

**III. POINTS TO CONSIDER:**

*This item is being introduced for first reading only.*

**IV. OPTIONS:**

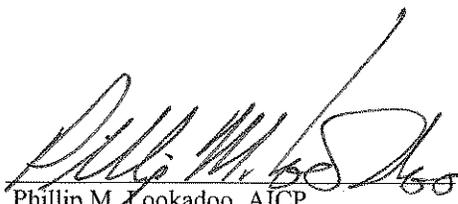
*City Council may:*

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

**V. PERSONAL NOTES:**

**VI. ATTACHMENTS:**

*Map showing the location of the property.  
Zoning Map  
Comprehensive Plan Map  
Staff Report*

  
Phillip M. Lookadoo, AICP  
Urban Planning and Development Director

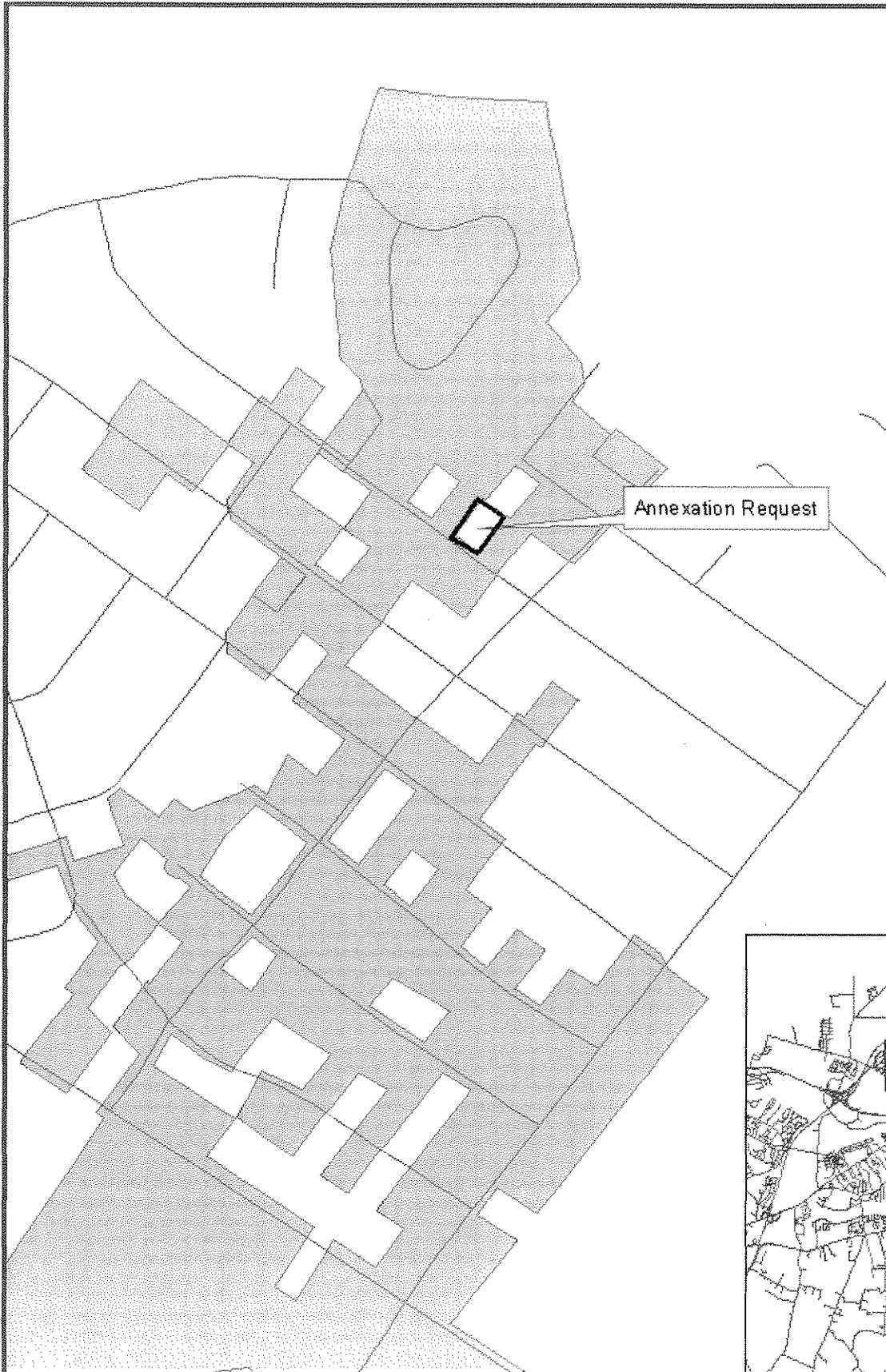
  
David N. Williams  
City Manager

# ZONING REQUEST

## 2637 Trotter Rd



Urban Planning &  
Development Department

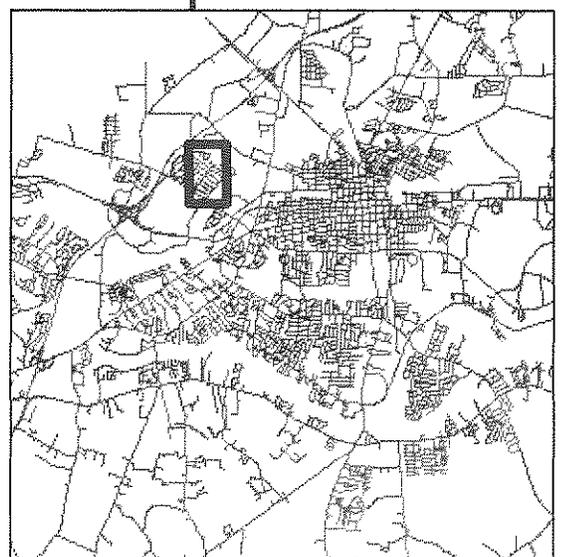


### Legend

- Planning.DBO.Roads
- Planning.DBO.CityLimits
- Planning.DBO.Parcels

ORIGINAL PREPARATION  
This map was prepared by:  
City of Florence  
Urban Planning & Development Department

DISCLAIMER:  
The City of Florence Urban Planning and Development Department data represented on this map or plan 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.

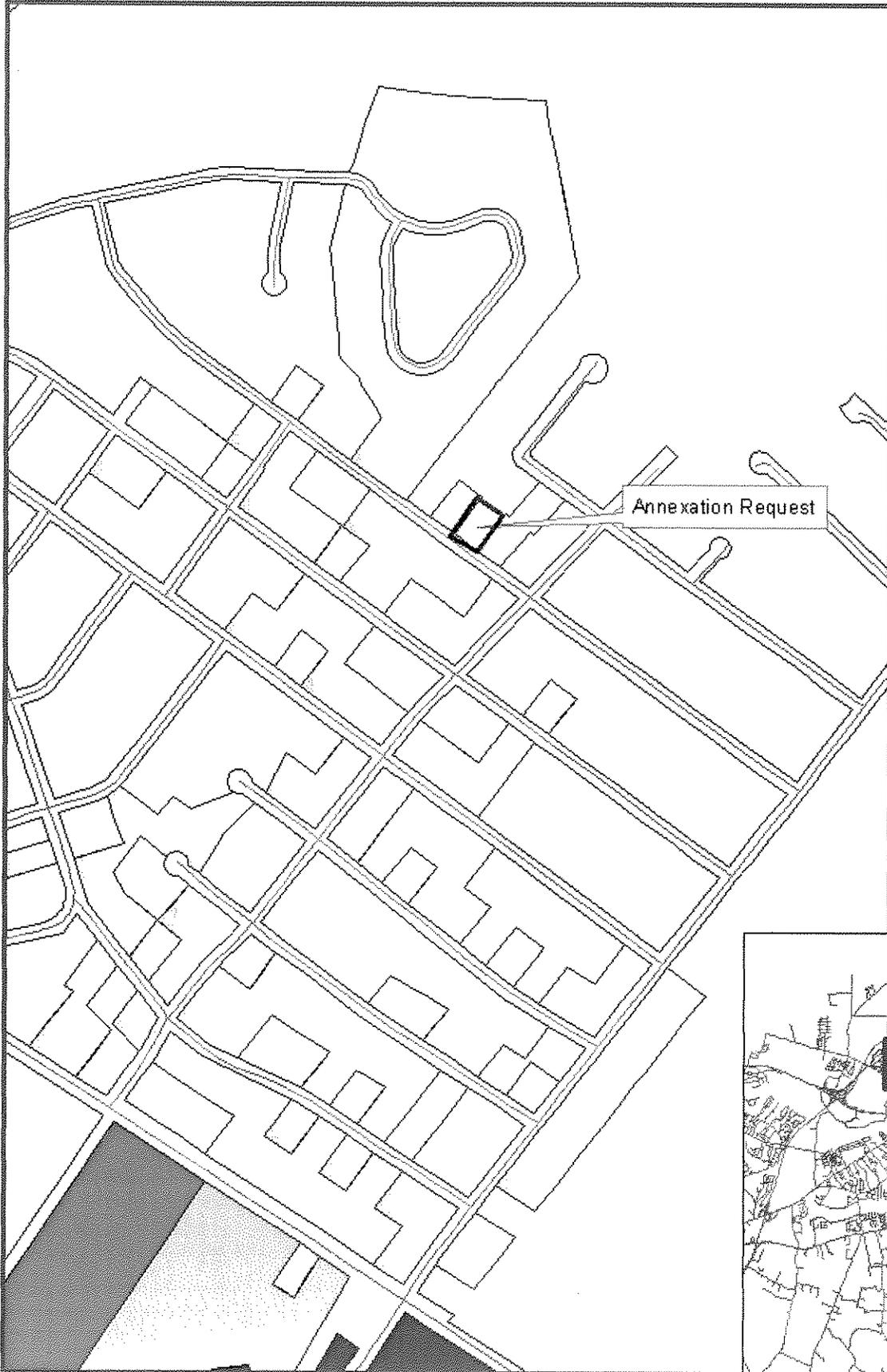


# ZONING MAP

## 2637 Trotter Rd



Urban Planning &  
Development Department

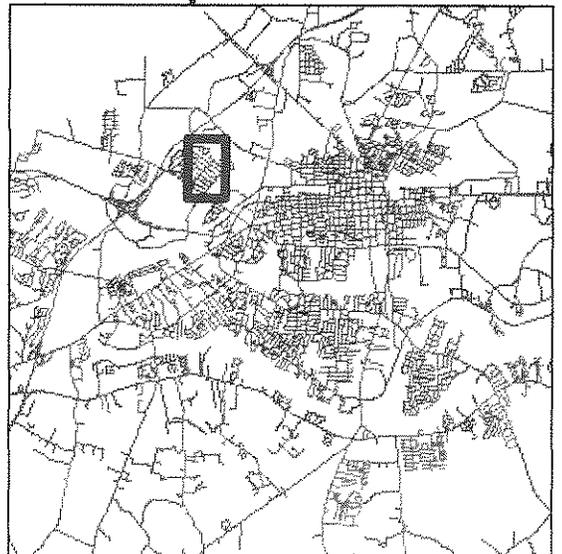


### Legend

- Planning, DBO, Roads
- R-1, SINGLE FAMILY, LARGE LOTS
- ▨ R-2, SINGLE FAMILY, MEDIUM LOTS
- ▩ R-3, SINGLE FAMILY, SMALL LOTS
- ▧ R-4, MULTI-FAMILY, LIMITED
- ▦ R-5, MULTI FAMILY
- ▤ PD, PLANNED DEVELOPMENT
- ▣ B-1, LIMITED
- ▢ B-2, CONVENIENCE
- B-3, GENERAL
- B-4, CENTRAL
- ▤ B-5, OFFICE-LIGHT INDUSTRIAL
- ▥ B-6, INDUSTRIAL
- ▧ RU-1, COMMUNITY
- ▨ RU-2, RESOURCE
- UNZONED
- Planning, DBO, Parcels

**ORIGINAL PREPARATION**  
This map was prepared by:  
City of Florence  
Urban Planning & Development Department

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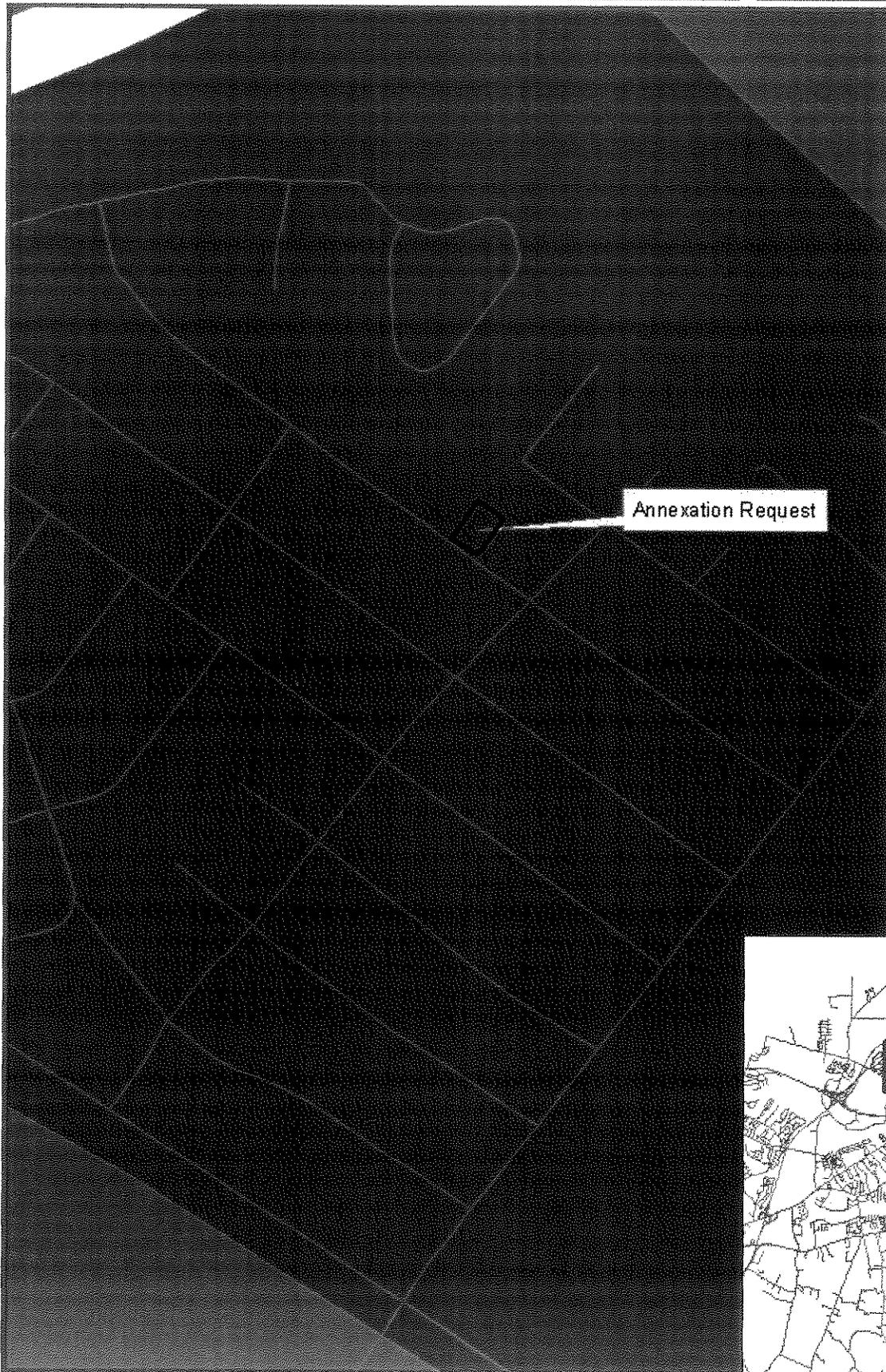


# COMPREHENSIVE PLAN MAP

## 2637 Trotter Rd



Urban Planning &  
Development Department



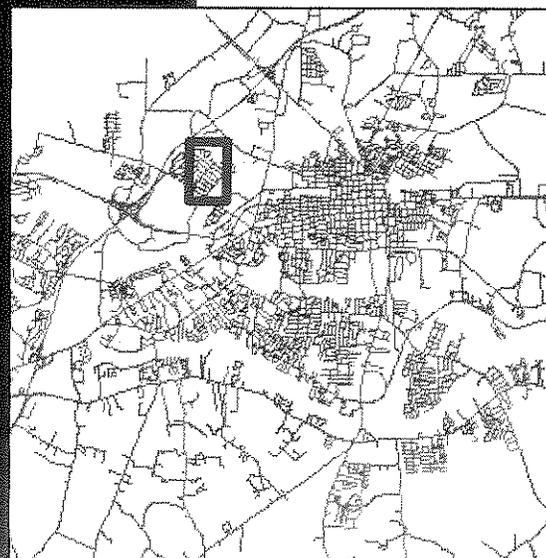
### Legend

- Planning.DBO.Roads
- DVR
- EXR
- HEC
- HEN
- IB
- LEN
- NC
- OPN
- RCN
- RRL
- TRN
- Planning.DBO.Parcels

ORIGINAL PREPARATION  
This map was prepared by:  
City of Florence

Urban Planning & Development Department

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## ZONING PETITION STAFF CHECKLIST

PC#2010-07

### IDENTIFYING DATA

Name of Owner: E & Jennie O'Bryan

Address of Properties: 2637 Trotter

Tax Parcel Number(s): 01221-01-179

Date: February 12, 2010

### GENERAL BACKGROUND DATA

Current Zoning: Unzoned

Proposed Zoning: Single-Family Residential (R-1)

Current Use: Residential Single Family

Proposed Use: Residential Single Family

### DIMENSIONAL REQUIREMENTS

#### Current Zoning

#### Proposed Zoning

Lot Area:

Proposed Lot Area: 15,000

Lot Width

Proposed Lot Width: 100

Front Setback

Proposed Front Setback: 25

Side Yards

Proposed Side Yards: 10

Rear Yards

Proposed Rear Yards: 30

Max. Height

Proposed Max. Height: 38

Open Space

Proposed Open Space: N/A

Comments:

# ZONING PETITION STAFF CHECKLIST

---

## MISCELLANEOUS PROVISIONS

Is any portion of the property in floodplain? No

Are there any known zoning violations on this site? No

If so, explain:

Tax records indicate the owner(s) as: E & Jennie O'Bryan)

This application is submitted by:             the owners listed above  
    an agent for the owner  
    other

If agent or other, what documentation has been provided from owner or is none required?

## LAND USE PLAN CONFORMANCE

Is there any discrepancy between current or proposed zoning and the Land Use Plan? If so, what is the discrepancy?

No; the Current Land Use Plan shows the above parcel being located in an area planned for residential use.

Land Use Plan elements that impact the subject property:

The objective of this designation is to identify and protect the character and present use of residential resources (existing neighborhoods and subdivisions) and to prohibit development which would compromise or infringe on the prevailing character or continued use of such resources for residential purposes.

## ADDITIONAL CRITERIA FOR CONSIDERATION

1. What changes have, or are, occurring in the area to justify a change in zoning?  
The property exists in the Windsor Forest Subdivision, which consists of single-family dwellings. Properties within the subdivision that have been annexed into the City have all been zoned R-1.

## ZONING PETITION STAFF CHECKLIST

---

2. What are adjacent properties zoned, and what are adjacent land uses?

The applicant's property is located in a residential neighborhood with existing residential homes. Behind 2637 Trotter are several vacant lots, two are currently in the City and zoned, one is unzoned.

3. What are development plans in the area – roads, schools, future commercial development, etc.?

The subdivision has recently been developed as a single-family neighborhood with new construction still occurring in the last phase.

4. Is there a reason the current land use cannot continue to be feasible as it now exists?  
No.

5. List some potential uses under existing zoning.

Because the properties are currently unzoned, any use would be permitted under the Florence County Zoning Ordinance. However, this property is located in an established residential subdivision which has private restrictive covenants.

6. List some potential uses under proposed zoning.

The only primary use permitted under the proposed zoning is a single-family dwelling and accessory and support uses relevant to single-family dwellings.

7. Are any of these uses inappropriate for this location, and if so, why?  
No.

8. (a) What is applicant's stated reason for requesting zoning?

The zoning request is associated with annexation into the City of Florence.

9. (a) What will be the benefits to the surrounding properties?

Per the City of Florence Zoning Ordinance, the only uses that may be developed are those permitted in the R-1 zoning district. The properties will be subject to the City of Florence codes and regulations.

- (b) What will be the detriments to the surrounding properties?

NA

10. Is a traffic study required for this petition?

No.

If so, what are the recommendations of the study?

NA

## ZONING PETITION STAFF CHECKLIST

---

11. What does the purpose statement of the proposed zoning district say?  
Single-family Residential Districts “are intended to foster, sustain, and protect areas in which the principal use of land is for single-family dwellings and related support uses.” Section 1.2, Zoning Ordinance of the City of Florence
  
12. Will this proposal meet the intent of the above purpose statement?  
Yes.

### Staff recommendation

Staff recommend approval as the request is in conformance with the Comprehensive Plan Land Use map and the single-family residential uses are in keeping with the neighborhood.

ORDINANCE NO. 2010 \_\_\_\_\_

**AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY DR. & MRS. C. O'BRYAN, 2637 TROTTER RD.**

WHEREAS, a Public Hearing was held in Room 603 of the City-County Complex on March 9, 2010 at 6:30 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, an application by Dr. & Mrs. C. O'Bryan, owners of 2637 Trotter Rd. was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property be incorporated in the city limits of the City of Florence under the provisions of **Section 5-3-150(3) of the 1976 Code of Laws of South Carolina** and adding the zoning district classification of R-1, Single-Family Residential District:

**The properties requesting annexation are shown more specifically on Florence County Tax Map 01221, block 01, parcel 179. (0.52 Acres)**

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

WHEREAS, Florence City Council concur 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 R-1, Single-Family Residential.
2. That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence and posting of this amendment in the official Zoning Atlas.

**ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010**

---

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

---

**Stephen J. Wukela,**  
**Mayor**

**Attest:**

---

**Dianne Rowan**  
**Municipal Clerk**

**VII. b.  
Bill No. 2010-16  
First Reading**

**CITY OF FLORENCE COUNCIL MEETING**

**DATE:** April 5, 2010  
**AGENDA ITEM:** Ordinance  
First Reading  
**DEPARTMENT/DIVISION:** City of Florence Urban Planning & Development Department

---

**I. ISSUE UNDER CONSIDERATION:**

*Annex and zone 2806 W. Palmetto. from unzoned to R-1, Single Family Residential District. Tax Map 90002-02-005. The request is being made by the owner, Ebenezer Baptist Church. Water and sewer are available on Jefferson Drive and will be extended through a new access by Powers Construction at no cost to the city.*

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

*No previous action has been taken on this request. A Public Hearing for rezoning was held at the March 9, 2010 Planning Commission meeting. Planning Commission members voted to approve the requests 7-0.*

**III. POINTS TO CONSIDER:**

*This item is being introduced for first reading only.*

**IV. OPTIONS:**

*City Council may:*

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

**V. PERSONAL NOTES:**

**VI. ATTACHMENTS:**

*Map showing the location of the property.  
Zoning Map  
Comprehensive Plan Map  
Staff Report*

  
Phillip M. Lookadoo, AICP  
Urban Planning and Development Director

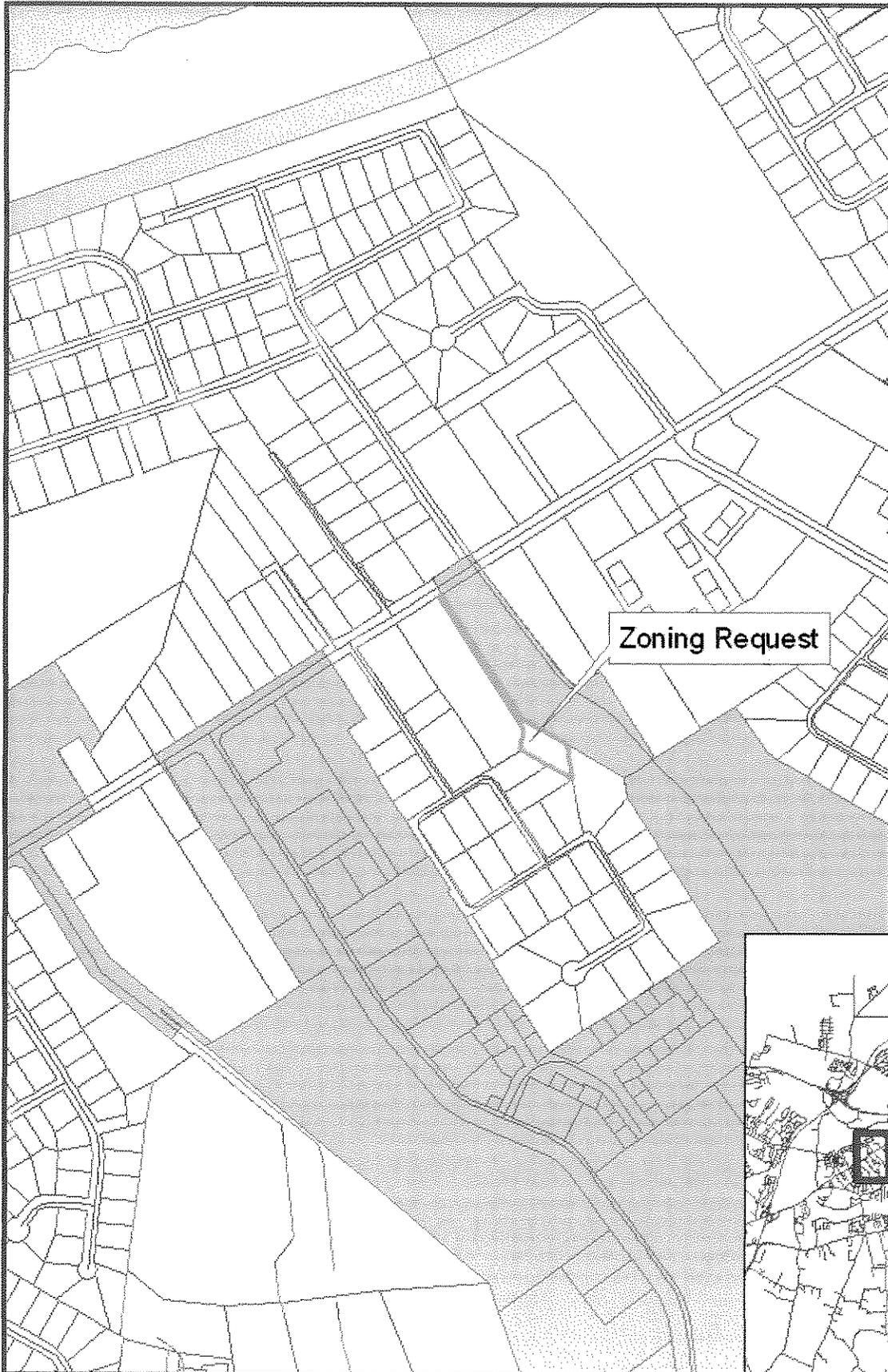
  
David N. Williams  
City Manager

# COMPREHENSIVE PLAN MAP

## 2806 W Palmetto Street



Urban Planning &  
Development Department



### Legend

- Planning.DBO.Roads
- Planning.DBO.TASS\_Parcels\_Owners
- ▨ Planning.DBO.CityLimits

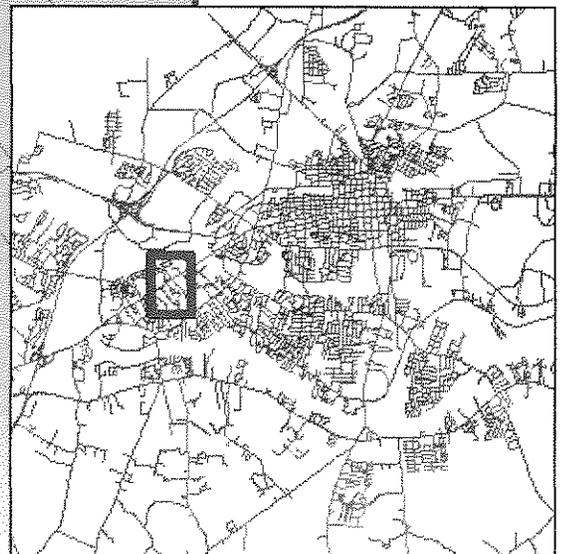
Zoning Request

### ORIGINAL PREPARATION

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Urban Planning & Development Department

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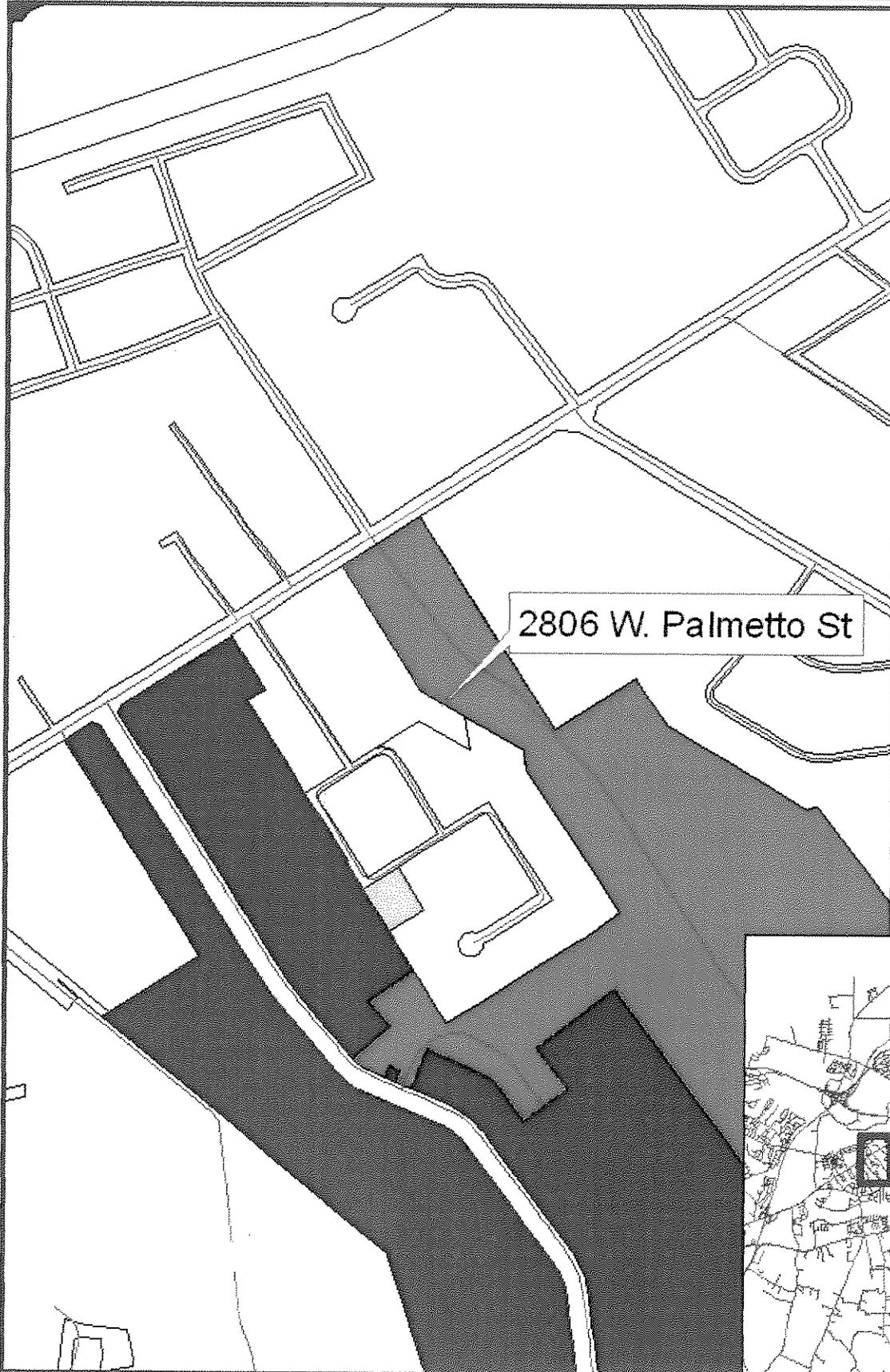


# ZONING REQUEST

## 2806 W. Palmetto Street



Urban Planning &  
Development Department



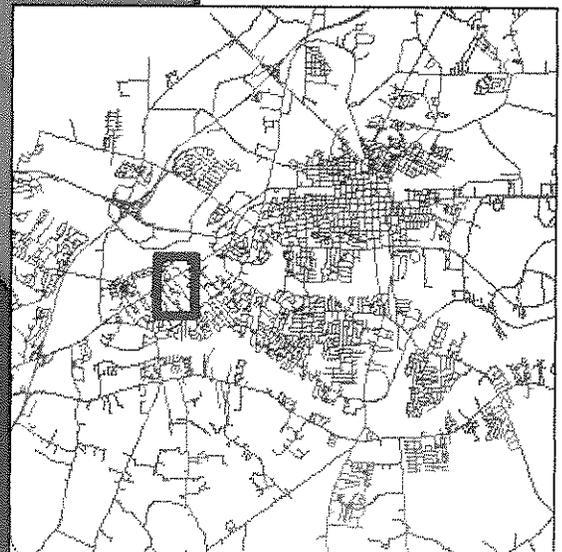
### Legend

- Planning, DBO, Roads
- R-1, SINGLE FAMILY, LARGE LOTS
- ▨ R-2, SINGLE FAMILY, MEDIUM LOTS
- ▩ R-3, SINGLE FAMILY, SMALL LOTS
- ▧ R-4, MULTI-FAMILY, LIMITED
- ▦ R-5, MULTI FAMILY
- ▤ PD, PLANNED DEVELOPMENT
- ▣ B-1, LIMITED
- ▢ B-2, CONVENIENCE
- B-3, GENERAL
- B-4, CENTRAL
- ▤ B-5, OFFICE-LIGHT INDUSTRIAL
- ▣ B-6, INDUSTRIAL
- ▨ RU-1, COMMUNITY
- ▩ RU-2, RESOURCE
- UNZONED
- Planning, DBO, Parcels

2806 W. Palmetto St

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Urban Planning & Development Department

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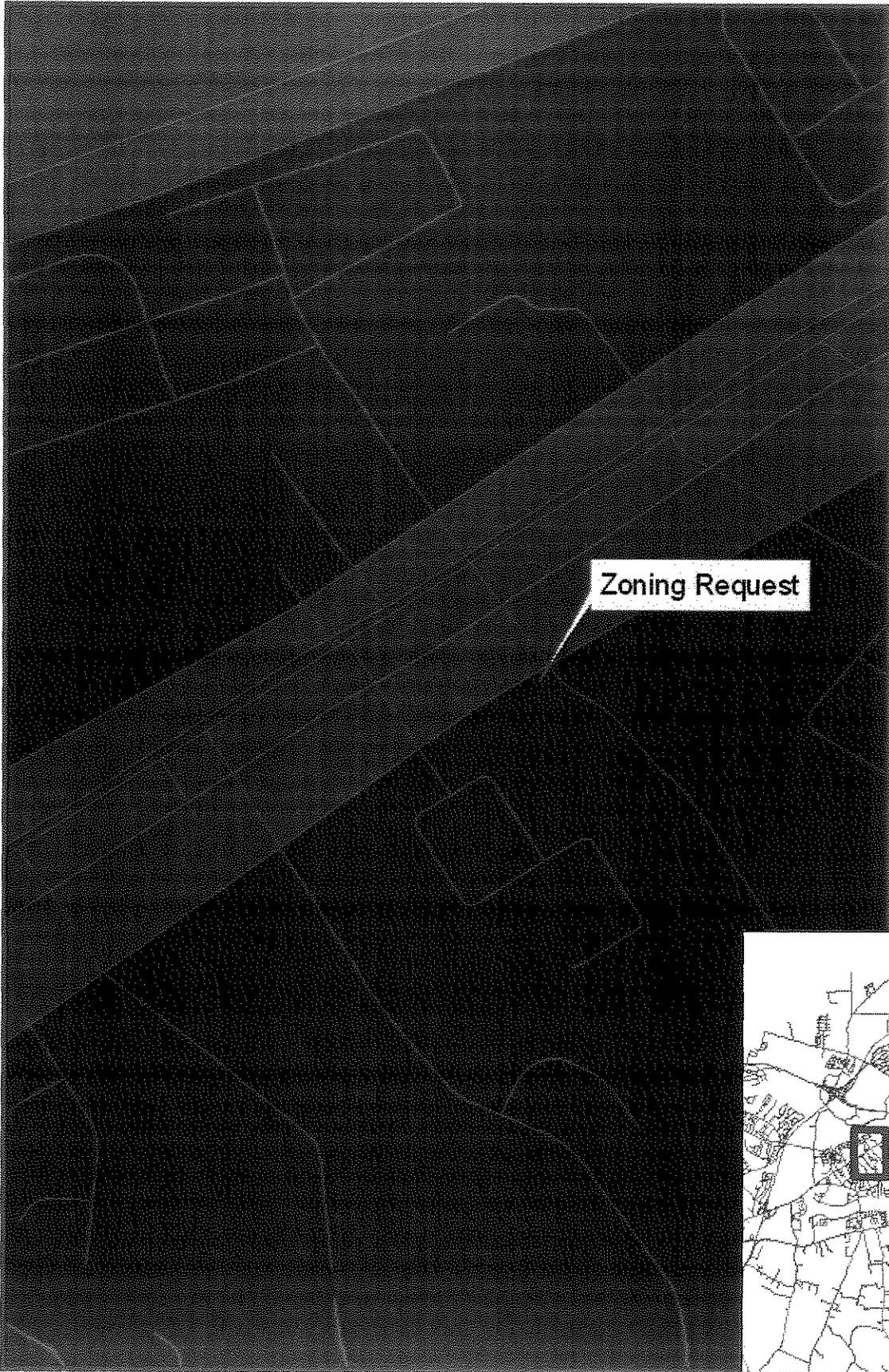


# COMPREHENSIVE PLAN MAP

## 2806 W Palmetto Street



Urban Planning &  
Development Department



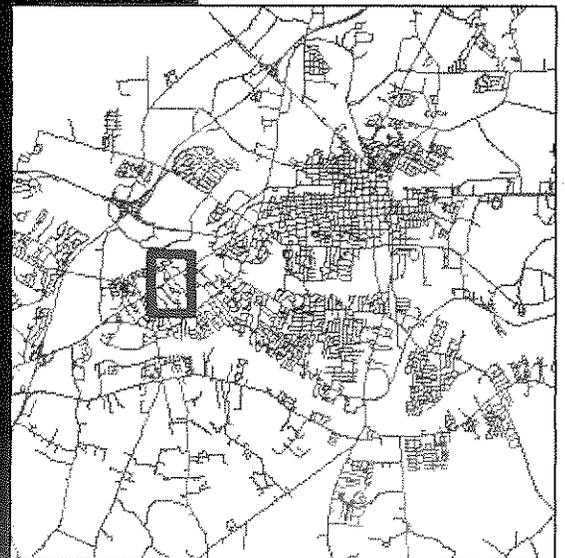
Zoning Request

### Legend

- Planning, DBO, Roads
- DVR
- B/R
- HEC
- HEN
- IB
- LEN
- NC
- OPN
- RCN
- RRL
- TRN
- Planning, DBO, City Limits

ORIGINAL PREPARATION  
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# ZONING PETITION STAFF CHECKLIST

---

PC#2010-05

February 10, 2010

## IDENTIFYING DATA

Name of Owner: Ebenezer Baptist Church

Address: 2806 W. Palmetto

Tax Parcel Number(s): 90002-02-005

Proposed Zoning Change: Unzoned to R-1 Residential District

Current Use: Church

Proposed Use: Church

## BACKGROUND

Ebenezer Baptist Church has requested annexation into the City and an R-1 zoning classification. Religious organizations are a permitted land use in all zoning districts. The church is currently accessed off Palmetto Road. A private arrangement between Ebenezer Church and Somerset LLC has been made to close access from Palmetto and construct a private drive to the church from Jefferson Dr. City water and sewer connection will be made within the required 60 days following annexation at the owner's expense.

## ZONING REQUIREMENTS

The approximate 0.55 acre site is situated in the rear of parcels with Palmetto St. frontage and rear of parcels with Jefferson Dr. frontage. The existing non-conforming site is most suited with an R-1 zoning classification. The existing use will conform to zoning and match adjacent County R-1 zoned residential properties. The Church building will enter City zoning jurisdiction in non conforming status due to the lack of street frontage. When considering the building to have fronted Palmetto, the building setbacks meet the R-1 requirement.

## MISCELLANEOUS PROVISIONS

Is any portion of this property in floodplain? NO

Are there any known zoning violations on this site? NO

Tax records indicate the owner(s) are: Ebenezer Baptist Church

This application is submitted by:             X the owners listed above  
    an agent for the owner  
    other

# ZONING PETITION STAFF CHECKLIST

---

## LAND USE PLAN CONFORMANCE

The current Land Use Plan designates the parcel as Existing Residential (EXR). The area along W. Palmetto is classified as industrial Business (IB). The Comprehensive Plan's objective of Existing Residential Comprehensive Plan follows:

*"The objective of this designation is to identify and protect the character and present use of residential resources (existing neighborhoods and subdivisions) and to prohibit development which would compromise or infringe on the prevailing character or combined use of such resources for residential purposes. Also, this designation is designed to promote in-filling of such areas with like uses as an efficient means of meeting future housing demands, and limiting sprawl."*

Creating access for the Church off Jefferson Dr. helps traffic flow along the IB designated W. Palmetto corridor. The Church is consistent with the objective of EXR in character and use.

## ADDITIONAL CRITERIA FOR CONSIDERATION

1. What changes have, or are, occurring in the area to justify a change in zoning?  
The zoning designation is being established as a result of an annexation request. Annexation continues to be overall beneficial for all land use types and as requests present themselves a zoning classification is required.

2. What are adjacent properties zoned, and what are adjacent land uses?

<u>Direction</u>	<u>Zoning</u>	<u>Land Use</u>
North	B-3	Undeveloped
Northeast	B-1	Undeveloped
East	R-4	Residential
Southeast	B-3	Residential
South	B-6	Residential
Southwest	B-3	Residential
West	B-3	Residential
Northwest	B-3	Institutional

3. What are development plans in the area – roads, schools, future commercial development, etc.?

Single family and multi-family development is occurring along Jefferson Dr. Parallel to Jefferson Dr. is Celebration Blvd. where commercial development is occurring. These two newer roads have created a connection between Cashua and Palmetto.

## ZONING PETITION STAFF CHECKLIST

---

4. Is there a reason the current land use cannot continue to be feasible as it now exists?  
The current land use of the site is existing and will remain for religious activities.
5. List some potential uses under existing zoning.  
The property is unzoned and land use is unregulated by local zoning.
6. List some potential uses under proposed zoning.  
R-1 zoning is permits single family residences and support uses, religious activities and public services.
7. Are any of these uses inappropriate for this location, and if so, why?  
No
8. (a) What is applicant's stated reason for requesting zoning?  
Reduced city water and sewer connection fees: the applicant through private arrangement has given its access from Palmetto to extend existing residential lot depth off Jefferson Dr. In exchange, the church will have a private drive constructed off Jefferson and the ability to connect to City water and sewer.
9. (a) What will be the benefits to the surrounding properties?  
No change  
  
(b) What will be the detriments to the surrounding properties?  
No change.
10. Is a traffic study required for this petition?  
No. These re-zoning applications do not meet The Land Subdivision Ordinance Sec 5.1 G. of projects the requiring a traffic studies
11. What does the purpose statement of the proposed zoning district say?  
**R-1 Single-Family Residential Districts:** The district is intended to foster, sustain, and protect areas in which the principal use of land is for single-family dwellings and related support uses.
12. Will this proposal meet the intent of the above purpose statement?  
Yes.

ORDINANCE NO. 2010\_\_\_\_\_

**AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY  
EBENEZER BAPTIST CHURCH, 2806 W. PALMETTO STREET.**

**WHEREAS**, a Public Hearing was held in Room 603 of the City-County Complex on March 9, 2010 at 6:30 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

**WHEREAS**, an application by Ebenezer Baptist Church owner of 2806 W. Palmetto Road was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property be incorporated in the city limits of the City of Florence under the provisions of **Section 5-3-150(3) of the 1976 Code of Laws of South Carolina** and adding the zoning district classification of R-1, Single-Family Residential District:

**The property requesting annexation is shown more specifically on Florence County Tax Map 90002, block 02, parcel 005. (approx 0.55 Acres)**

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

**WHEREAS**, Florence City Council concur 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 R-1, Single-Family Residential.
2. That this Ordinance shall become effective seven days upon its approval and adoption by the City Council of the City of Florence and posting of this amendment in the official Zoning Atlas.

**ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010**

**Ordinance No. 2010 - \_\_\_\_\_**  
**Page 2 – April, 2010**

**Approved as to form:**

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

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

**Attest:**

\_\_\_\_\_  
Dianne Rowan  
**Municipal Clerk**

CITY OF FLORENCE COUNCIL MEETING

DATE: April 5, 2010

AGENDA ITEM: Ordinance  
First Reading

DEPARTMENT/DIVISION: City of Florence Urban Planning & Development Department

---

**I. ISSUE UNDER CONSIDERATION:**

*Rezoning for 110 Guerry St., Tax Map 90061-04-004 and 111 Lawson St., Tax Map 90061-04-013 from R-4, Multi-Family, Limited to B-6 Industrial District and 109 Lawson St., Tax Map 90061-04-012 from B-1 Limited Business to B-6 Industrial District.*

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

*No previous action has been taken on this request. A Public Hearing for rezoning was held at the March 9, 2010 Planning Commission meeting. Planning Commission members voted to approve the requests 7-0.*

**III. POINTS TO CONSIDER:**

*This item is being introduced for first reading only.*

**IV. OPTIONS:**

*City Council may:*

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

**V. PERSONAL NOTES:**

**VI. ATTACHMENTS:**

*Map showing the location of the property.  
Zoning Map  
Comprehensive Plan Map  
Staff Report*

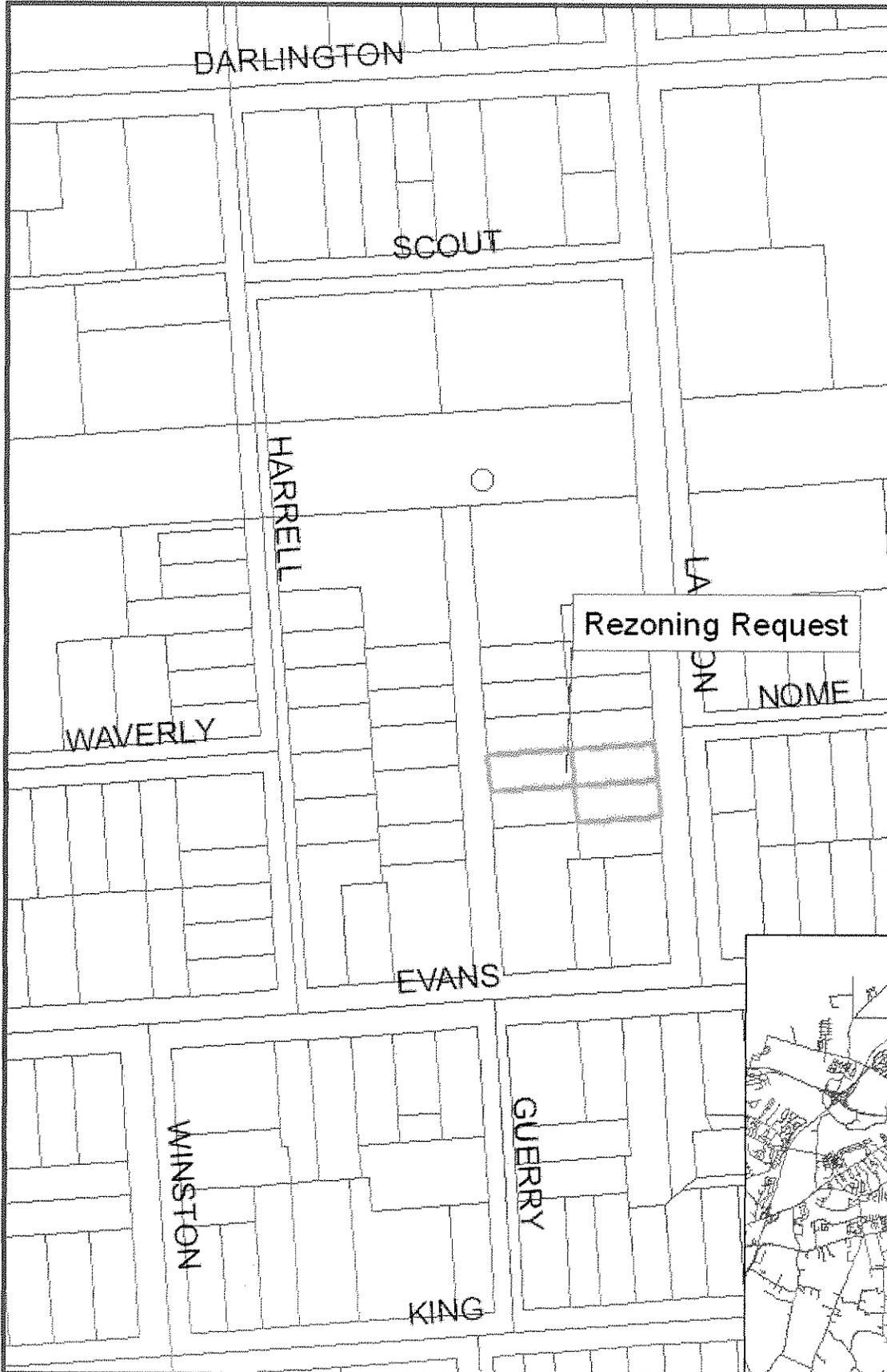
  
Phillip M. Lookadoo, AICP  
Urban Planning and Development Director

  
David N. Williams  
City Manager

# LOCATION MAP PC#2010-06



Urban Planning &  
Development Department

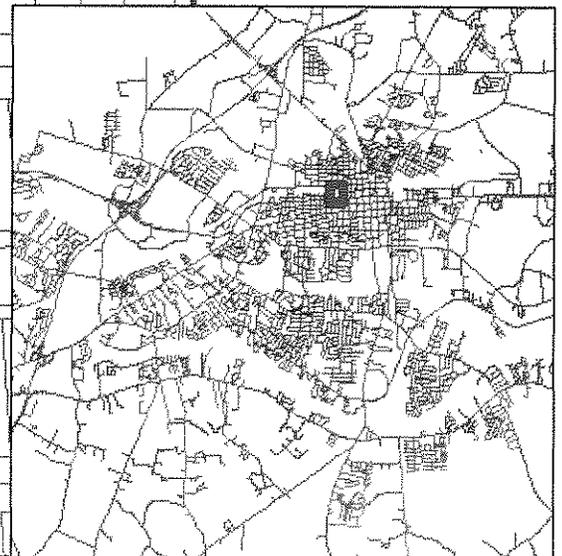


**Legend**

- Planning.DBO.Roads
- Planning.DBO.Parcels

**ORIGINAL PREPARATION**  
This map was prepared by:  
City of Florence  
Urban Planning & Development Department

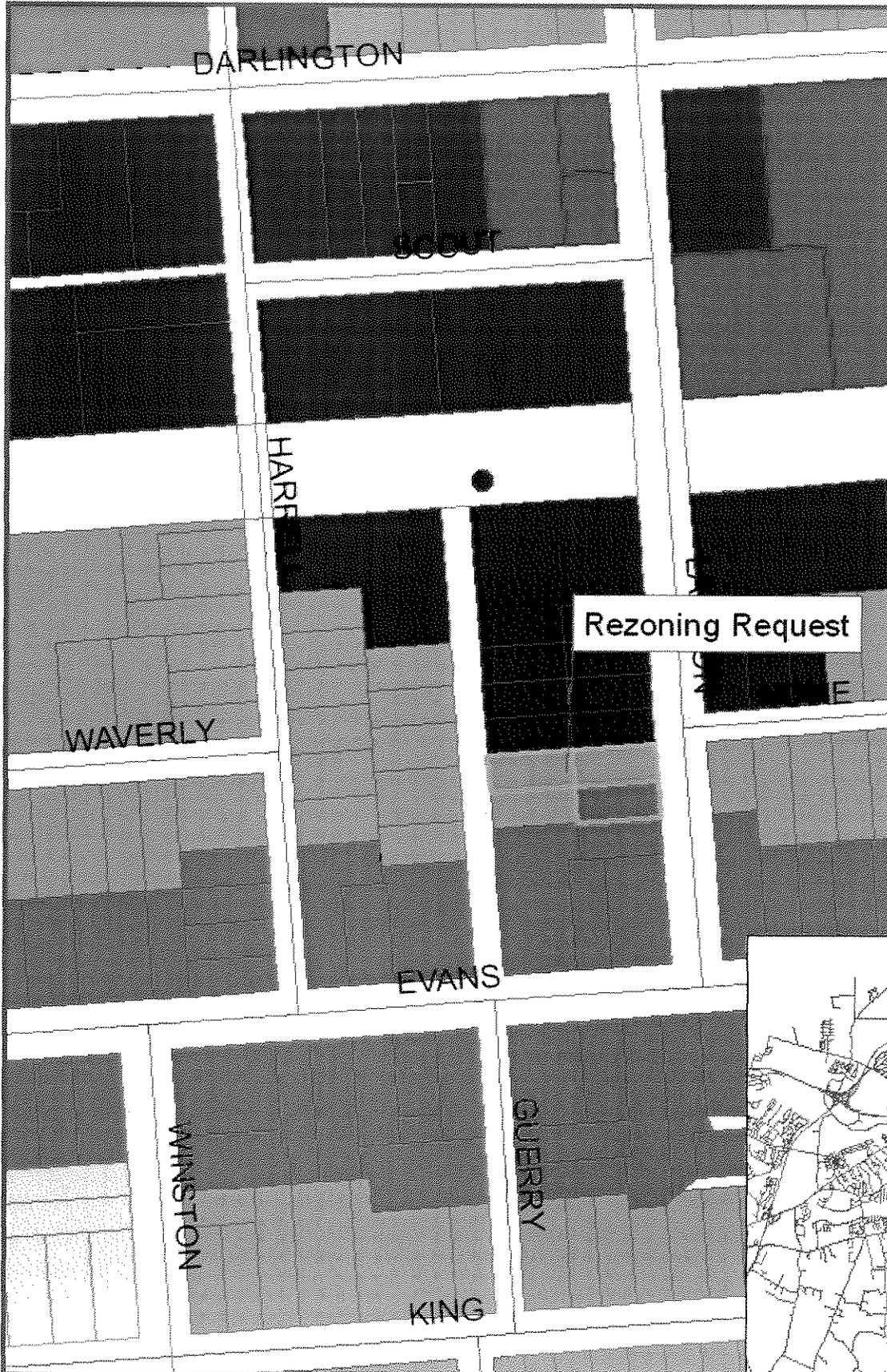
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# REZONING REQUEST ZONING MAP PC#2010-06



Urban Planning &  
Development Department

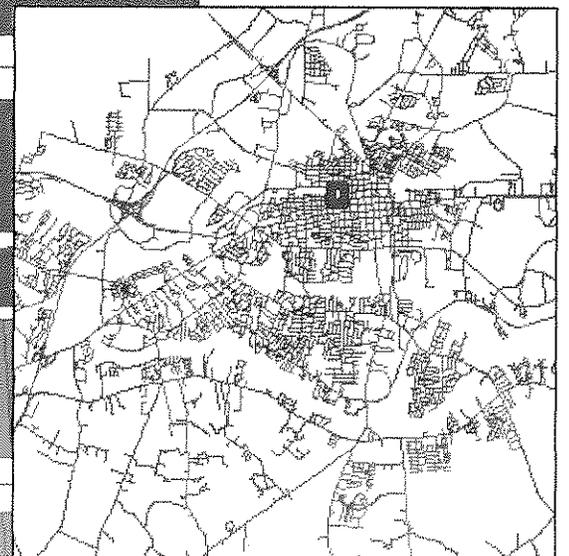


### Legend

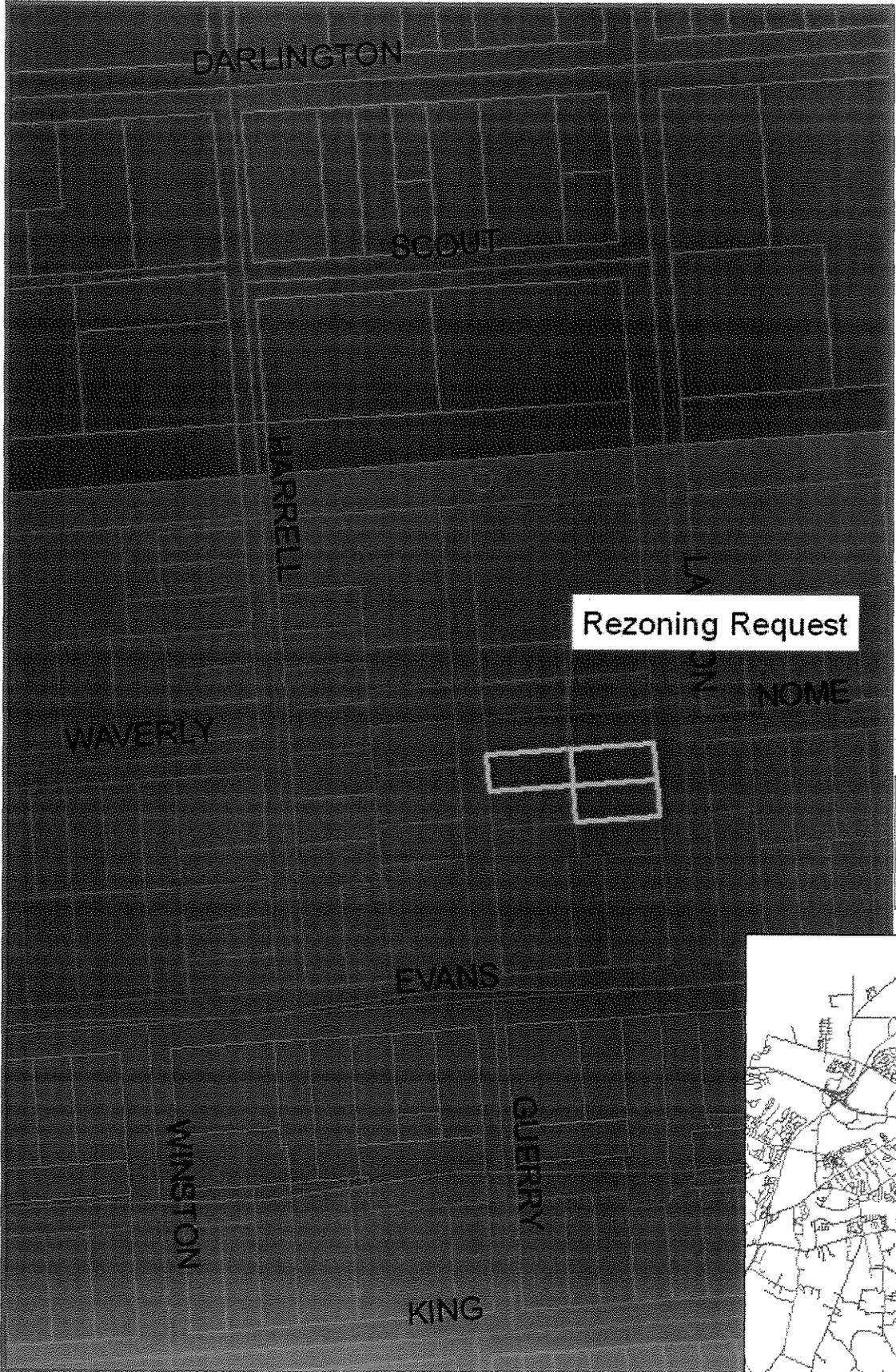
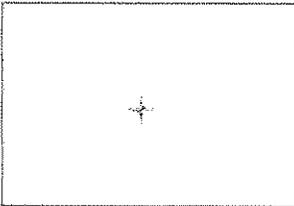
- Planning, DBO, Roads
- Planning, DBO, Parks
- R-1, SINGLE FAMILY, LARGE LOTS
- R-2, SINGLE FAMILY, MEDIUM LOTS
- R-3, SINGLE FAMILY, SMALL LOTS
- P-4, MULTI-FAMILY, LIMITED
- P-6, MULTI FAMILY
- PD, PLANNED DEVELOPMENT
- B-1, LIMITED
- B-2, CONVENIENCE
- B-3, GENERAL
- B-4, CENTRAL
- B-5, OFFICE/LIGHT INDUSTRIAL
- B-6, INDUSTRIAL
- RU-1, COMMUNITY
- RU-2, RESOURCE
- UNZONED

ORIGINAL PREPARATION  
This map was prepared by:  
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Urban Planning & Development Department

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# COMPREHENSIVE PLAN MAP PC#2010-06

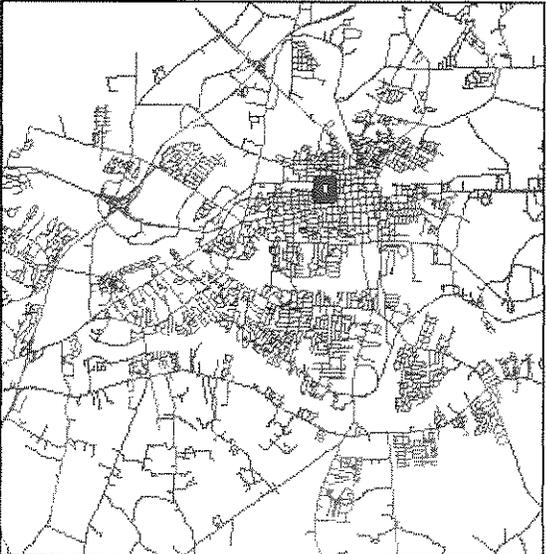


**Legend**

- Planning, DBO, Roads
- Planning, DBO, Parcels
- DVP
- EXR
- HEC
- HEN
- IB
- LEN
- NC
- OPH
- PCN
- PRL
- TRN

**ORIGINAL PREPARATION**  
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# ZONING PETITION STAFF CHECKLIST

---

PC#2010-06

February 10, 2010

## IDENTIFYING DATA

Name of Owner: Theodore Kampiziones  
Address: 109 & 111 Lawson St. & 110 Guerry St.  
Tax Parcel Number(s): 90061-04-004, 012, 013  
Proposed Zoning Change: R-4 & B-1 to B-6 Industrial District  
Current Use: Vacant  
Proposed Use: Whole Sale Trade Durable Goods

## BACKGROUND

The applicant is requesting a re-zoning of 3 parcels to B-6 Industrial District, 2 from R-4 and 1 from B-1. The applicant is the owner of 4 adjacent B-6 zoned parcels to the north where there is a paper product refinement and distribution facility. The applicant intends to expand their building onto the aforesaid 3 parcels seeking re-zoning. There are currently dilapidated single family dwellings located on 2 of the parcels, 110 Guerry & 111 Lawson. The applicant has received demolition permits for these two properties after a satisfactory Historical Commission review. The expansion project will require the combination of the owner's seven parcels which will be combined prior to site plan approval. The combination of the lots under a singular zoning district serves to meet current development and zoning requirements.

## ZONING REQUIREMENTS

The total site that will be combined meets all B-6 Industrial District requirements. Individually, these parcels do not meet B-6 requirements and must be combined prior to any construction project. The land use of the proposed expansion is permitted in B-6.

## MISCELLANEOUS PROVISIONS

Is any portion of this property in floodplain? NO

Are there any known zoning violations on this site? NO

Tax records indicate the owner(s) are: Theodore Kampiziones

This application is submitted by:             X the owners listed above  
    an agent for the owner  
    other

# ZONING PETITION STAFF CHECKLIST

---

## LAND USE PLAN CONFORMANCE

The current Land Use Plan designates the parcel as Industrial Business (IB). The Comprehensive Plan's objective of Industrial Business follows:

*"The objective of the Industrial-Business designation is twofold, (1) to create industrial and business development opportunities and (2) to protect existing industrial and business interest from incompatible development.*

*Areas so designated have been determined to be suitable to such development based on soil conditions, access, and infrastructure (existing or planned)."*

The re-zoning and proposed expansion meet this objective.

## ADDITIONAL CRITERIA FOR CONSIDERATION

1. What changes have, or are, occurring in the area to justify a change in zoning?  
The area is a mix of existing IB and EXR land uses that will not be considerably affected by this re-zoning. The dilapidated residential homes on two of the parcels will be demolished.

2. What are adjacent properties zoned, and what are adjacent land uses?

<u>Direction</u>	<u>Zoning</u>	<u>Land Use</u>
North	B-6	Industrial
Northeast	B-6	Industrial
East	R-4	Residential
Southeast	B-1	Residential
South	B-1	Residential
Southwest	B-1	Residential
West	R-4	Residential
Northwest	R-4	Residential

3. What are development plans in the area – roads, schools, future commercial development, etc.?

The property is located north of W. Evans and several blocks to the west of the Downtown Redevelopment District.

4. Is there a reason the current land use cannot continue to be feasible as it now exists?  
The current land use of the combined site will not change.

## ZONING PETITION STAFF CHECKLIST

---

5. List some potential uses under existing zoning.  
R-4 is predominately intended for residential land use of a denser scale and related support uses. B-1 accommodates mostly professional office and civic uses.
6. List some potential uses under proposed zoning.  
B-6 accommodates industrial and manufacturing operations. Any development within B-6 is required to meet all applicable bufferyards and other zoning regulations.
7. Are any of these uses inappropriate for this location, and if so, why?  
The area is and continues to be a mix of light manufacturing operations and residential land use. This re-zoning request does not change the existing dynamic of land use.
8. (a) What is applicant's stated reason for requesting zoning?  
The applicant is seeking to expand their current building of operations by several thousand square feet for additional storage space. The applicant wishes to re-zone their adjacent property and combine all parcels prior to site plan submittal.
9. (a) What will be the benefits to the surrounding properties?  
No change  
  
(b) What will be the detriments to the surrounding properties?  
No change.
10. Is a traffic study required for this petition?  
No. These re-zoning applications do not meet The Land Subdivision Ordinance Sec 5.1 G. of projects the requiring a traffic studies
11. What does the purpose statement of the proposed zoning district say?  
**B-6 Industrial District:** The intent of this district is to accommodate certain industrial uses which, based on their operational characteristics, are potentially incompatible with residential, social, medical, and commercial environs. As a result, the establishment of such districts shall be restricted to areas geographically removed or buffered from such environs.

## ZONING PETITION STAFF CHECKLIST

---

12. Will this proposal meet the intent of the above purpose statement?  
The close proximity to residential land uses is conflicting with the objective of B-6. The current land use of the property does not engage in industrial activity that is incompatible with residential use. However; the current land use may change and B-6 does allow land uses incompatible with residential. The current zoning already has an inherent conflict by having B-6 zoning adjacent to R-4. The extension of B-6 in this case does not appear directly change the characteristics of the area and pose an additional conflict in land use. Staff recommends approval of the re-zoning request.

ORDINANCE NO. 2010\_\_\_\_\_

**AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY  
THEODORE KAMPIZIONES, 109 & 110 LAWSON ST. & 110 GUERRY ST.**

**WHEREAS**, a Public Hearing was held in Room 603 of the City-County Complex on March 9, 2010 at 6:30 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

**WHEREAS**, an application by Theodore Kampiziones owner of 109 & 110 Lawson St. & 110 Guerry St. was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid property be incorporated in the city limits of the City of Florence under the provisions of **Section 5-3-150(3) of the 1976 Code of Laws of South Carolina** and adding the zoning district classification of B-6, Industrial District:

**The properties requesting annexation are shown more specifically on Florence County Tax Map 90061, block 04, parcel 004, 012, & 013. (approx 0.39 Acres)**

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

**WHEREAS**, Florence City Council concur 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 B-6, Industrial 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.

**ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010**

**Approved as to form:**

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

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

**Attest:**

\_\_\_\_\_  
Dianne Rowan  
**Municipal Clerk**

FLORENCE CITY COUNCIL MEETING

DATE: April 12, 2010  
AGENDA ITEM: Introduction of Ordinances  
DEPARTMENT: Public Works & Utilities/Urban Planning

ISSUE UNDER CONSIDERATION: To give consideration to an Ordinance which grants an exemption for events sponsored by the City of Florence, Florence County, or an agency of the State of South Carolina from Section 10.9 Noise-Prohibited. Generally. and Section 10.10 Same – Enumeration. of the City of Florence Code of Ordinance.

CURRENT STATUS/PREVIOUS ACTION TAKEN:

1. Generally, the City of Florence has adopted ordinances that prohibit noise of a loud or unnecessary nature. These noises are enumerated in the City's Code of Ordinances and include a wide variety of sources and types.
2. The City of Florence and others are engaged in a downtown redevelopment effort that sponsors public events, programs, and activities that may appear to be in conflict with these sections of the of the City Code of Ordinances.
3. In support of this downtown redevelopment effort the City of Florence completed a Downtown Florence Master Plan and adopted Design Guidelines for Downtown Florence which promotes public events and activities within the adopted overlay districts.

POINTS TO CONSIDER:

1. As the downtown develops it is anticipated that public events will become more common within the designated overlay districts. Currently, the City of Florence either sponsors or is directly involved in the following activities which occur within the overlay districts: Pecan Festival; Florence After Five; and Christmas Tree Lighting.
2. Generally speaking any event which creates a noise that annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within the city is prohibited. Public events that take place on public or private property or within the public right-of-ways that involve musical instruments, concerts, celebrations, outdoor performances may technically violate the current ordinances.
3. The Downtown Florence Master Plan and the Design Guidelines for Downtown Florence call for public events that support public and private investment which may very well include activities that include the performing and visual arts.

4. The proposed ordinance limits the exception to the following overlay districts: H-1 (Florence Historic District); D-2 (Downtown Central District); and D-3 (Downtown Arts & Cultural District).
5. At this time it is proposed to limit the exemptions to those overlay districts which are impacted by the downtown redevelopment effort and are not primarily residential.
6. These proposed exemptions may be expanded or otherwise amended by a majority vote of City Council.

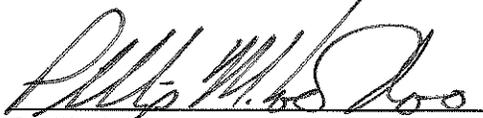
NOTES:

STAFF RECOMMENDATION: Staff recommends the adoption of this proposed Ordinance.

ATTACHMENTS:

1. Draft of the proposed Ordinance.
2. Map showing the overlay districts for Downtown Florence

  
Andrew H. Griffin  
Public Works & Utilities Director

  
Phillip Lookadoo  
Urban Planning and Development Director

  
David N. Williams  
City Manager



**ORDINANCE NO. 2010-\_\_\_**

**AN ORDINANCE GRANTING AN EXCEPTION FOR EVENTS SPONSORED BY EITHER THE CITY OF FLORENCE, FLORENCE COUNTY, OR AN AGENCY OF THE STATE OF SOUTH CAROLINA FROM THE NOISE ORDINANCES FOUND IN SECTION 10-9 AND SECTION 10-10 OF THE CODE OF ORDINANCES FOR THE CITY OF FLORENCE.**

**WHEREAS**, City Council has taken action to generally prohibit noise of a loud, continued, unnecessary, or unusual nature that may jeopardize the comfort, repose, health, peace or safety of others within the City; and

**WHEREAS**, City Council has further specifically prohibited noise from 16 listed categories which may have a negative public effect; and

**WHEREAS**, City Council recognizes that certain public events sponsored either by the City of Florence, Florence County, or agencies of the State of South Carolina may appear to be in conflict with Section 10.9 or Section 10.10 of the City's Code of Ordinances; and

**WHEREAS**, City Council finds that, within the Overlay Districts designated as D-2, D-3, and H-1 as established by the City in Sec. 2-9 of the Zoning Ordinance, public events, including outdoor events, which promote downtown redevelopment, support the function and activities of the performing and visual arts, and are consistent with the stated goals of the Downtown Florence Master Plan as well as the Design Guidelines for Downtown Florence are in the best interest of the citizens of Florence, South Carolina;

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Florence in a meeting duly assembled and within the authority thereof that Chapter 10 of the Code of Ordinances for the City of Florence, South Carolina is, and the same are hereby amended to add Section 10-11 to read verbatim as follows:

**Sec. 10-11. Exceptions to Sec. 10-9 and Sec. 10-10.**

In recognition of the benefit to the citizens of Florence when the City, the County, and the agencies of the State promote public events within the downtown areas of the City, there is hereby established a specific exception to Sec. 10-9 and Sec. 10-10 of the City

Code of Ordinances for events and activities sponsored by the City of Florence, the County of Florence, and agencies of the State of South Carolina, which are held within the boundaries of the Overlay Districts designated as D-2, D-3, and H-1 as established in Sec. 2-9 of the Zoning Ordinance, and which are held either on their premises or within the public right-of-ways. The following are examples of events which, if sponsored by the above named entities in the locations described above, are specifically declared to be exempt from Sec. 10-9 and Sec. 10-10:

Parades, festivals, concerts, patriotic or holiday performances, celebrations, displays, and other outdoor performances.

This list of exempt events is neither meant to be exclusive, nor shall it be deemed to be exclusive. Similar events sponsored by the above named entities and meeting the location requirements set out above shall also be exempted from the noise ordinances cited above.

This ordinance shall be effective immediately upon its passage on second reading.

**ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2010.**

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

**Approved as to form:**

**Attest:**

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

\_\_\_\_\_  
**DIANNE M. ROWAN**  
Municipal Clerk

**FLORENCE CITY COUNCIL MEETING**

**DATE:** April 12, 2010

**AGENDA ITEM:** Resolution No. 2010-02

**DEPARTMENT/DIVISION:** City Council

**ISSUE UNDER CONSIDERATION:** Council will give consideration to designating November 11, Veterans Day, as an official holiday for the City of Florence and adding it to the schedule of approved holidays.

## **RESOLUTION NO. 2010 - 02**

### **A RESOLUTION TO DESIGNATE VETERANS DAY, NOVEMBER 11 AS AN OFFICIAL HOLIDAY FOR THE CITY OF FLORENCE**

- WHEREAS**, for more than 200 years, individuals from all walks of life have taken up arms and sworn an oath to support and defend the principles upon which our country was founded; and
- WHEREAS**, throughout our history, courageous men and women have donned the uniform of our Armed Forces and built a noble tradition of faithful and dedicated service to our Nation; and
- WHEREAS**, Veterans Day has been set aside as both a national and state holiday to honor the 50 million American patriots who answered the call of duty, preserving our freedom and often making the ultimate sacrifice; and
- WHEREAS**, we continue to draw inspiration from the heroism and dedication of those who currently serve and sacrifice for the cause of liberty and justice; and
- WHEREAS**, it is fitting that we honor America's military veterans through whose service and sacrifice we today enjoy freedom and liberty.

### **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED:**

November 11, Veterans Day, is hereby recognized as an official holiday for the City of Florence.

**BE IT FURTHER RESOLVED** that the Florence City Council encourages our citizens to participate in local Veterans Day activities honoring the men and women who have stood watch over America.

**RESOLVED THIS 12<sup>TH</sup> DAY OF APRIL, 2010.**

**APPROVED AS TO FORM:**

---

**JAMES W. PETERSON, JR.**  
CITY ATTORNEY

---

**STEPHEN J. WUKELA**  
MAYOR

**ATTEST:**

---

**DIANNE M. ROWAN**  
MUNICIPAL CLERK

**FLORENCE CITY COUNCIL MEETING**

DATE: March 8, 2010

AGENDA ITEM: Reports to Council

DEPARTMENT/DIVISION: Parks and Beautification

ISSUE UNDER CONSIDERATION: Update on improvements at Levy Park

CURRENT STATUS/PREVIOUS ACTION TAKEN:

1. Following discussions with staff and City Council and upon recommendation of the Budget and Finance Committee (a committee of Council) City Council adopted Resolution 2009-09 (Making Declaration of Intent to Issue Bonds) on September 28, 2009.
2. The adoption of the Resolution enabled the City to expend funds on approved projects and then at a later date be reimbursed from the proceeds of the federally tax-exempt bonds.
3. Along with \$45,000 from CDBG the Resolution included an additional \$290,000 for Levy Park improvements
4. Improvements approved for Levy Park are noted below:

<u>Project</u>	<u>Estimated Budget</u>	<u>Source of Funds</u>
Levy Park Activity Center	\$ 410,000	Section 108 & General Fund
Replacement of Basketball Courts	45,000	CDBG
Updates to Senior's Building	94,000	General Fund
Large Picnic Shelter	100,000	General Fund
Repair two tennis courts/lights	<u>64,000</u>	General Fund
Total	\$ 713,000	

Note: The City initially held a mandatory pre-bid conference for the Community Activity Center on August 27, 2009, but held off moving forward due to the possibility of additional funding.

POINTS TO CONSIDER:

1. Once the funding was in place City staff met internally with interested community residents and determined in detail the scope of the project (seniors and basketball players), prepared a Request for Proposals, and advertised for bids (October 2009).
2. On November 5, 2009, the City advertised for a mandatory pre-bid meeting which took place at Levy Park on December 7, 2009. Following the meeting, the City modified the Request for Proposals with a required submission date of January 15, 2010.
3. Generally, federally funded projects require a 30 day bid notice to ensure inclusion and participation for potential bidders.

4. On February 1, 2010, the selection committee (3 city staff and 2 commission members) short listed the proposals to the apparent two most qualified respondents.
5. On February 12, 2010, the selection committee interviewed the two short listed firms and selected the apparent most qualified respondent.
6. On February 15, 2010, the recommendation of award was drafted and submitted to the Finance Department for public notice and official award.
7. Per the Proposal the project would be substantially completed within nine months of award.

NOTES:

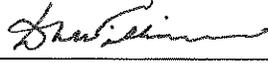
STAFF RECOMMENDATIONS: No Action required.

ATTACHMENTS:

Conceptual drawings:

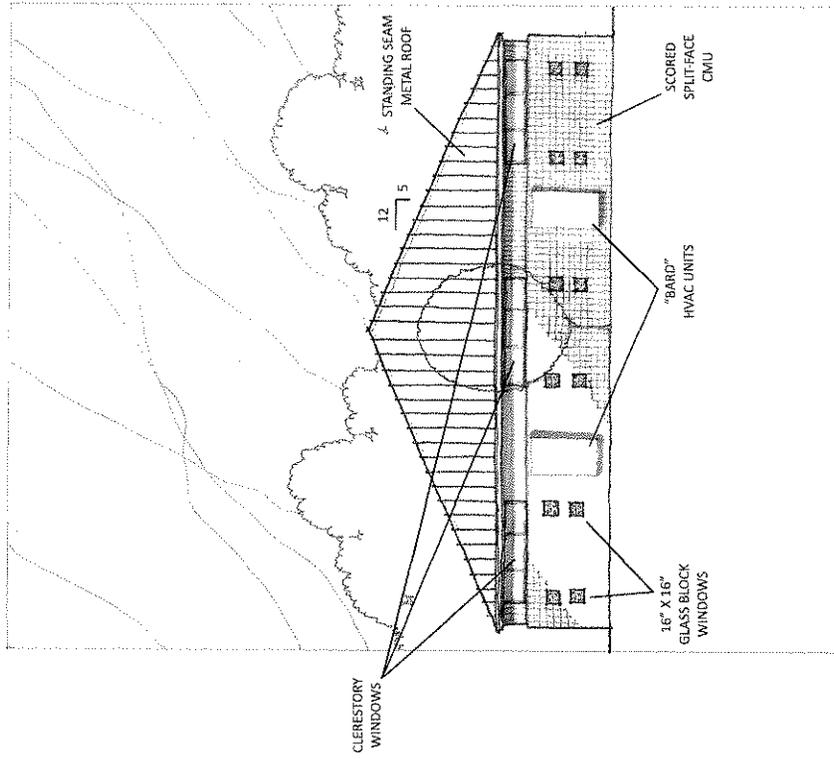
- Levy Park activity building elevations
- Levy Park activity building floor plans
- Levy Park senior area floor plans
- Levy Park picnic shelter
- Levy Part site plan

  
\_\_\_\_\_  
Andrew H. Griffin  
Public Works & Utilities

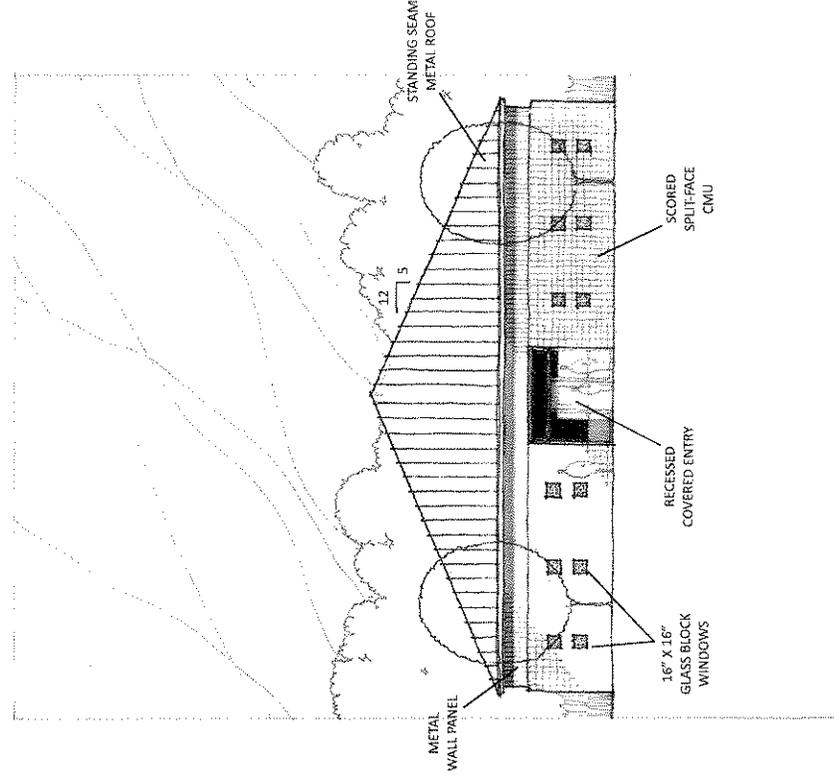
  
\_\_\_\_\_  
David N. Williams  
City Manager

Levy Park Improvements  
 Florence, South Carolina

ELEVATIONS



Proposed Youth Activity Center  
*rear elevation*



Proposed Youth Activity Center  
*front elevation*

GILBERT  
 CONSTRUCTION

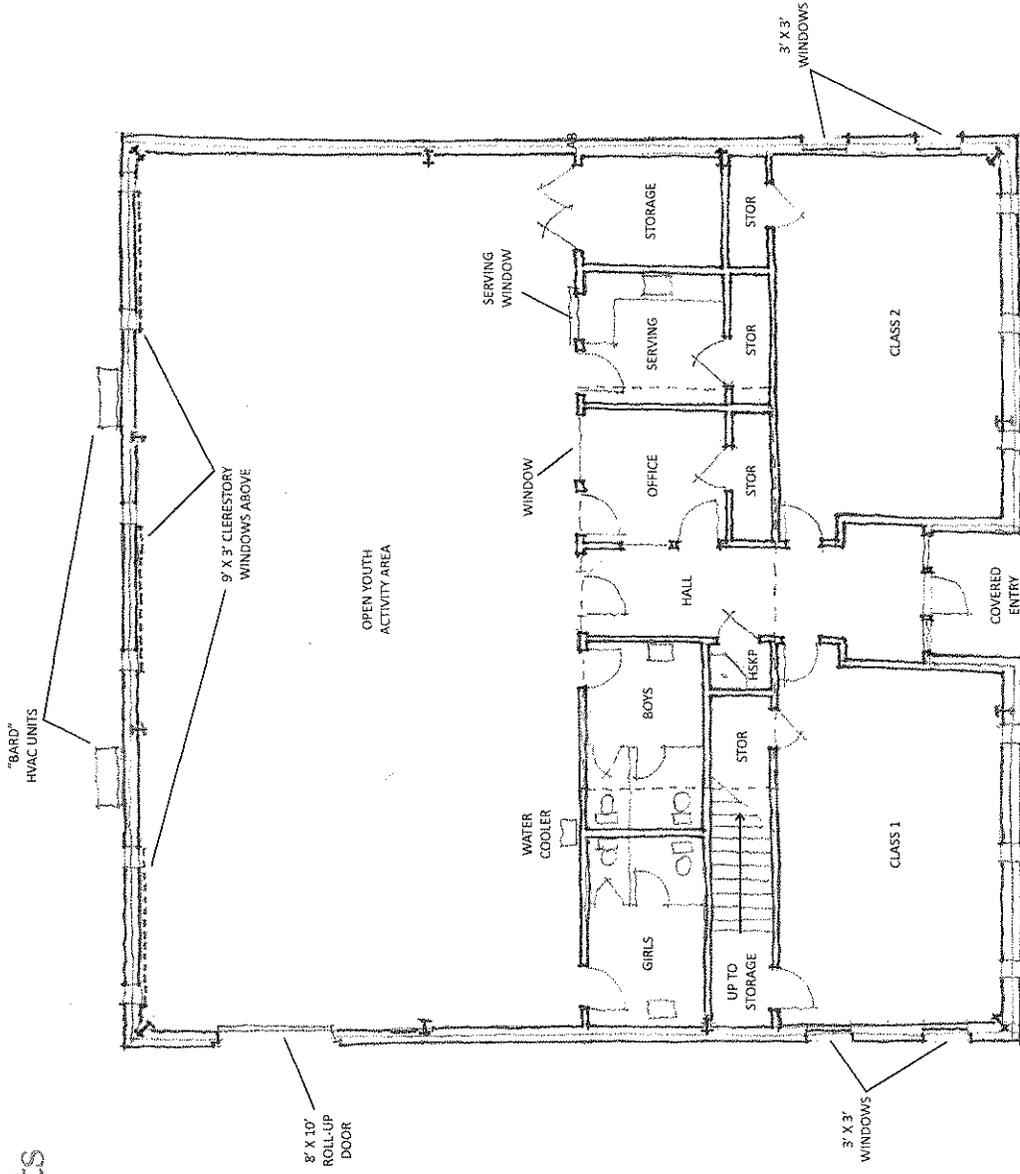
COLLINS  
 ASSOCIATES

ARCHITECTURE

DESIGN

Levy Park Improvements  
 Florence, South Carolina

FLOOR PLAN

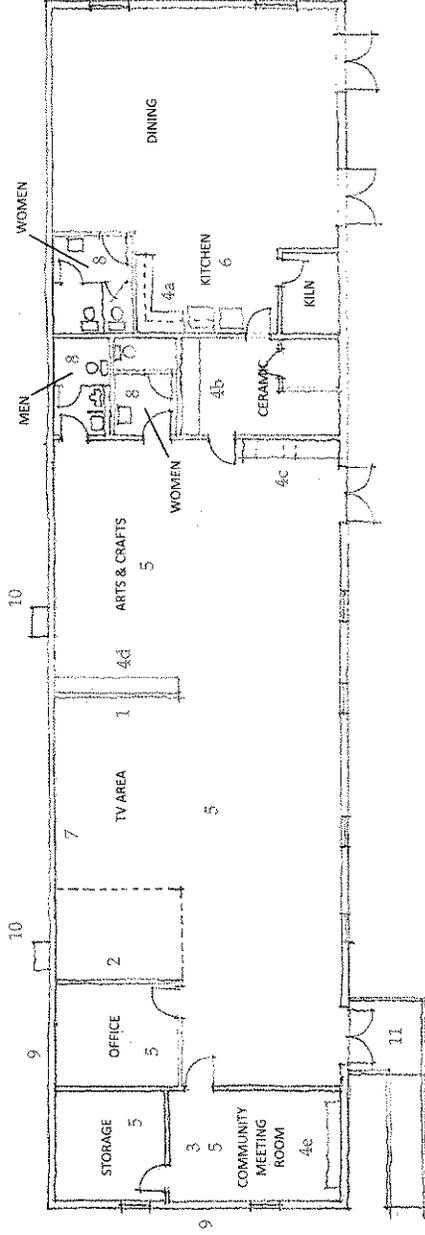


GILBERT  
 CONSTRUCTION

COLLINS  
 ASSOCIATES  
 ARCHITECTURE

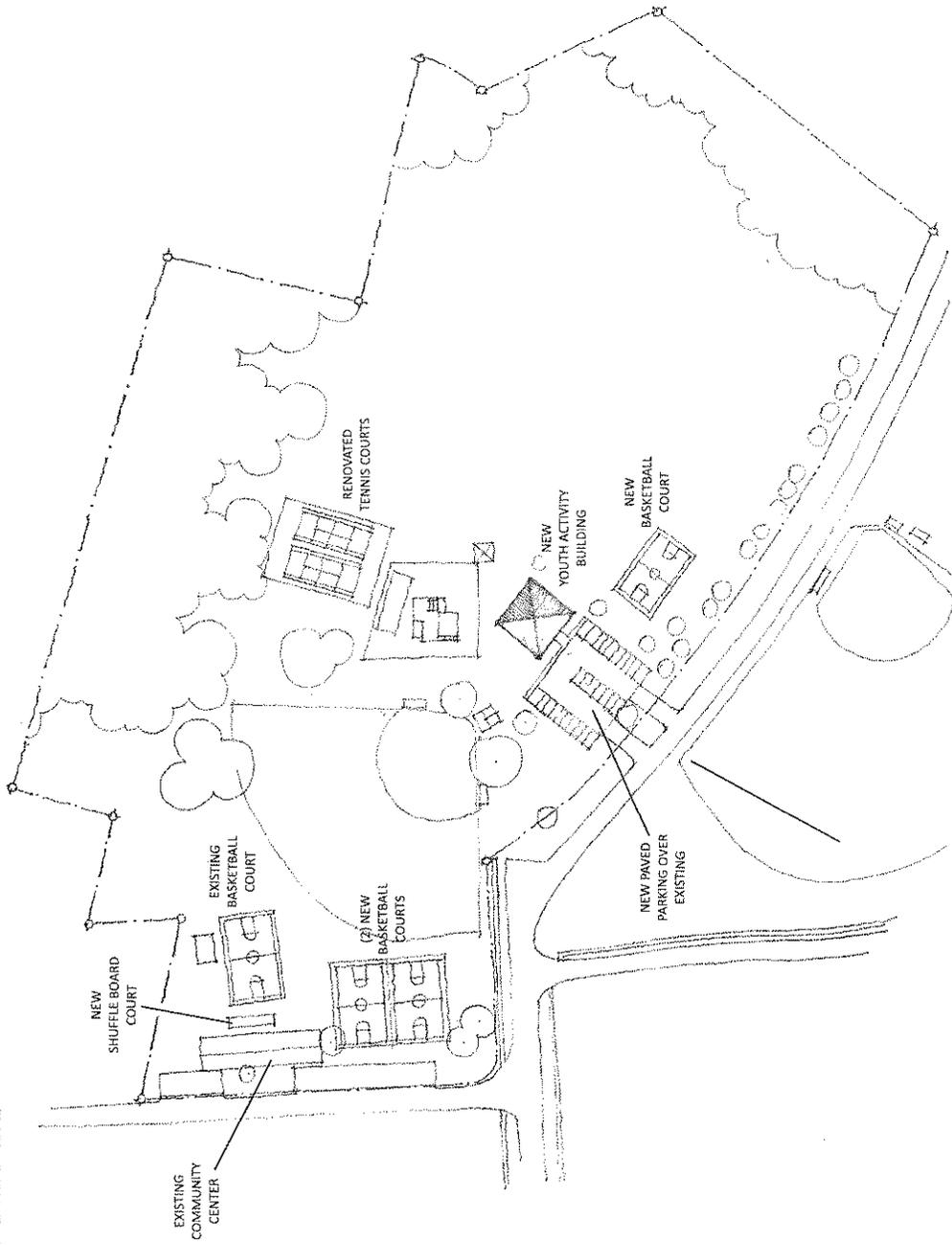
Levy Park Improvements  
 Florence, South Carolina

FLOOR PLAN



Levy Park Improvements  
Florence, South Carolina

SITE PLAN



CULBERT  
CONSTRUCTION

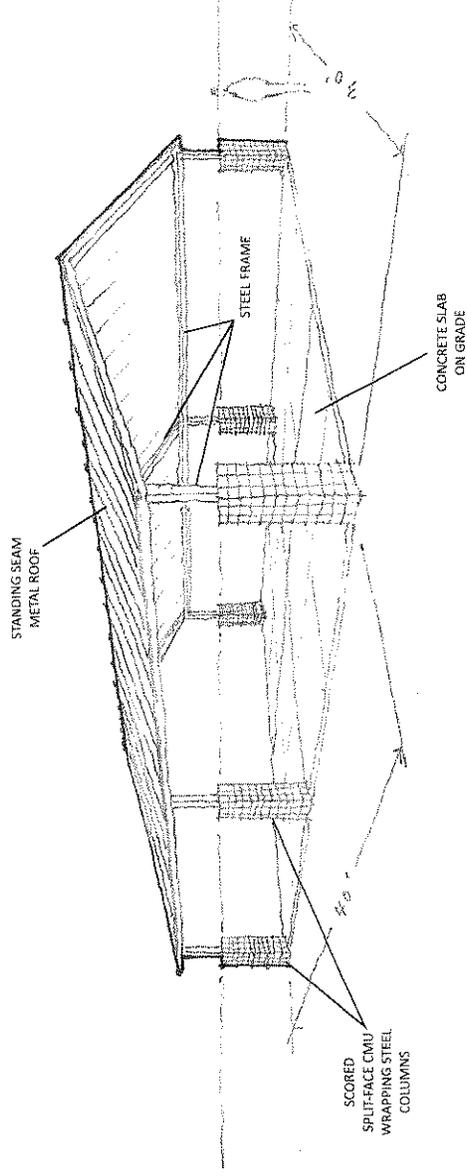
COLLINS  
ASSOCIATES

ARCHITECTURE

DESIGN

Levy Park Improvements  
Florence, South Carolina

PICNIC SHELTER



GILBERT  
CONSTRUCTION

COLLINS  
ASSOCIATES  
ARCHITECTURAL

Proposed Picnic Shelter  
Preliminary sketch

DESIGN

**IX. b.  
Appointments to  
Boards/Commissions**

**FLORENCE CITY COUNCIL MEETING**

**DATE:** April 12, 2010

**AGENDA ITEM:** Appointments to Boards and Commissions

**DEPARTMENT/DIVISION:** Administration/City Council

**ISSUE UNDER CONSIDERATION:** To fill a vacancy on the Housing Authority Board

**POINTS TO CONSIDER:**

- 1) There is one vacancy on the Housing Authority Board

**ATTACHMENTS:**

- 1) A copy of the Housing Authority Board.
- 2) A copy of the completed applications.

**HOUSING AUTHORITY BOARD**

**One Vacancy  
April 12, 2010**

**There is one vacancy on the Housing Authority Board**

---

**Ms. Christa T. Daniel** - Would like to be appointed

**Ms. Crystal L. Legette** - Would like to be appointed

**Ms. Felicia R. Smith** - Would like to be appointed

**Ms. MaSabra S. Player** – Would like to be appointed

Revised 06/30/2009

**HOUSING AUTHORITY BOARD**

The Housing Authority is composed of five members appointed to serve five year terms.

The members presently serving on this Board are as follows:

**APPOINTEES**

**TERM TO EXPIRE**

Mr. Thomas E. Rogers, Jr., Chairman  
Rogers & Rogers  
814 W. Evans Street  
Florence, SC 29501  
(W) 662-8951  
1915 Highland Avenue  
Florence, SC 29501  
(H) 662-9766  
W/M

06/30/2010

Vacancy

06/30/2014

Mr. John R. Etheridge, III  
Etheridge & Associates  
2284 W. Evans Street  
Florence, SC 29501  
(843) 676-9961  
716 Arlington Circle  
Florence, SC 29501  
(843) 678-9414 or (843) 229-3903  
W/M

06/30/2013

Ms. Yvonne D. Coker  
2311 W. Palmetto Street, #302  
Florence, SC 29501  
(H) 667-6471  
B/F

06/30/2012

Ms. Linda Becote  
Retired  
222 Cameron Lane  
Florence, SC 29501  
(H) 843-773-3241  
(C) 319-6662  
B/F

06/30/2011

**Housing Authority of Florence**  
P. O. Drawer 969  
Florence, South Carolina 29503  
Phone (843) 669-4163 / FAX (843) 679-2626

January 11, 2010

Mayor Stephen Wukela  
City of Florence  
City-County Complex  
P. O. Drawer AA  
Florence, SC 29503

Dear Mayor Wukela:

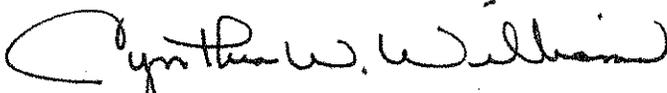
We are grieving the loss of one of our long-term commissioners, Dr. Ruth S. Smith. I'm sure that you also share our loss. We plan to take further board action to recognize Dr. Smith formally.

Therefore, we would like her vacancy to remain open until we complete our recognition process. We should be through by June which would be the time that you would normally take any openings to Council for appointments, etc.

Your understanding during our time of loss is greatly appreciated.

Sincerely,

HOUSING AUTHORITY OF FLORENCE



Cynthia W. Williams  
Executive Director

CWW/dcg

NOTE: You must be a resident of the City of Florence to qualify as an appointee.

**CITY OF FLORENCE  
BOARD/COMMISSION APPOINTEE RECOMMENDATION FORM**

LIST BOARD OR COMMISSION: Florence Co. Housing Authority  
NAME OF APPOINTEE: Christa T. Daniel  
SEX: Female  
RACE: Black/African American  
OCCUPATION: Homemaker  
BUSINESS ADDRESS: \_\_\_\_\_  
BUSINESS PHONE NUMBER: \_\_\_\_\_  
RESIDENCE ADDRESS: 2749 Carriage Lane  
**\*\* (SEE BELOW)** Street (Do Not List PO Box)  
Florence SC 29505  
RESIDENCE PHONE NUMBER: 843/673-7046

Please state any and all Boards and Commissions this Appointee may serve on, including City, State, and/or County Boards and/or Commission:

N/A

Does the Nominee desire to resign from the other Boards/Commissions subsequent to the appointment being sought? If so, please state Board(s)/Commission(s).

**\*\*ALL PERSONS APPOINTED TO ANY BOARD OR COMMISSION SHALL BE RESIDENTS OF THE CITY, EXCEPT IN THOSE CASES WHERE PROFESSIONAL QUALIFICATIONS ARE REQUIRED FOR A POSITION AND, IN THE COUNCIL'S OPINION, THERE ARE NO ACCEPTABLE AND QUALIFIED RESIDENTS TO FILL THE VACANCY.**

*I have worked for a housing authority in Farmville NC, for 5 years. I believe with that experience as a employee I have alot to offer to the Florence City Housing Authority as a board member. Thank you.*



APPLICATION FOR BOARDS AND COMMISSIONS  
CITY OF FLORENCE  
SOUTH CAROLINA

Board or Commission for which you are applying: <i>Housing Authority of Florence</i>			
Your Name (Last, First, Middle) <i>Levette Crystal Laverne</i>		County <i>Flo</i>	Council District <i>District 1</i>
Residential Address <i>216 Cameron Lane</i>	City <i>Flo</i>	State <i>South Carolina</i>	Zip Code <i>29507</i>
Mailing Address	City	State <i>South Carolina</i>	Zip Code
Your Occupation - Title <i>n/a</i>	Business Phone	Residence Phone <i>669-9968</i>	
Employer Name	E-Mail Address <i>CLevette3@SC.rr.com</i>		
Employer Address	City	State <i>South Carolina</i>	Zip Code

**General Qualifications**

Are you a resident of the City?  Yes  No How Long? *37*

Why would you like to serve?  
*I Love helping others and I want to serve the community in any way I can be g services.*

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:  
*Yes, North Florence Crime watch, Wilson High School Boost Club*

What are your goals and objectives if appointed to the Commission/Board?  
*My goals are to follow through Project before Commission My objectives is serve in any area when needed and be fair to ALL.*

I certify that the information above is true and correct. Information on this form will be considered public information.

*Crystal L. Levette*  
Signature

*1/28/10*  
Date

**RETURN COMPLETED FORM TO:**  
Office of the City Clerk  
City of Florence, City County Complex AA,  
180 N. Irby Street, Florence, SC 29501  
Fax: 843-665-3110

**FOR OFFICE USE ONLY**

Received:	<i>1-28-2010</i>
Appointed to:	
Date:	



APPLICATION FOR BOARDS AND COMMISSIONS  
CITY OF FLORENCE  
SOUTH CAROLINA

Board or Commission for which you are applying: <b>Florence Housing Authority Board</b>			
Your Name (Last, First, Middle) <b>Smith, Felicia R.</b>	County <b>Florence</b>	Council District <b>Two</b>	
Residential Address <b>305 S. Johns Street</b>	City <b>Florence</b>	State <b>SC</b> South Carolina	Zip Code <b>29506</b>
Mailing Address <b>305 S. Johns Street</b>	City <b>Florence</b>	State <b>SC</b> South Carolina	Zip Code <b>29506</b>
Your Occupation - Title <b>Financial Coordintor, LBSW</b>	Business Phone <b>843-409-1070</b>	Residence Phone <b>843-665-0353</b>	
Employer Name <b>Fresenius Medical Care of North America</b>	E-Mail Address <b>smithsfuneral@bellsouth.net</b>		
Employer Address <b>435 N. Cashua Drive</b>	City <b>Florence</b>	State <b>SC</b> South Carolina	Zip Code <b>29501</b>

**General Qualifications**

Are you a resident of the City?  Yes  No How Long? 24

Why would you like to serve?

I would like to serve to assure the residents of Florence received adequate housing that meet the qualifications and standards provided by the Housing Authority.

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

I serve as Governor of the Sixth District Morticians Association.

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

I served as Vice Governor of the Sixth District Moroticans Association.

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:

A member of the Azalea Home and Garden Club/ Florence Garden Club and the South Carolina Garden Club

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

I have serval goals. 1- To continue to encourage teamwork that Florence Housing Authority remain within regulations. 2- To assure that residents that they are apart of the Housing Authority and educate them about regulations

I certify that the information above is true and correct. Information on this form will be considered public information.

Felicia R. Smith  
Signature

01 / 25 / 2010  
Date

**RETURN COMPLETED FORM TO:**

Office of the City Clerk  
City of Florence, City County Complex AA,  
180 N. Irby Street, Florence, SC 29501  
Fax: 843-665-3110

**FOR OFFICE USE ONLY**

Received:	<u>1-27-2010</u>
Appointed to:	
Date:	



**APPLICATION FOR BOARDS AND COMMISSIONS**  
 CITY OF FLORENCE  
 SOUTH CAROLINA

Board or Commission for which you are applying: <b>City of Florence Housing Authority</b>			
Your Name (Last, First, Middle) <b>Playe, Masabra, Shawnta</b>		County <b>Florence</b>	Council District <b>Ed Robinson</b>
Residential Address <b>2233 Blass Drive</b>	City <b>Florence</b>	State <b>South Carolina</b>	Zip Code <b>29505</b>
Mailing Address <b>P.O. Box 13713</b>	City <b>Florence</b>	State <b>South Carolina</b>	Zip Code <b>29504</b>
Your Occupation - Title <b>CEO - Program Director</b>	Business Phone <b>843 206-1639</b>	Residence Phone <b>843-407-5438</b>	
Employer Name <b>Cheer N America INC</b>		E-Mail Address <b>Cheer n america@gmail.com</b>	
Employer Address <b>2233 Blass Drive</b>	City <b>Florence</b>	State <b>South Carolina</b>	Zip Code <b>29505</b>

**General Qualifications**

Are you a resident of the City?  Yes  No How Long? \_\_\_\_\_

Why would you like to serve?

*Please look attachment*

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

*City of Florence Park and Beautification Leisure Board*

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

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:

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

*Please see attachment*

I certify that the information above is true and correct. **Information on this form will be considered public information.**

Signature *Masabra Playe*

Date *2/11/10*

**RETURN COMPLETED FORM TO:**  
 Office of the City Clerk  
 City of Florence, City County Complex AA,  
 180 N. Irby Street, Florence, SC 29501  
 Fax: 843-665-3110

**FOR OFFICE USE ONLY**

Received:	<i>2-25-2010</i>
Appointed to:	
Date:	

Attachment to Application for City of Florence Housing Authority

Why would you like to serve as commissions for Housing Authority?

I would encourage affordable housing for the elderly through alternative residential programs such as life-care or congregate living and evaluate different programs for providing elderly housing and amend the Zoning Bylaw to allow this type of development.

What are your goal and objective if appointed to the commission /Board?

I would seek and maintain an equitable, honorable and cooperative association with fellow Housing Authority officials and all others who are concerned with the proper and professional management of public housing developments, I would make decisions in terms of the most economical and efficient method toward the best interests of all citizens, particularly those of low and moderate income, these decisions will provide an equal opportunity to all citizens regardless of race, creed, sex or age and I would comply with the rules and regulations and principals of Code of Professional Ethics.

**CITY OF FLORENCE COUNCIL MEETING**

**DATE:** April 12, 2010

**AGENDA ITEM:** Report to Council

**DEPARTMENT:** Administration

**I. ISSUE UNDER CONSIDERATION:**

A request from Florence-Darlington Technical College for funding in the amount of \$2,500 to be used for scholarships for low-income students to attend the summer camp, Discover Manufacturing: Camp Success.

Florence-Darlington



Technical College

*Growing the economy . . . one graduate at a time.*

September 17, 2009

Thomas Chandler  
Finance Director  
City of Florence  
City-County Complex AA  
180 North Irby Street  
MSC-BB  
Florence, SC 29501-3456

Dear Mr. Chandler:

This letter is to request funds for the 2010 summer camp, Discover Manufacturing: Camp Success, held at the Southeastern Institute of Manufacturing and Technology at Florence-Darlington Technical College. We are asking for a total of \$5,000 from the Councils; \$2,500 from the City Council and \$2,500 from the County Council. This camp immerses 7<sup>th</sup> and 8<sup>th</sup> grade students in fun, interesting educational, hands-on math and science based experiments and activities. From the last two summer camps we have held, we know that students leave the camp feeling engaged with, and excited by, math, science and technology. Past activities have included building and racing solar-powered boats, designing and building race cars, shooting off rockets and building a working roller coaster.

This camp is tremendously rewarding for the students, the parents and the community because it reinforces the lessons that everyone can master math, science and technology; and that everyone can have a career built upon math, science and technology. The camp is a great value for low-income students since scholarships are available to pay the \$75 participation fee, and the faculty at FDTC donate their time and expertise.

If you have any questions, please call me at 661-8003.

Sincerely,

Jill Heiden

Vice President for Institutional Advancement