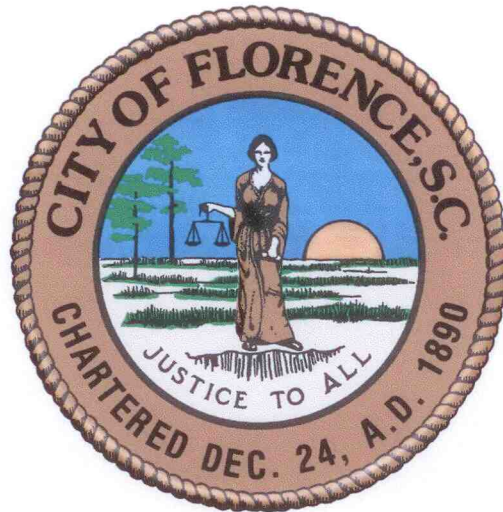


REGULAR MEETING
OF
FLORENCE CITY COUNCIL



COUNCIL CHAMBERS
ROOM 604, CITY-COUNTY COMPLEX
FLORENCE, SOUTH CAROLINA

MONDAY
AUGUST 13, 2012
1:00 P.M.

REGULAR MEETING OF FLORENCE CITY COUNCIL

MONDAY, AUGUST 13, 2012 - 1:00 P.M.

CITY-COUNTY COMPLEX, COUNCIL CHAMBERS, ROOM 604

FLORENCE, SOUTH CAROLINA

AGENDA

I. CALL TO ORDER

II. INVOCATION

Pledge of Allegiance

III. APPROVAL OF MINUTES

June 26, 2012 – Special Meeting

July 9, 2012 – Regular Meeting

IV. HONORS AND RECOGNITIONS

Citizen of the Month -

Service Recognitions

Patrick Joseph – 35 years – Streets

Julie Duff – 25 years - Police

Larry Lugo – 20 years - Finance

Scotty Davis – 15 years – Community Services

Margaret Robinson – 10 years – Police

Retiree Recognitions

Robert Rowell – 34 years – Fire Department - September 2, 1977 – May 31, 2012

Dorsey Joe Cordell – 21 years – Fire Department - October 15, 1990 – May 4, 2012

*Recognition of City Athletic Teams – Double Dutch, Gymnastics, Track and Field and
Maple Park Youth Baseball*

V. APPEARANCE BEFORE COUNCIL

Mr. Jim Shaw - to present a report on the homeless in the City of Florence.

VI. ORDINANCES IN POSITION

- a. Bill No. 2012-20 – Second Reading**
An Ordinance to revise Chapter 20 of the City Code by establishing an Ordinance which regulates the towing of vehicles from private property within the municipal limits of the City of Florence.
- b. Bill No. 2012-25 – Second Reading**
An Ordinance to rezone 680 W. Darlington Street from B-6, Industrial District to B-3, General Commercial District.

VII. INTRODUCTION OF ORDINANCES

- a. Bill No. 2012-26 – First Reading**
An Ordinance to grant to South Carolina Telecommunications Group Holdings LLC (SCTG Holdings LLC), D/B/A Spirit Communications, its successors and assigns, the right, power, and authority to construct, install, maintain, and operate in, over, upon and under the streets and public places of the City of Florence, its lines, poles, wires, cables, and other telecommunications facilities to render telecommunications service to its customers in the corporate limits of the City of Florence for such period as provided herein; and to provide for the payment of compensation for the use of the streets and public places.
- b. Bill No. 2012-27 – First Reading**
An Ordinance to declare Lot 4, Queensferry Subdivision located within the city limits of the City of Florence surplus and to authorize the sale of said property.

VIII. INTRODUCTION OF RESOLUTIONS

- a. Resolution No. 2012-13**
A Resolution to update the wrecker policy of the City of Florence to bring current the original policy adopted in 1986 and to incorporate all changes since the original Resolution.
- b. Resolution No. 2012-16**
A Resolution by the City Council of the City of Florence, South Carolina, declaring its intent to make reimbursement to the Water and Sewer Utilities Enterprise Fund through the issuance of Tax Increment Financing Bonds for public improvements in the City's Downtown Redevelopment District project area pursuant to United States Treasury Department, Internal Revenue Service, Regulation 1.150-2.
- c. Resolution No. 2012-17**
A Resolution in support of an amendment to the Code of Law of South Carolina, by adding Section 24-21-1010, so as to permit a person who applies for a pardon for certain offenses to request the Board of Pardons and Pardons recommend the expungement of criminal records.

- d. Resolution No. 2012-18**
A Resolution expressing the commitment of the City of Florence to donate to Hope Health, a non-profit, 501(c)(3) organization, land totaling approximately 10 acres for the purposes of constructing a new facility within the City of Florence.
- e. Resolution No. 2012-20**
A Resolution in Recognition of Judge Glenda Hatchett

IX. REPORTS TO COUNCIL

- a. Nominations to Boards and Commissions**

X. ADJOURN

**SPECIAL MEETING OF FLORENCE CITY COUNCIL
TUESDAY, JUNE 26, 2012 - 3:00 P.M.
CITY COUNTY COMPLEX, CITY MANAGER'S CONFERENCE ROOM, 605
FLORENCE, SOUTH CAROLINA**

MEMBERS PRESENT: Mayor Wukela called the special meeting to order at 3:00 p.m. with the following members present: Mayor Pro tem Buddy Brand; Councilwoman Teresa Myers Ervin; Councilman Steve Powers; Councilwoman Octavia Williams-Blake; and Councilman Glynn F. Willis.

MEMBERS ABSENT: Councilman Ed Robinson

ALSO PRESENT: Mr. Drew Griffin, City Manager; Mrs. Dianne M. Rowan, Municipal Clerk; Mr. Phillip Lookadoo, Director of Planning, Research and Development; and Mr. Thomas W. Chandler, Director of Finance.

MEDIA PRESENT: Notices of this special meeting of the Florence City Council were sent to the media informing them of the date, time and location of the meeting. Mr. Dwight Dana of the Morning News was present for the meeting.

INVOCATION

Councilwoman Teresa Myers Ervin gave the invocation for the meeting, which was followed by the pledge of Allegiance to the American Flag.

ORDINANCES IN POSITION

BILL NO. 2012-24 – FIRST READING

AN ORDINANCE TO ADD A TEXT AMENDMENT TO THE CITY OF FLORENCE ZONING ORDINANCE TO ESTABLISH DESIGN STANDARDS FOR DUPLEXES, TRIPLEXES, QUADRAPLEXES AND TOWNHOMES.

An Ordinance to add a Text Amendment to the City of Florence Zoning Ordinance to establish Design Standards for Duplexes, Triplexes, Quadraplexes and Townhomes was passed on first reading.

Mr. Drew Griffin, City Manager stated that the concept with this proposed ordinance is to create multi-family type structures that are more compatible within the street or neighborhood in which they are being built.

Mr. Phillip Lookadoo, Director of Planning, Research and Development gave Council a summary of the proposed ordinance. As stated in the Comprehensive Plan and the Unified Development Ordinance (UDO), it is the intent of these design standards to cause development to be compatible with the existing neighborhood. This is not saying that duplexes, triplexes, quadraplexes or townhomes are a bad type of development or shouldn't be allowed, particularly with respect to infill, but if put into place they could fit within the neighborhood that they are being built in.

Duplexes

Site Standards

- Driveway:
 - 20 feet (if singular driveway)
 - 27 feet (if a shared driveway)

- Parking:
 - Open parking at side or rear of the building
 - Only in designated areas

- Tree to be planted between party (common) wall for standard duplexes

Building Development Standards

- Garages:
 - 12 feet wide (for single door) and separated (if double door) by at least 18 inches, if front facing
 - Exempt if not front facing (if on a corner lot, facing the side street or facing into the lot, there would be no regulations)

- Primary entrance(s) into the building:
 - Primary entrance must face the street
 - Must be sheltered by a covered front porch
 - Front doors must be separated by at least three feet
 - Must be lit by an external source fixed to the building

The next section talks about integrating these structures into the existing neighborhood.

- Architectural features that are repetitive in the existing neighborhood or street (i.e., tapered columns or certain roof types) must be incorporated into the new construction

- Building facades to be articulated for visual interest using the following:
 - Building offsets
 - Interesting fenestration and roof lines
 - Front porches to encourage eyes on the street

- Elevated first floor – If more than 50% of the buildings along the street have an elevated floor, then the new construction must be elevated to 18 inches above grade

- Windows:
 - Must be incorporated into the façade
 - Accented with shutters, awnings, or decorative framing or
 - Articulated with an offset of at least four inches
 - The windows would have to be at least 20 percent of the vertical planes of the façade
 - If the façade includes a garage door, the windows would have to be at least 10 percent

- Façade:
 - Cementous siding (i.e., hardi-plank, permastone, etc.) brick and stucco
 - If the predominate façade treatment in the existing area is something other than one of the listed materials, then the builder would be able to use the predominate treatment in the new construction. (Again, this will incorporate the new construction into the existing neighborhood)

- Roofing materials:
 - Architectural shingles, concrete tile, slate, or building integrated photovoltaics
 - Unless more than 50% of the existing single family residential buildings on the same street have an alternate roofing material, then the alternate roofing material may be used
- Sidewalks:
 - Along front property line if adjacent properties or majority of properties in block have sidewalks
 - Must connect the primary building entrance to the driveway, street from sidewalk, or rear parking area

Tri-plex and Quadra-plex:

- Principle Design:
 - Single family detached
- Contains three/four separate dwelling units that share a primary front building entrance

Site Standards

- Parking:
 - Open parking at side or rear of the building
 - Only in designated areas
 - Screened if extending beyond rear of the building where visible from the street

Building and Development Standards

- Garages:
 - 12 feet wide and be separated by at least 18 inches
 - Exempt if not front facing
- Primary entrance:
 - Oriented to face the street
- Elevated first floor:
 - If predominant number of existing structures are elevated, then the new construction must also have an elevated first floor
- Windows:
 - Incorporated into the façade
 - Accented with shutters, awnings, or decorative framing, or
 - Articulated with an offset of at least four inches
 - At least 20 percent of the vertical planes of the façade shall be windows, or
 - If façade includes a garage door, at least 10 percent shall be windows
- Façade:
 - Cementous side (e.g. hardi-plank, permastone, etc.) brick and stucco
 - Unless more than 50 percent of the existing single family residential buildings on the same street have an alternate siding then the alternate siding may be used

- Roofing Materials:
 - Architectural shingles, concrete tile, slate, or building integrated photovoltaics
 - Unless more than 50 percent of the existing single family residential buildings on the same street have an alternate roofing material then the alternate roofing material may be used
- Sidewalks:
 - Along front property line if adjacent properties or majority of properties in block have sidewalks
 - Must connect the primary building entrance to the driveway, street from sidewalk, or rear parking area

Townhouse

Site Standards

- Follows City of Florence Zoning Ordinance Section 3.1
- Three connected units oriented to a street adjacent to the development
- Two unit buildings would be permitted in the interior of the lot

Building Development Standards

- Garages: (Same as for triplexes, quadraplexes and duplexes)
 - 12 feet wide and be separated by at least 18 inches
 - Exempt if not front facing
- Primary entrance(s) into the building:
 - Oriented to face the street
 - Sheltered by a covered front porch
 - Separated by at least three feet
 - Lit by an external source fixed to the building
- Parking:
 - Open parking at side or rear of the building
 - Only in designated areas
- Windows:
 - Incorporated into the façade
 - Accented with shutters, awnings, or decorative framing, or
 - Articulated with an offset of at least four inches
 - At least 20 percent of the vertical planes of the façade
 - If façade includes a garage door, at least 10 percent
- Façade:
 - Cementuos siding (e.g. hardi-plank, permastone, etc.) brick and stucco (no exception granted as in duplexes, triplexes or quadraplexes)

**SPECIAL MEETING OF FLORENCE CITY COUNCIL
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•Sidewalks

- Must connect the primary building entrance to the driveway, street front sidewalk, or rear parking area.

Following a general discussion of the changes, Mayor Wukela stated he felt there is a general consensus of feeling among Council that there is a very strong concern about this kind of “box structure” that deteriorates from the neighborhoods and tears at the fabric of what the City is trying to maintain as a community, particularly in the neighborhoods that have been there longstanding. The difficulty is how to design a system that is stringent enough that it is not abused but gives discretion enough that it can be flexible to developers who have the best intention and want to build what we all want to see built. The intent of this document before Council today is to pass this document on first reading, in the event it does pass on first reading, it will go to the Planning Commission, for them to take up just these issues of duplexes, triplexes, quadraplexes. The remainder of the UDO will still obviously be making its way through the system. Once the Planning Commission is complete with their review, they will make a recommendation to Council and then Council will have an opportunity to again discuss it.

Councilman Willis requested that staff address the Pending Ordinance Doctrine.

Mr. Phillip Lookadoo explained that the Pending Ordinance Doctrine is not a State Law but is founded in Case Law. It basically says that if Council, or the governing body, is considering an Ordinance, that the Planning Director, or whoever is designated to issue permits, they may not issue a permit contrary to the provisions of that ordinance. So in effect it is a moratorium of sorts. This document goes a little further and declares through pending ordinance, a moratorium, so essentially no permits would be issued from whenever the vote takes place until the second reading and final disposition of the ordinance.

Mayor Wukela stated the logics to this action is to place a hold on everyone until Council can finish discussing this and decide what the standards are to be before going any further. So that what you don't have is a race to get permits before Council has an opportunity to make its decision.

Councilman Willis added that he understands that this will allow the developer, builder and city staff to work together to try and neutralize some issues that have needed to be corrected for a long time. Councilman Willis would like for the public to understand that this is not done lightly; it is a very serious matter.

Councilman Powers made a motion to pass Bill No. 2012-24 on first reading. Councilwoman Ervin seconded the motion, which carried unanimously.

**SPECIAL MEETING OF FLORENCE CITY COUNCIL
JUNE 26, 2012 – PAGE 6**

ADJOURN

Councilwoman Ervin made a motion to adjourn the meeting. Councilman Powers seconded the motion, which carried unanimously.

The meeting was adjourned at 4:23 p.m.

Dated this 13th day of August, 2012

Dianne M. Rowan, Municipal Clerk

Stephen J. Wukela, Mayor

**REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, JULY 9, 2012 - 1:00 P.M.
CITY COUNTY COMPLEX, COUNCIL CHAMBERS, ROOM 603
FLORENCE, SOUTH CAROLINA**

MEMBERS PRESENT: Mayor Wukela called the regular meeting to order at 1:00 p.m. with the following members present: Mayor Pro tem Buddy Brand; Councilwoman Teresa Myers Ervin; Councilman Steve Powers; Councilman Ed Robinson; Councilwoman Octavia Williams-Blake; and Councilman Glynn F. Willis.

ALSO PRESENT: Mr. Drew Griffin, City Manager; Mrs. Dianne M. Rowan, Municipal Clerk; Mr. James W. Peterson, Jr., City Attorney; Mr. Phillip Lookadoo, Director of Planning, Research and Development; Mr. Scotty Davis, Director of Community Services; Mrs. Darene Stankus, Director of Human Resources; Chief Anson Shells, Florence Police Department; Mr. Michael Hemingway, Director of Utilities; Mr. Chuck Pope, Director of Public Works; Mr. Ray Reich, Downtown Development Manager; and Mr. Thomas W. Chandler, Director of Finance.

MEDIA PRESENT: Notices of this regular meeting of the Florence City Council were sent to the media informing them of the date, time and location of the meeting. Mr. John Sweeney of the Morning News was present for the meeting.

INVOCATION

Councilwoman Teresa Myers Ervin gave the invocation for the meeting, which was followed by the pledge of allegiance to the American Flag.

COUNCILMAN ROBINSON

Councilman Robinson thanked the Florence Baptist Association and Pastor Chris Handley of First Presbyterian Church for the work done in the low income areas in the City with upgrading some of the houses. Councilman Robinson commended the young people that worked on these houses and expressed his gratitude for the work that was completed in those neighborhoods.

APPROVAL OF MINUTES

Mayor Pro tem Brand made a motion to adopt the minutes of the regular meeting of June 11, 2012. Councilman Powers seconded the motion, which carried unanimously.

HONORS AND RECOGNITIONS

Service Recognitions

Mayor Wukela presented Randolph Jones with a certificate recognizing his 25 years of service with the City of Florence.

Bobby Nichols received a certificate from Mayor Wukela in recognition of 10 years with the City of Florence.

Pat Black, having completed 10 years of service with the Florence Police Department, was presented a certificate of recognition by Mayor Wukela.

Mayor Wukela presented Michael Hemingway with a certificate of recognition for completing 10 years of service with the Utilities Department.

COUNCILWOMAN WILLIAMS-BLAKE

Councilwoman Williams-Blake thanked all of the City employees who have to work outside in the heat for what they do for the City. Councilwoman Williams-Blake added that it is especially difficult for the firefighters who have to fight fires in the extreme heat conditions and thanked them for their dedication of protecting the citizens of the City.

Educational Recognition

Brian Matthews received an educational recognition for obtaining his Associate Degree in Applied Science/Environmental Engineering Technology.

Kirt Harris received an educational recognition for passing his “E” State Board Examination for water treatment operator.

Citizen of the Month

Councilman Willis recognized Mr. Carlos Washington as the City of Florence Citizen of the Month, for July, 2012.

APPEARANCE BEFORE COUNCIL

Mr. Jeffery Gray appeared before Council and spoke about how difficult it has been to obtain better employment because of having a prior police record. Mr. Gray asked if there was anything that Council could do to help him obtain a better job that in turn would help him provide better for his family.

Mr. Jerrell Stuckey also appeared before Council and asked for help with a situation that he has ongoing with the Sheriff's Department.

Councilman Robinson stated that he plans to bring before Council a Resolution in support of the Expungment Bill that did not pass during the last Legislative Session, in hope that this would provide some help in situations such as these.

ORDINANCES IN POSITION

BILL NO. 2012-20 – SECOND READING

AN ORDINANCE TO REVISE CHAPTER 20 OF THE CITY CODE BY ESTABLISHING AN ORDINANCE WHICH REGULATES THE TOWING OF VEHICLES FROM PRIVATE PROPERTY WITHIN THE MUNICIPAL LIMITS OF THE CITY OF FLORENCE.

An Ordinance to revise Chapter 20 of the City Code by establishing an Ordinance which regulates the towing of vehicles from private property within the municipal limits of the City of Florence was deferred on second reading.

Councilman Willis made a motion to defer Bill No. 2012-20. Councilman Powers seconded the motion, which carried unanimously.

BILL NO. 2012-22 – SECOND READING

AN ORDINANCE TO REQUEST ANNEXATION AND ZONING OF 1538 N. SIERRA RANGE, TO R-3 SINGLE FAMILY RESIDENTIAL DISTRICT.

An Ordinance to request annexation and zoning of 1538 N. Sierra Range, to R-3 Single Family Residential District was adopted on second reading.

Councilman Powers made a motion to adopt Bill No. 2012-22 on second reading. Councilman Robinson seconded the motion, which carried unanimously.

BILL NO. 2012-23 – SECOND READING

1. **A REQUEST TO DECLARE A 0.02 ACRE PORTION OF TAX MAP 00177-01-009 AS SURPLUS.**
2. **AN ORDINANCE TO AUTHORIZE THE SALE OF A 0.02 ACRE PORTION OF TAX MAP 00177-01-009.**

A request to declare a 0.02 acre portion of Tax Map 00177-01-009 as surplus was adopted on second reading.

An Ordinance to authorize the sale of a 0.02 acre portion of Tax Map 00177-01-009 was adopted on second reading.

Councilman Robinson made a motion to adopt Bill No. 2012-23 on second reading. Mayor Pro tem Brand seconded the motion, which carried unanimously.

INTRODUCTION OF ORDINANCES

BILL NO. 2012-24 – FIRST READING

AN ORDINANCE TO ANNEX AND ZONE PROPERTY OWNED BY JIM STROUD, 301 TO 307 ALEXANDER STREET.

An Ordinance to annex and zone property owned by Jim Stroud, 301 to 307 Alexander Street was deferred until the meeting that will follow the first meeting held in December, 2012.

Mayor Pro tem Brand seconded the motion, which carried unanimously.

BILL NO. 2012-25 – FIRST READING

AN ORDINANCE TO REZONE 680 W. DARLINGTON STREET FROM B-6, INDUSTRIAL DISTRICT TO B-3, GENERAL COMMERCIAL DISTRICT.

An Ordinance to rezone 680 W. Darlington Street from B-6, Industrial District to B-3, General Commercial District was passed on first reading.

Mr. Phillip Lookadoo, Director of Planning, Research and Development reported to Council that the owners of the property located at 680 W. Darlington Street have requested that the property be rezoned from B-6, Industrial District to B-3, General Commercial District. The adjacent land uses on the same side of the street are zoned B-3. The future land use designation is Neighborhood Conservation. The objective of this designation is to identify and protect the character and present use of residential resources and to prohibit development that would compromise or infringe on prevailing character or continued use of such resources for residential purposes. The property that surrounds this parcel is currently vacant or current or previous industrial use and is zoned B-3, General Commercial.

**REGULAR MEETING OF FLORENCE CITY COUNCIL
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A public hearing was held at the June 12, 2012 Planning Commission meeting. The Planning Commission members voted 8-0 to recommend the rezoning.

Councilman Willis made a motion to pass Bill No. 2012-25 on first reading. Councilman Powers seconded the motion, which carried unanimously.

INTRODUCTION OF RESOLUTIONS

RESOLUTION NO. 2012 – 13

A RESOLUTION TO UPDATE THE WRECKER POLICY OF THE CITY OF FLORENCE TO BRING CURRENT THE ORIGINAL POLICY ADOPTED IN 1986 AND TO INCORPORATE ALL CHANGES SINCE THE ORIGINAL RESOLUTION.

A Resolution to update the Wrecker Policy of the City of Florence to bring current the original policy adopted in 1986 and to incorporate all changes since the original Resolution was deferred.

Councilman Willis made a motion to defer Resolution No. 2012-13. Councilman Powers seconded the motion, which carried unanimously.

REPORTS TO COUNCIL

Nominations to Boards and Commissions

Accommodations Tax Advisory Committee

Councilman Powers made a motion to nominate Mr. Tim Norwood to serve on the Accommodations Tax Advisory Committee. Councilwoman Williams-Blake seconded the motion, which carried unanimously.

Mr. Tim Norwood was appointed to serve on the Accommodations Tax Advisory Committee for a term to begin immediately and expire June 30, 2015.

Mayor Wukela made a motion to reappoint Mrs. Margaret Nash to serve on the Accommodations Tax Advisory Committee. Councilwoman Ervin seconded the motion, which carried unanimously.

Mrs. Margaret Nash was reappointed to serve on the Accommodations Tax Advisory Committee for a term to begin immediately and expire June 30, 2015.

Councilwoman Teresa M. Ervin made a motion to nominate Mr. Marion J. McDowell to serve on the Accommodations Tax Advisory Committee. Councilman Willis seconded the motion, which carried unanimously.

Mr. Marion J. McDowell was appointed to serve on the Accommodations Tax Advisory Committee for a term to begin immediately and expire June 30, 2015.

City-County Building Commission

Appointments to this Commission were deferred until the August City Council meeting.

Civic Center Commission

Mayor Pro tem Brand made a motion to nominate Mr. Michael Scott Collins to serve on the Civic Center Commission. Councilman Powers seconded the motion, which carried unanimously.

Mr. Collins was appointed to serve on the Civic Center Commission for a term to begin immediately and expire June 30, 2016.

Councilman Glynn F. Willis made a motion to nominate Ms. Shelanda Deas to serve on the Civic Center Commission. Councilwoman Williams-Blake seconded the motion, which carried unanimously.

Ms. Shelanda Deas was appointed to serve on the Civic Center Commission for a term to begin immediately and expire June 30, 2016.

City of Florence Design Review Board

Councilwoman Williams-Blake made a motion to reappoint Mr. Cary Andrews to serve on the City of Florence Design Review Board. Councilman Powers seconded the motion, which carried unanimously.

Mr. Cary Andrews was reappointed to serve on the City of Florence Design Review Board for a term to begin immediately and expire June 30, 2016.

Councilman Powers made a motion to reappoint Mr. Gary Brown to serve on the City of Florence Design Review Board. Mayor Pro tem Brand seconded the motion, which carried unanimously.

Mr. Gary Brown was reappointed to serve on the City of Florence Design Review Board for a term to begin immediately and expire June 30, 2016.

Mayor Wukela made a motion to reappoint Mr. Johnny Mashack to serve on the City of Florence Design Review Board. Councilwoman Ervin seconded the motion, which carried unanimously.

Mr. Johnny Mashack was reappointed to serve on the City of Florence Design Review Board for a term to begin immediately and expire June 30, 2016.

City of Florence Planning Commission

Councilman Robinson made a motion to reappoint Mr. Ronald Moore to serve on the City of Florence Planning Commission. Councilman Willis seconded the motion, which carried unanimously.

Mr. Ronald Moore was reappointed to serve on the City of Florence Planning Commission for a term to begin immediately and expire June 30, 2015.

Mayor Pro tem Brand made a motion to nominate Mr. Charles Howard Jr. to serve on the City of Florence Planning Commission. Councilman Powers seconded the motion, which carried unanimously.

Mr. Charles Howard, Jr. was appointed to serve on the City of Florence Planning Commission for a term to begin immediately and expire June 30, 2015.

Councilman Willis made a motion to reappoint Mr. Derrick Owens to serve on the City of Florence Planning Commission. Mayor Pro tem Brand seconded the motion, which carried unanimously.

Mr. Derrick Owens was reappointed to serve on the City of Florence Planning Commission for a term to begin immediately and expire June 30, 2015.

City of Florence Board of Zoning Appeals

Councilwoman Williams-Blake made a motion to reappoint Mrs. Kathryn Wilcox to serve on the City of Florence Zoning Board of Appeals. Mayor Pro tem Brand seconded the motion, which carried unanimously.

Mrs. Kathryn Wilcox was reappointed to serve on the City of Florence Zoning Board of Appeals for a term to begin immediately and expire June 30, 2015.

Parks & Beautification Commission

Mayor Wukela made a motion to nominate Ms. Vanessa P. Murray to serve on the Parks and Beautification Commission. Councilwoman Ervin seconded the motion, which carried unanimously.

Ms. Vanessa P. Murray was appointed to serve on the Parks and Beautification Commission for a term to begin immediately and expire June 30, 2017.

Councilwoman Ervin made a motion to nominate Mr. Robert V. Gabriel to serve on the Parks and Beautification Commission. Mayor Wukela seconded the motion, which carried unanimously.

Mr. Robert V. Gabriel was appointed to serve on the Parks and Beautification Commission for a term to begin immediately and expire June 30, 2015.

Mayor Pro tem Brand made a motion to nominate Mr. Tallon R. Temple to serve on the Parks and Beautification Commission. Councilwoman Ervin seconded the motion, which carried unanimously.

Mr. Tallon Temple was appointed to serve on the Parks and Beautification Commission for a term to begin immediately and expire June 30, 2014.

Pee Dee Regional Airport Authority

Councilman Willis made a motion to nominate Mr. Norwood Bonnoit to serve on the Pee Dee Regional Airport Authority. Councilman Powers seconded the motion, which carried unanimously.

Mr. Norwood Bonnoit was appointed to serve on the Pee Dee Regional Airport Authority, pending confirmation by Governor Nikki Haley. This term will expire June 30, 2016.

Appointment by Mayor Wukela to the Housing Authority Board.

Mayor Wukela appointed Ms. Ge'Aneshiah Q. Frost to serve on the Housing Authority Board. This appointment will begin immediately and expire June 30, 2017.

EXECUTIVE SESSION

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

Council entered into Executive Session at 2:17 p.m.

Mayor Wukela reconvened the regular meeting at 3:20 p.m.

Mayor Wukela stated that Council had received legal advice regarding an economic matter and no action was requested or taken.

REGULAR MEETING OF FLORENCE CITY COUNCIL
JULY 9, 2012 – PAGE 7

ADJOURN

Councilman Willis made a motion to adjourn the regular meeting. Mayor Pro tem Brand seconded the motion, which carried unanimously.

The meeting was adjourned at 3:21 p.m.

Dated this 13th day of August, 2012.

Dianne M. Rowan, Municipal Clerk

Stephen J. Wukela, Mayor

FLORENCE CITY COUNCIL MEETING

DATE: May14, 2012

AGENDA ITEM: Introduction of Ordinances

DEPARTMENT/DIVISION: City Council – Sponsor – Councilman Glynn Willis

I. ISSUE UNDER CONSIDERATION:

An ordinance to regulate the posting, notification requirements and fees associated with towing of a vehicle from private property.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

1. The City of Florence currently has an ordinance which regulates wrecker service and storage charges for vehicles which are removed from public property by the City of Florence.
2. The City of Florence does not regulate the towing of vehicles from private property within the municipal limits of the City.
3. This is the initial consideration of the proposed ordinance.

III. POINTS TO CONSIDER:


1. Within the City there are no regulations regarding the towing of vehicles from private property. Therefore, reasonable notification, information or security may not be provided to the owner of a vehicle. Due to this lack of information an owner may believe his vehicle has been stolen and the Police Department is unable to assist the owner.
2. A large number of vehicle owners who have had a vehicle towed believe that they have been subjected to unfair business practices in the form of price gouging and other restrictions when they attempt to reclaim their vehicle.
3. Some examples of why a vehicle may be towed from private property are noted below: 1) a particular business parking lot is full and therefore the business patron(s) use a parking lot on an adjacent property; 2) an owner parks a vehicle in an attempt to sell the vehicle; 3) a vehicle has experienced a mechanical failure; or 4) a vehicle is left overnight at a business location but is not removed within a short period of time.
4. Reasonable signage or posting of property would resolve most issues regarding unauthorized parking on private property. The City may also adopt rules to insure that market rates are charged for the service provided.

IV. STAFF RECOMMENDATION:

Staff recognizes the issues associated with private property towing and would recommend adoption of the proposed Ordinance.

V. ATTACHMENTS

Copy of the proposed ordinance.



Andrew H. Griffin
City Manager

ORDINANCE NO. 2012- _____

AN ORDINANCE TO REVISE CHAPTER 20 OF THE CITY CODE BY ESTABLISHING AN ORDINANCE WHICH REGULATES THE TOWING OF VEHICLES FROM PRIVATE PROPERTY WITHIN THE MUNICIPAL LIMITS OF THE CITY OF FLORENCE.

WHEREAS, the City Council recognizes and acknowledges that there are no local regulations regarding the posting of signs or other notification procedures informing owners of towed vehicles as to their status, contact or location information or fees assessed for towing and storage; and

WHEREAS, it has been brought to the attention of City Council that a number of residents of the City believe they have been subjected to unfair business practices as it relates to the towing of their vehicles from property as well as fees charged for the act of towing and storage of their vehicle; and

WHEREAS, it is also recognized by the City that owners of towed vehicles because they believe that their vehicle has been stolen call the City's Police Department which often creates confusion and wasted manpower of City Police personnel; and

WHEREAS, it is reasonable to assert that the reasonable posting of property which would include contact information and notification to the Florence Police Department would assist in clarifying the issues regarding the towing of vehicles from private property for both the vehicle owner and the property owner.

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

Sec. 20-103. Towing from private property.

- (a) It shall be unlawful to remove any motor vehicle from private property without authorization from the owner of the motor vehicle, except for the following circumstances:
- (1) The property owner has appropriate signage which clearly states parking is prohibited. Signs shall be at least (3) square feet; and
 - (2) The posted signs contain a legible warning that violators' vehicles will be towed at the owner's expense and said sign shall also include a telephone number to call for the release information regarding the towed vehicle; and
 - (3) The posted signs were in place, clearly visible and legible to a driver approaching the private property where parking is prohibited/restricted at the time the vehicle was parked/
- (b) The owner of the vehicle towed from private property shall be responsible for paying all applicable towing and storage charges provided that the private property owner has complied with all requirements contained in subsection (a) above and (d) below.
- (c) If a vehicle is towed as a result of the property owner's request and the property owner has not complied with the requirements of subsection (a) above or (d) below, or if the vehicle is shown to have been legally parked at the time it was towed, the property owner shall be guilty of an offense punishable by a maximum fine of \$200.00 or sentenced to thirty (30) days imprisonment, and, in addition, shall, in the discretion of the municipal judge pursuant of §14-25-75 of the South Carolina Code of Laws, be responsible for reimbursement of towing and storage charges paid by the vehicle owner.
- (d) Before towing a vehicle from private property without authorization from the vehicle owner, the wrecker service operator shall first obtain from the property owner or their agent of record written authorization for the towing which shall set forth the name and original signature of the property owner or agent; the address from which the motor vehicle is to be towed; the reason for the removal; and the year, make, model, vehicle identification number, and license plate state and number of motor vehicle being towed. Any wrecker service removing a motor vehicle from private property without the consent of the owner of the

vehicle shall, within 30 minutes of the removal, deliver the report of the tow to the Florence Police Department (FPD). This delivery of the report shall either be done via e-mail to fdpcommunications@cityofflorence.com , by facsimile to (843) 676-8851, or by delivering it by hand to the FPD Telecommunications Desk at 180 N. Irby Street, City/County Complex. The report to the FPD must include a copy of the written authorization referenced in (d) above as well as the location where the motor vehicle may be claimed by its owner. The wrecker service may only tow to a storage area or garage located within the City of Florence or no more than five (5) road miles (shortage distance) as measured from the existing municipal limit boundary of the City of Florence. The business operations office and storage facility for the wrecker service must be located at the same physical location.

- (e) A private property owner may authorize persons as their agent of record to request towing of vehicles from their property pursuant to this article by sending a letter to the Florence Police Department giving authority to said person(s) and detailing the person's name, address and any contact information determined necessary by the Police Department.
- (f) It shall be unlawful for any towing business/towing operator to financially reward any property owner or agent of record and also for any property owner or agent of record to accept any financial reward from any towing business/towing operator.
- (g) When a vehicle is towed without owner authorization or a person lawfully in possession of the vehicle (hereinafter, the vehicle owner), the following fees shall be the maximum allowable charges by any wrecker operator or company and no other fees or charges of any kind shall be required by the vehicle owner in order to recover the vehicle.

Class A Wrecker/Car Carrier:

Towing - (per tow) \$135.00 flat fee to include dollies and Go-Jacks.

Storage – (after first 24 hours), per 24 hours: \$20.00

No Tow – shall be 50% of the towing fee

Vehicle release – (between 6PM and 7AM only), per release: \$35.00

Class D Wrecker:

Towing – (per tow) \$150.00 flat fee to include dollies and Go-Jacks.

Storage (after first 24 hours), per 24 hours: \$30.00.

No tow – shall be 50% of the towing fee.

Vehicle release (between 6PM and 7AM only), per release: \$35.00.

The city manager shall upon the recommendation of the chief of police cause a review of the above fees. Based upon review by the city manager shall cause the fees to be adjusted for those services noted above.

If a vehicle owner returns to reclaim his/her vehicle while the tow truck is on the scene, but prior to the vehicle being connected to the tow truck, the tow truck operator may charge no more than the “no tow” fee to release the vehicle. If the vehicle owner refuses or is unable to pay the no tow fee, the tow truck operator may tow the vehicle. If the vehicle is completely connected or on the “rollback” of the tow truck when the vehicle owner returns to reclaim the vehicle, the tow truck operator shall disconnect the vehicle and return it to the vehicle owner upon payment of no more than the maximum towing charge listed above. If the owner refuses or is unable to pay the towing fee, the vehicle may be towed.

- (h) A wrecker service operator is not required to return the vehicle to the person after the company’s normal business hours, per state law [S.C. Code, §] 56-5-2525. Should the operator elect to provide for after hour requests, no additional fee or charge is allowed other than those established in [subsection] (D) above.
- (i) The wrecker service shall post a copy of the ordinance at business locations outlining the service provider’s obligations and duties. Any wrecker service located within the city limits or holding a city business license shall be required to post the city prepared ordinance in a conspicuous location. It shall be unlawful to intentionally or negligently fail to post or alter or obscure the ordinance in any way.
- (j) The Chief of Police is the principle person responsible for the administration of this ordinance. It is also the responsibility of the Chief of Police to inform the business license department of any suspected unfair business practices as it relates to this ordinance.
- (k) As to private towing and law enforcement towing, the tow truck operator will permit the vehicle owner to remove at all times health and human care related

devices such as, but not limited to, car seats, strollers, walkers, crutches and the like, medications, prescriptions, personal handbags, and personal and identity papers from the vehicle without charge and without regard to any towing or storage charge owed on the vehicle. If the tow truck operator has removed this personal property from the vehicle, he will return it to the vehicle owner when requested without charge and without regard to any towing or storage charge owed on the vehicle.

- (l) Any towing owner/operator who violates any provision of this Section of this chapter shall be deemed guilty of an offense and shall be subject to punishment under Florence code Sec. 20-102.

ADOPTED THIS _____ DAY OF _____, 2012.

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: July 9, 2012

AGENDA ITEM: Ordinance
First Reading

DEPARTMENT/DIVISION: Department of Planning, Research & Development

I. ISSUE UNDER CONSIDERATION:

Request to rezone 680 W. Darlington St., Tax Map 90073-08-003 (0.69 acres), from B-6 Industrial District to B-3 General Commercial District. The request is being made by the owners.

II. POINTS TO CONSIDER:

- (1) Adjacent land uses, on the same side of the street, are zoned B-3 General Commercial.
- (2) The future land use map of the Florence 2010 Comprehensive Plan designates the subject property as Neighborhood Conservation.
- (3) 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.
- (4) The requested B-3 zoning permits a higher intensity of commercial uses which is permitted on adjacent lots. The current or proposed use of the site does not compromise or infringe on the prevailing character of the neighborhood and the adjacent commercial and industrial uses.
- (5) The adjacent land on the south side of W. Darlington St. was rezoned from B-6 to B-3 in the mid 1990's (Ordinance 1995-44 & 1998-13).
- (6) The expansion of commercial land uses into residential zones may consequently impact the prevailing residential character of a neighborhood. This application for rezoning does not expand commercial land use; it is already confined by existing commercial zoning districts. As well, the current list of permitted uses in B-6 may create greater land use conflicts with the adjacent commercial zoning districts and nearby residential zones.
- (7) A public hearing was held at the June 12, 2012 Planning Commission meeting. One of the subject property owners was present to voice their support for the rezoning request.
- (8) Staff recommended the request to rezone from B-6 Industrial to B-3 General Commercial.
- (9) Planning Commission members voted 8-0 to recommend the rezoning.

III. CURRENT STATUS/PREVIOUS ACTION TAKEN:

(1) No previous action has been taken by City Council on this request.

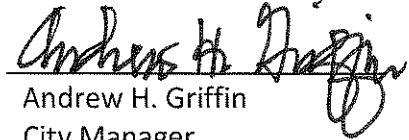
IV. ATTACHMENTS:

(1) Ordinance and map showing the location of the property.



Phillip M. Lookadoo, AICP

Planning, Research, & Development Director



Andrew H. Griffin

City Manager

Aerial Location Map



Urban Planning &
Development Department

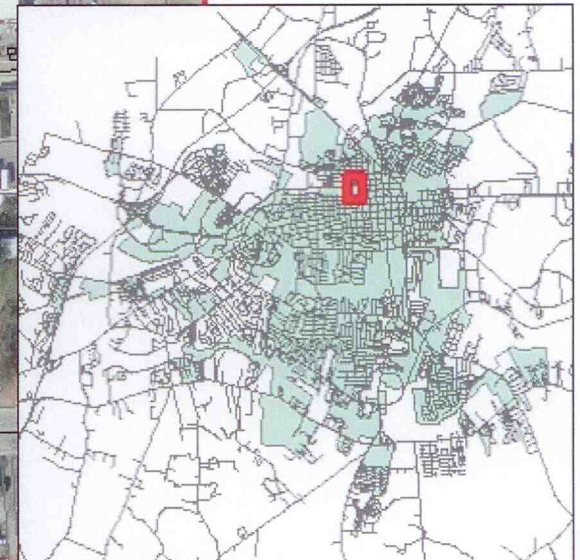


Legend

- Zoning Request
- Parcels
- Road Segment

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.



ORDINANCE NO. 2012_____

AN ORDINANCE TO REZONE 680 WEST DARLINGTON STREET FROM B-6 INDUSTRIAL DISTRICT TO B-3 GENERAL COMMERCIAL DISTRICT.

WHEREAS, a Public Hearing was held in Room 603 of the City-County Complex on June 12, 2012 at 6:30 P.M. before the City of Florence Planning Commission and notice of said hearing was duly given;

WHEREAS, an application by George Wilds, Roger Moore, and Randolph Tiller, owners of 680 W. Darlington St. was presented requesting an amendment to the City of Florence Zoning Atlas that the aforesaid properties be rezoned to a B-3 General Commercial District classification:

The properties requesting annexation are shown more specifically on Florence County Tax Map 90073, block 08, parcel 003. (0.69 Acres)

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 Atlas of the City of Florence and rezoning the aforesaid properties to B-3, General Commercial 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 _____, 2012

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela,
Mayor

Attest:

Dianne Rowan
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: August 13, 2012
AGENDA ITEM: Ordinance – First Reading
DEPARTMENT: Finance

I. ISSUE UNDER CONSIDERATION

An Ordinance granting South Carolina Telecommunications Group Holdings LLC (SCTG Holdings LLC), d/b/a Spirit Communications, a company doing business in South Carolina and having an office in Columbia, SC, the non-exclusive right to construct and maintain fiber optic cable in public rights-of-way and to use those facilities to render telecommunication services to its customers within the City of Florence.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

- A. Palmetto Net Inc., Spirit's predecessor, and now Spirit's wholesale entity, was created in 1985 as a "Carrier's Carrier" providing for a telecommunications access alternative.
- B. Palmetto Net, Inc. currently has a franchise and consent agreement with the City of Florence for a fiber optic cable constructed along public rights-of-way in the City of Florence. This long distance carrier line provides no local telephone service to the City of Florence.

III. POINTS TO CONSIDER

- A. Spirit Communications has requested that the City of Florence grant a non-exclusive franchise and consent authorizing the company to place fiber optic cable along public rights-of-way within the City limits, beginning in September of 2012 including construction of approximately 18 miles of metro-fiber facilities in downtown Florence and the surrounding area. Spirit Communications plans to provide services within in the City of Florence.
- B. The following network segments represent the proposed installation routes: (a) approximately 3.7 miles along North Cashua and West Darlington streets; (b) approximately four (4) miles along 2nd Loop Rd; (c) approximately 2.4 miles along West Hoffmeyer Road; (d) approximately 1.7 miles along West Palmetto Street; (e) approximately 4.5 miles along Highway 52/301 south of town; and (f) several short segments that will tie-in to existing fiber along Highway 76/301 running east of town. Each of these routes is illustrated in the attached installation route map.
- C. Payment for consent to use the public right-of-way will be in the form of an annual fee of \$1,000 per year, as provided by State law.
- D. This franchise and consent agreement constitutes a contract between the City of Florence, SC and Spirit Communications for a period of ten (10) years and shall continue in force each year thereafter until properly terminated by either party.

IV. STAFF RECOMMENDATION

Approval and adoption of the proposed ordinance.

V. ATTACHMENTS

Franchise and Consent Agreement Ordinance; letter of request by Spirit Communications; and an installation route map.


Thomas W. Chandler
Finance Director


Andrew H. Griffin
City Manager

ORDINANCE NO. _____ - 2012

AN ORDINANCE TO GRANT TO SOUTH CAROLINA TELECOMMUNICATIONS GROUP HOLDINGS LLC (SCTG HOLDINGS LLC), D/B/A SPIRIT COMMUNICATIONS, ITS SUCCESSORS AND ASSIGNS, THE RIGHT, POWER, AND AUTHORITY TO CONSTRUCT, INSTALL, MAINTAIN, AND OPERATE IN, OVER, UPON AND UNDER THE STREETS AND PUBLIC PLACES OF THE CITY OF FLORENCE, ITS LINES, POLES, WIRES, CABLES, AND OTHER TELECOMMUNICATIONS FACILITIES TO RENDER TELECOMMUNICATIONS SERVICE TO ITS CUSTOMERS IN THE CORPORATE LIMITS OF THE CITY OF FLORENCE FOR SUCH PERIOD AS PROVIDED HEREIN; AND TO PROVIDE FOR THE PAYMENT OF COMPENSATION FOR THE USE OF THE STREETS AND PUBLIC PLACES

WHEREAS, South Carolina Telecommunications Group Holdings LLC (SCTG Holdings LLC), d/b/a Spirit Communications ("Spirit") has requested consent of the City of Florence to use the streets and public places of the City to construct, maintain, and operate its facilities for use in providing telecommunications services to its customers within the municipality for its own business purposes and profit; and

WHEREAS, other telecommunications providers either have or are likely to seek a similar consent; and

WHEREAS, it is the policy of the City to permit such entry into to the corporate limits and such use of the streets and public places for the provision of telecommunication services, subject to the duty and authority of the City to manage its streets, public property and rights-of-way, and to require fair and reasonable compensation from telecommunications providers for the use thereof on a competitively neutral and nondiscriminatory basis and to publicly disclose the amount of compensation;

NOW, THEREFORE BE IT ORDAINED by the Mayor and Council of the City of Florence in Council that:

Section 1: As used in this ordinance, the word "Company" means Spirit Communications, a corporation organized and existing under the laws of the State of South Carolina and duly authorized to do business in South Carolina, its successors and assigns.

Section 2: As used in this ordinance, the word "Municipality" means the City of Florence, South Carolina.

Section 3: As used in this ordinance, the term "Telecommunications Services" has the meaning and definition given to that same term by S.C. Code Ann. Section 58-9-220 (1) (1999); provided, however, for purposes of this ordinance, the term "Telecommunications Services" does not include cable television. Cable television services may only be provided in the municipal limits pursuant to a separate franchise pursuant to 42 USC 542.

Section 4: The non-exclusive right, power and authority is hereby granted and vested in the Company to construct, maintain, and operate in, over, under, and upon the streets, alleys, bridges, rights-of-way and other public places of the Municipality, its lines, poles, wires, cables, and other telecommunications facilities and to use those facilities to render Telecommunication Services to its customers within the corporate limits of the Municipality.

Section 5: Prior to the commencement or continuation of any construction or operation in the corporate limits of the Municipality, the Company shall be duly authorized to do business in South

Carolina and shall have received any necessary certificate of public convenience and necessity or other required authority from the South Carolina Public Service Commission or the Federal Energy Regulatory Commission. Evidence that such authority has been acquired or that it is not required will be filed with the Municipality.

Section 6: All work upon the streets and public places of the Municipality shall be in accordance with all applicable standards, codes, and ordinances, and will be done under the general supervision of the Mayor and Council of the Municipality. All new construction will, wherever practicable, be placed underground, and in no event will service lines/cables be placed above ground if other existing service lines/cables in that area are underground. Any necessary aboveground construction will, wherever practicable, utilize existing utility poles. No street, alley, bridge, right-of-way or other public place used by the Company shall be obstructed longer than necessary during its work of construction or repair, and shall be restored to the same good order and condition as when said work was commenced. No part of any street, alley, bridge, right-of-way, or other public place of the Municipality, including any public drain, sewer, catch basin, water pipe, pavement or other public improvement, shall be damaged. However, should any such damage occur, the Company shall repair the same as promptly as possible, and, in default thereof, the Municipality may make such repairs and charge the reasonable cost thereof to and collect the same from the Company. The Company shall save the Municipality harmless from all liability or damage (including judgments, decrees, court costs, and defense costs) arising out of the Company's operations within the corporate limits of the Municipality, the exercise of the privileges granted to the Company by this ordinance, or the acts or omissions of the Company's employees, contractors, or agents.

Section 7: In consideration of the grant of authority to utilize the streets and public places of the Municipality for the provision of Telecommunication Services, and in accordance with applicable laws and ordinances, the Company shall pay such franchise fees, business license taxes, and administrative fees as are presently permitted by Article 20 of Chapter 9 of Title 58 of the 1976 Code of Laws of South Carolina, as enacted in 1999, and as may be enacted and imposed by the Municipality. The Company shall also pay all such ad valorem taxes, service fees, sales taxes, or other taxes and fees as may now or hereafter be lawfully imposed on other businesses within the Municipality. Provided, however, that in the event that Article 20 of Chapter 9 of Title 58 of the 1976 Code of Laws of South Carolina, as enacted in 1999, or other laws governing franchise fees, business license taxes and/or other fees with respect to Telecommunication Services shall be substantially modified by subsequent legislation or court decision, the provisions herein contained shall be brought into conformity with the changes in the applicable law by appropriate amendment to this ordinance. If the limitations on the amount of franchise fees, administrative fees, and business license taxes on providers of Retail Telecommunications Services presently contained in said statute shall be removed or modified, the Municipality will be free, by amendment to this ordinance, to impose such fair, reasonable, competitively neutral, and non-discriminatory fees and taxes as may then be permitted by that statute or by such applicable South Carolina and federal law as may then govern.

Section 8: Except as specifically provided herein, or otherwise mandated by law, the privilege granted to the Company by this ordinance does not exempt or excuse the Company from the police power and all other municipal authority and laws including, but not limited to, those relating to zoning, permitting, traffic control, construction and excavation, planning, aesthetics, and the environment.

Section 9: The non-exclusive franchise and consent granted by this ordinance shall be in force and effect for an initial term of ten (10) years, and shall continue in force and effect thereafter until properly terminated by either party. Either party may terminate the contract at the end of its initial ten-year term, or at any time thereafter, by giving written notice of its intention to do so no less than two (2) years before the proposed date of termination. It is understood and agreed that the decision of whether to

renew or to terminate this franchise pursuant to this Section shall be made by those elected officials then in office under such circumstances as may then obtain, and that the Company has no reasonable expectation of renewal or non-termination.

Section 10: This franchise and consent ordinance is subject to the constitution and laws of the State of South Carolina. In conforming this ordinance to the requirements of S.C. Code Ann. Section 58-9-2200 et. seq. as enacted by the General Assembly of South Carolina in 1999, the Municipality does not concede or imply that the General Assembly has the authority to restrict by general law the powers denied to the General Assembly and reserved to the municipalities of South Carolina by Article VIII Section 15 of the Constitution of South Carolina.

ADOPTED THIS _____ DAY OF _____, 2012.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela
Mayor

Attest:

Dianne Rowan
Municipal Clerk



July 19th, 2012

Mr. Andrew H. Griffin
City of Florence
City Manager
City County Complex AA
Florence, South Carolina 29501

Via Certified Mail and e-mail at dgriffin@cityofflorence.com

Subject: City of Florence Franchise and Consent Agreement with Spirit Communications

Dear Mr. Griffin:

I'm writing to you requesting that a Franchise and Consent Agreement be executed between the City of Florence and South Carolina Telecommunications Group Holdings LLC (SCTG Holdings LLC), d/b/a Spirit Communications ("Spirit"). This request is being made pursuant to Section 58-9-2230 of the 1976 South Carolina Code of Laws, as amended, pertaining to public rights-of-way franchise and consent agreements for telecommunications services.

PalmettoNet Inc., Spirit's predecessor, is now Spirit's wholesale entity, created in 1985 as a "Carrier's Carrier" providing our member owners an access alternative to AT&T, the primary Local Exchange Company at the time. As you are aware, PalmettoNet currently has a franchise and consent agreement with the City of Florence for a fiber optic cable constructed along public rights-of-way in the City of Florence. As a carrier's carrier, PalmettoNet currently provides no local telephone service to the City of Florence.

Spirit Communications would like to provide business services within the City of Florence. As a telecommunications company, our core business is providing Long Distance, Local, Internet, Private Line, and Metro Ethernet services to carrier customers, enterprise customers, and other small-to-medium sized commercial businesses. We currently have franchises and similar business interests in other areas of South Carolina, North Carolina, and Georgia.

Spirit's proposed network in Florence will be a combination of underground fiber deployment and/or aerial fiber deployment subject to inventory, route availability, and any City restrictions. Specifically, Spirit is proposing to place fiber optic cables along certain public rights-of-way beginning in September of 2012 including construction of approximately 18 miles of metro-fiber facilities in downtown Florence and the surrounding area. The proposed plans are comprised of the following network segments, subject to modification pending discussions with the City of Florence's engineering/planning organization; (i) approximately 3.7 miles along North Cashua and West Darlington

Streets, (ii) approximately four (4) miles along 2nd Loop Road, (iii) approximately 2.4 miles along West Hoffmeyer Road, (iv) approximately 1.7 miles along West Palmetto Street, (v) approximately 4.5 miles along Highway 52/301 south of town, and (vi) several short segments that will tie-in to existing fiber along Highway 76/301 running east of town. Each of these routes is described in more particularity on the attached illustration.

Spirit's plans for this project and the construction specifications will adhere to all South Carolina Department of Transportation and City of Florence policies, procedures, as well as state and local statutory requirements.

Please review the described routes on the attached map, and let me know if you have any questions or special concerns regarding the approval and execution of a Franchise Agreement with Spirit. Given that September is just around the corner, I'm more than willing to attend Florence's City Council meetings to discuss our intentions and to answer any questions the Council may have. Thank you for your time and assistance. I look forward to working with you on this project, and please don't hesitate to contact me at your earliest convenience.

Sincerely,



Michael D. Baldwin

Senior Counsel, Business & Legal Affairs
Spirit Communications
1500 Hampton Street
Columbia, SC 29201
803-726-4053
mike.baldwin@spiritecom.com

Cc: Mr. James W. Peterson, Jr., City Attorney, jpeterson@cjpmlaw.com
Mr. Thomas W. Chandler, Finance Director, tchandler@cityofflorence.com

Legend

Florence New Const

PNet Fiber Route

Florence City Limits

Road



VII. b.
Bill No. 2012-27
First Reading

FLORENCE CITY COUNCIL MEETING

DATE: August 13, 2012

AGENDA ITEM: Introduction of Ordinances

DEPARTMENT/DIVISION: City Manager/Public Works/Utilities

ISSUE UNDER CONSIDERATION:

An ordinance to declare Lot 4, Queensferry Subdivision located within the city limits of the City of Florence surplus and to authorize the sale of said property.

CURRENT STATUS/PREVIOUS ACTION TAKEN:

1. During a previous City Council meeting information was provided to City Council regarding the possible sale or trade of property owned by the City for a parcel of land located on Sanborn Street shown as Tax Map 90-073, Block 11, Parcel 009.
2. The City Manger was directed to contact the owner of the property on Sanborn Street and discuss the possible sale or trade of the properties in question.
3. This is the initial request to consider an ordinance declaring Lot 4, Queensferry Subdivision surplus and authorizing its sale or trade of property located on Sanborn Street.

POINTS TO CONSIDER:

1. The property known as Lot 4, Queensferry Subdivision was purchased by the City in order to obtain an easement necessary to locate an outfall pipe as part of a stormwater project. At the time of the project the owner of the parcel stated that we would have to condemn the property even though all other effected property owners had agreed to the easement.
2. At the time of conveyance the City would maintain a stormwater easement in the same manner as adjacent properties.
3. The Sanborn Street property would be combined with other City owned property associated with the City's Park and Recreation facility located on Barnes and Sanborn Streets.
4. The appraised differential in value between the two properties is \$14,000 (Lot 4 = \$44,000 and Tax Map 90-073-11-009 = \$30,000). The owner of the Sanborn property


would transfer ownership of the parcel located on Sanborn Street and pay to the City the appraised price differential in exchange for Lot 4, Queensferry Subdivision.

STAFF RECOMMENDATION:

Staff recommends the adoption of the proposed ordinance.

ATTACHMENTS:

1. Copy of letter and map from Fowler Appraisal Company for Lot 4, Queensferry Subdivision.
2. Copy of letter and map from Fowler Appraisal Company for Tax Map 90-073-11-009.
3. Copy of proposed Ordinance declaring the property surplus and authorizing the sale of the parcel known as Lot 4, Queensferry Subdivision.


Andrew H. Griffin
City Manager

**FOWLER
APPRAISAL
COMPANY**

REAL ESTATE APPRAISERS AND CONSULTANTS

ANDREW H. FOWLER, MAI
ERNEST R. ENGLISH, JR., SRA
JULIAN W. GRAHAM, SRA.
GLORIA R. "TONI" ADAMS

July 9, 2012

Mr. Drew Griffin
City Manager
City of Florence
180 North Irby Street
Florence, South Carolina 29501

Dear Mr. Griffin:

At the request of Joseph G. Jebaily I have inspected the property in the name of City of Florence and identified as Lot 4, Queensferry Subdivision in the city limits of Florence. The site contains approximately 20,166 square feet or .46 of an acre and is unimproved.

The purpose of the inspection was to gather information necessary for the preparation of a reliable estimate of the Market Value of the fee simple interest in the property, as of July 2, 2012. The appraisal is communicated through a Restricted Appraisal Report that, in my opinion, conforms to the requirements outlined in the 2012-13 Edition of the Uniform Standards of Professional Appraisal Practice.

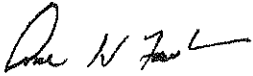
I have not been provided with an environmental study of the subject site. I assume that the site is environmentally clean and free of hazardous materials. Should this not be the case my value estimate could be affected.

I certify that, to the best of my knowledge and belief, the statements and conclusions in this report are thorough and correct. I certify that I have no interest in the property and that neither the employment to make this appraisal nor the compensation received is contingent upon the value reported.

Based on the analysis and data contained in this report, it is my opinion that the Market Value of the fee simple interest in the property, as of July 2, 2012, is:

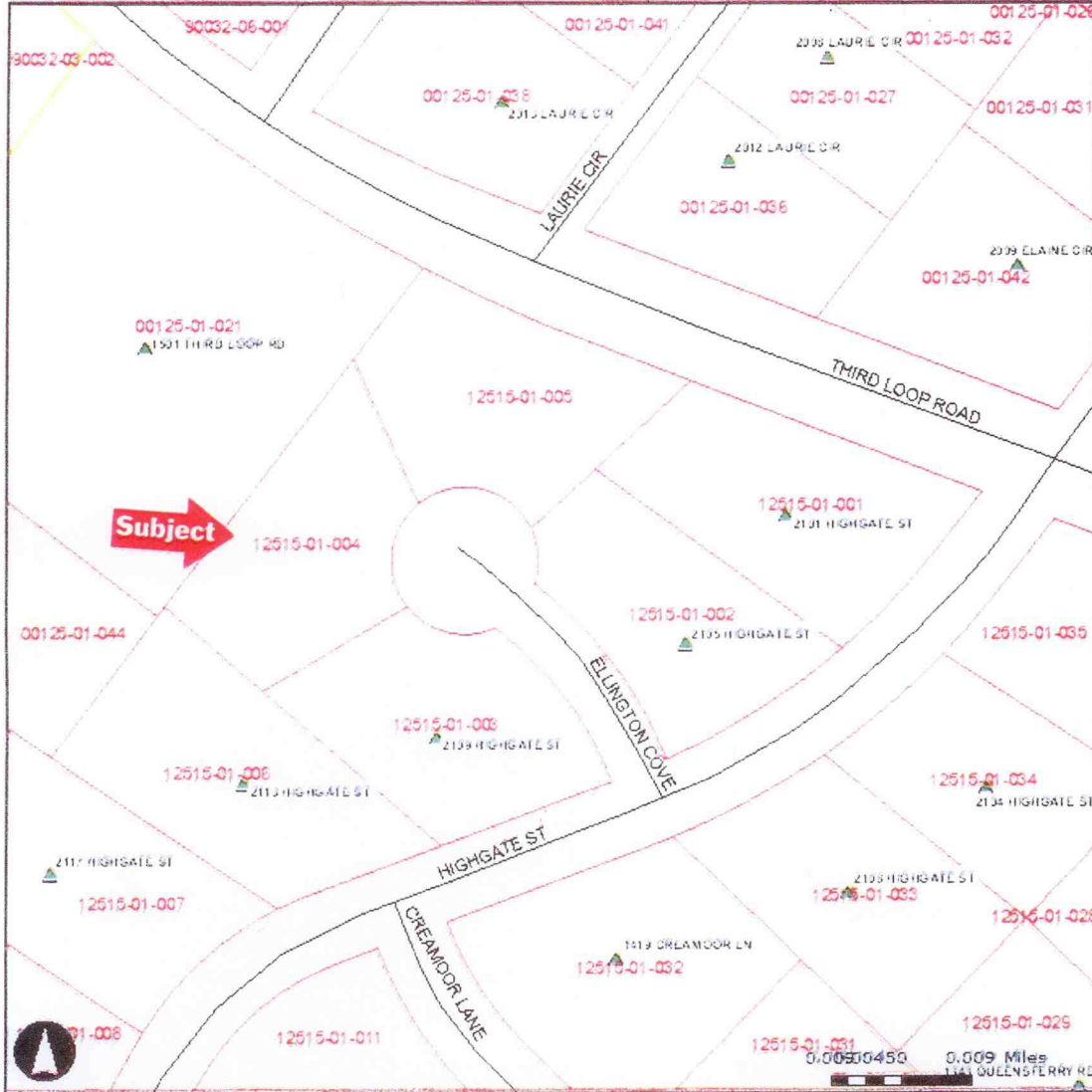
FORTY FOUR THOUSAND DOLLARS
(\$44,000)














Respectfully submitted,



Andrew H. Fowler, MAI
S.C. State Certified General Real Estate Appraiser
Certificate No. CG 220

Map



<ul style="list-style-type: none"> Parcels  Parcels  Address Points - Verified  County Boundary  Major Roads  	<ul style="list-style-type: none"> Major Roads (continued) <ul style="list-style-type: none">  State Primary  NONE  Interstate Roads  Municipalities  	<ul style="list-style-type: none"> Floodway  Parcels  Flood Map Panel 
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Tax Map

**FOWLER
APPRAISAL
COMPANY**

REAL ESTATE APPRAISERS AND CONSULTANTS

ANDREW H. FOWLER, MAI
ERNEST R. ENGLISH, JR., SRA
JULIAN W. GRAHAM, SRA.
GLORIA R. "TONI" ADAMS

July 3, 2012

Mr. Drew Griffin
City Manager
City of Florence
180 North Irby Street
Florence, South Carolina 29501

Dear Mr. Griffin:

At the request of Joseph G. Jebaily I have inspected the property in the name of Jebaily Family Limited Partnership and located on the west side of Sanborn Street in the city limits of Florence. The site contains approximately 11,900 square feet or .27 of an acre and is unimproved.

The purpose of the inspection was to gather information necessary for the preparation of a reliable estimate of the Market Value of the fee simple interest in the property, as of July 2, 2012.

The appraisal is communicated through a Restricted Appraisal Report that, in my opinion, conforms to the requirements outlined in the 2012-13 Edition of the Uniform Standards of Professional Appraisal Practice.

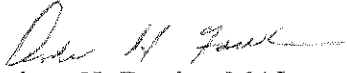
I have not been provided with an environmental study of the subject site. I assume that the site is environmentally clean and free of hazardous materials. Should this not be the case my value estimate could be affected.

I certify that, to the best of my knowledge and belief, the statements and conclusions in this report are thorough and correct. I certify that I have no interest in the property and that neither the employment to make this appraisal nor the compensation received is contingent upon the value reported.

Based on the analysis and data contained in this report, it is my opinion that the Market Value of the fee simple interest in the property, as of July 2, 2012, is:

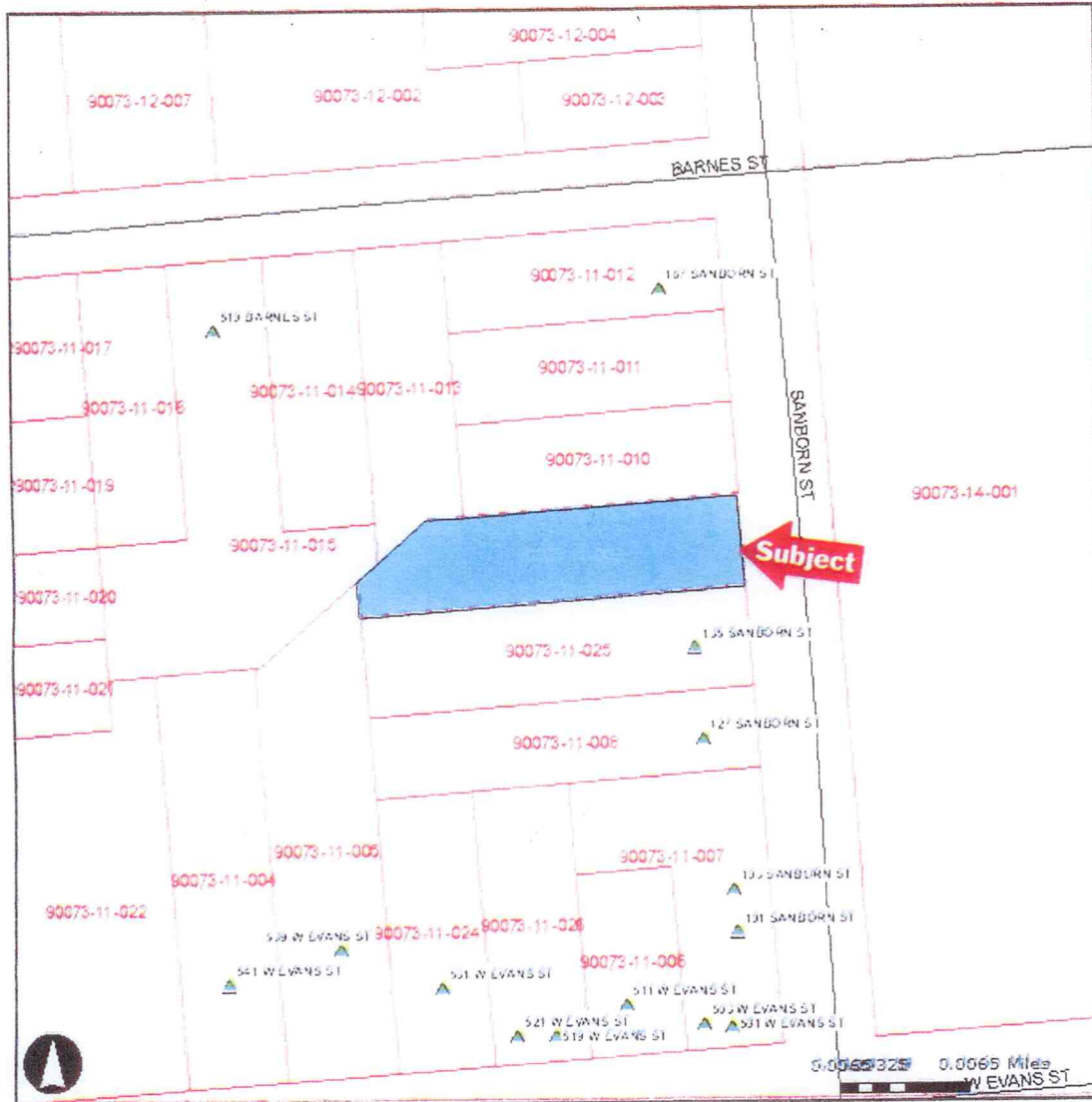
THIRTY THOUSAND DOLLARS
(\$30,000)

Respectfully submitted,



Andrew H. Fowler, MAI
S.C. State Certified General Real Estate Appraiser
Certificate No. CG 220

Map



- | | | |
|--|---|--|
| <ul style="list-style-type: none"> Parcels Address Points - Verified County Boundary Major Roads US | <ul style="list-style-type: none"> Major Roads (continued) State Primary NONE Interstate Roads Municipalities | <ul style="list-style-type: none"> Floodway Parcels Flood Map Panel |
|--|---|--|

ORDINANCE NO. 2012 - _____

AN ORDINANCE AUTHORIZING THE SALE OF LOT 4, QUEENSFERRY SUBDIVISION CONTAINING .46 OF AN ACRE BEING SHOWN ON A MAP PREPARED BY FOWLER APPRAISAL COMPANY AND ON FLORENCE COUNTY TAX ASSESSOR'S OFFICE AS TAX MAP 125-15, BLOCK 01, PAR4CEL 004.

WHEREAS, after due consideration, the City declares the property known as Lot 4, Queensferry Subdivision and shown on a map prepared by Fowler Appraisal Company (Attachment 1) as surplus land to the City and is property that should be sold; and

WHEREAS, the City has had said property appraised and has the opportunity to sell said property for full market value as determined by Fowler Appraisal Company; and

WHEREAS, it is hereby determined that the conveyance of said property is in the best interest and benefit of the citizens of the City of Florence:

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

1. That the Mayor and City Council hereby declares that the property known as Lot 4, Queensferry Subdivision is surplus land conditioned by the City obtaining an easement sufficient to operate and maintain the stormwater outfall pipe located on said property.
2. That pursuant to Section 5-7-260(6) of the South Carolina Code of Ordinances of the City of Florence, the City Manager of the City of Florence is hereby authorized to execute necessary agreements and documentation in order to convey title of the property

known as Lot 4, Queenferry Subdivision for value equal to the appraised value as determined by Fowler Appraisal Company.

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

ADOPTED THIS ____ DAY OF _____, 2012.

Stephen J. Wukela
Mayor

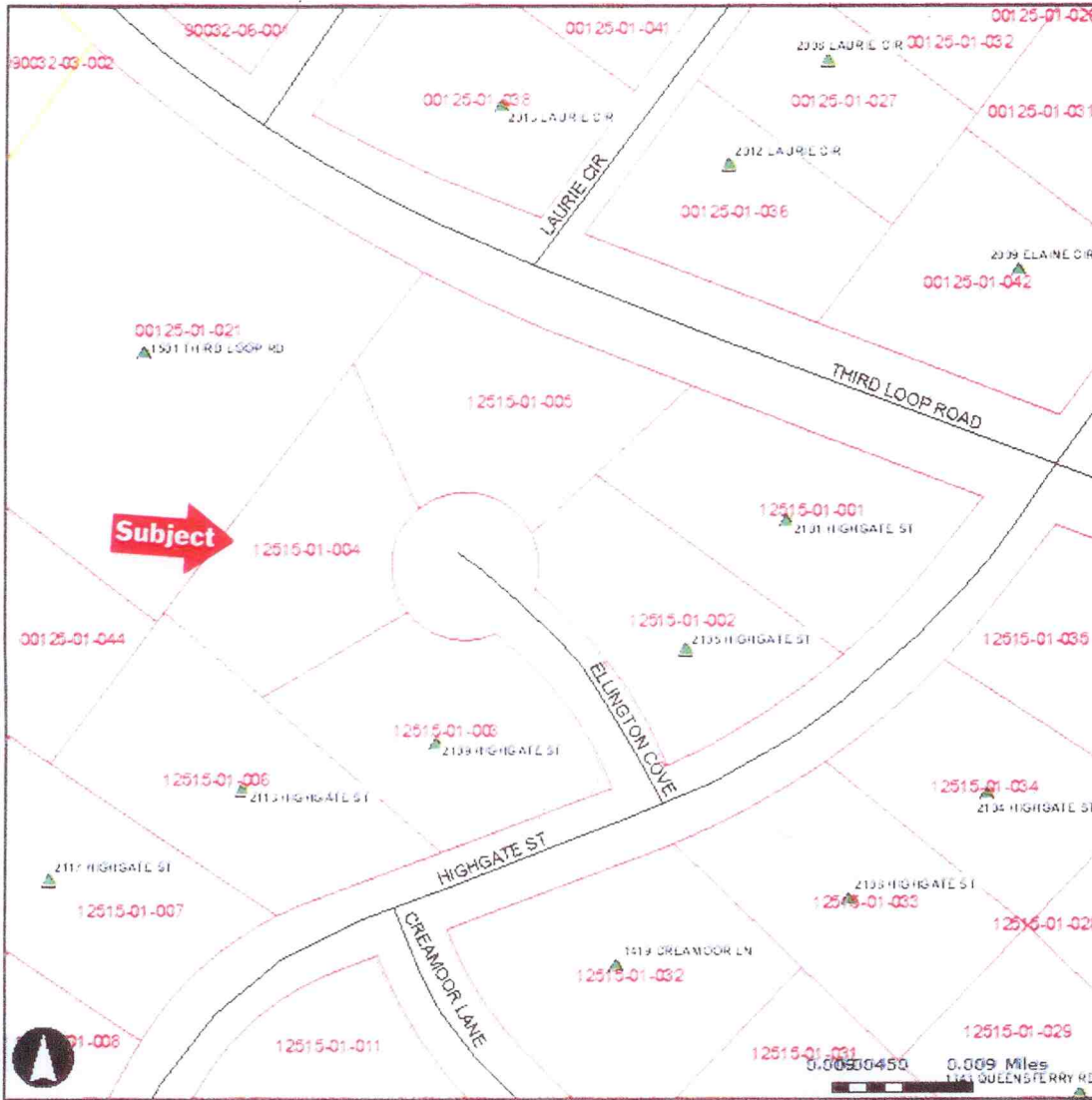
Approved as to form:

Attest:

James W. Peterson Jr.
City Attorney

Dianne M. Rowan
Municipal Clerk

Map



- | | | |
|--|--|---|
| <ul style="list-style-type: none"> Parcels Parcels Address Points - Verified County Boundary Major Roads | <ul style="list-style-type: none"> Major Roads (continued) <ul style="list-style-type: none"> State Primary NONE Interstate Roads Municipalities | <ul style="list-style-type: none"> Floodway Parcels Flood Map Panel |
|--|--|---|

Tax Map

**VIII. a.
Resolution
No. 2012-13**

FLORENCE CITY COUNCIL MEETING

DATE: June 11, 2012

AGENDA ITEM: Introduction of Resolution

DEPARTMENT/DIVISION: Police

I. ISSUE UNDER CONSIDERATION:

Passage of Resolution to bring consistency to Ordinances relating to public property towing and private property towing.

II. PREVIOUS ACTION:

1. City Council adopted a Wrecker Policy on December 15, 1986.
2. Since 1986 City Council has passed three Resolutions that have amended and updated certain sections of the City's wrecker policy and desires to further amend and update the wrecker policy.
3. On May 14, 2012 City Council gave first reading to an Ordinance that revises Chapter 20 of the City Code to regulate the towing of vehicles from private property within the municipal limits of the City of Florence.

III. POINTS TO CONSIDER:

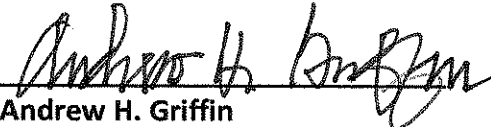
1. This Resolution will establish consistent rates for both public property towing and private property towing to avoid conflict and confusion within the community.

STAFF RECOMMENDATION:

Staff recommends approval of Resolution 2012-14.

ATTACHMENTS:

Resolution No. 2012 – 14
Exhibit A – Wrecker Policy


Andrew H. Griffin
City Manager

RESOLUTION 2012-

A RESOLUTION TO UPDATE THE WRECKER POLICY OF THE CITY OF FLORENCE TO BRING CURRENT THE ORIGINAL POLICY ADOPTED IN 1986 AND TO INCORPORATE ALL CHANGES SINCE THE ORIGINAL RESOLUTION.

WHEREAS, on December 15, 1986, the City Council of the City of Florence adopted a wrecker policy and incorporated by reference Chapter 20 Article III of the code of ordinances of the City of Florence;

WHEREAS, through the years the City Council passed Resolutions 1992-13, 2004-02, and 2009-11 amending and updating certain sections of the City's wrecker policy;

WHEREAS, the City of Florence desires to further amend and update the wrecker policy and to consolidate all previous changes into one complete document;

NOW, THEREFORE, be it resolved by the City Council of Florence, duly assembled, that the Wrecker Policy of the City of Florence be amended to read in its entirety as set out on Exhibit A attached hereto.

AND IT IS SO RESOLVED THIS _____ DAY OF _____, 2012

Approved as to form:

James W. Peterson, Jr., City Attorney

Stephen J. Wukela, Mayor

Attest:

Dianne M. Rowan, Municipal Clerk

Exhibit A

WRECKER POLICY

Section 1. Emergency wrecker services.

The Police Dispatcher shall call any wrecker service having a business license issued by the City requested by the owner of a vehicle damaged or disabled in a street or public place. If no wrecker service is designated by the vehicle owner, the Police Dispatcher shall call the wrecker service as provided in Section 2 and 3 below.

Section 2. Rotation for police-requested towing.

The Chief of Police shall have prepared an alphabetical list of all firms meeting the requirements of this chapter for police-requested towing which shall be used by the Dispatcher for rotation of calls in order. Additions to the list shall be inserted alphabetically. Calls for heavy duty wreckers shall be rotated among those firms having heavy duty equipment without regard to the normal rotation for regular calls. Copies of the Dispatcher's list for the previous month will, for a nominal cost, be made available to the public upon written request within ten (10) days.

Section 3. Eligibility for police-requested towing.

Any firm having a valid business license to operate in the City shall become eligible to participate in the assignment of service calls by the Police Department if it conforms to the rules and requirements established herein. The application of a firm to participate in emergency police towing operations shall be made to the Chief of Police and shall contain the following information:

(a) Name of Firm. Indicate whether owned by individual, corporation, or partnership, list names and addresses of all parties having a financial interest in said towing firm and state number of years business has been established.

(b) Attendants and Drivers. List names and addresses of all attendants and drivers who will conduct the police towing service.

(c) Equipment. Describe available equipment to be used in police towing services, particularly in terms of comparative qualities or capacities as related to minimum eligibility requirements.

(d) **Communications.** Describe the method of operation of the communications system between place of business and operating tow trucks, as well as the means utilized for insuring prompt dispatch of trucks upon receipt of call from the Police Department. All such companies shall maintain a twenty-four hour communication capacity to enable contact if necessary at any time.

(e) **Primary Business Location.** List location of primary business operation, including dimensions and type of facilities available.

(f) **Storage Lot.** List location of storage lot(s), dimensions thereof, relationship to primary business operation, type of protection afforded, and screening and maintenance provided at said lot(s) and provide proof that the lot, if located in the City Limits, complies with applicable zoning regulations.

(g) Provide proof of insurance coverage as specified in Section 5.

Section 4. Minimum standards for equipment.

(a) Every emergency wrecker proposed to be used by an applicant shall be subject to inspection in a manner determined by the Chief of Police and every such wrecker, other than an emergency heavy duty wrecker, shall comply with the following minimum requirements.

- (1) Each wrecker shall be equipped with a power operated winch, winch line and boom, with a factory rated lifting capacity of not less than 8,000 pounds single line capacity.
- (2) Each wrecker shall carry as standard equipment: tow sling, tow bar, towing dollies, safety chains, a fire extinguisher, wrecker bar, broom, shovel, and approved warning devices. Such devices shall include amber flashing warning lights or any additional devices that may be required by state law or state regulations.
- (3) Each wrecker and all of its equipment shall be in a safe and good working condition.
- (4) Each wrecker must have the name, address, and phone number of the wrecker company displayed on both sides of the vehicle.

(b) Every emergency heavy duty wrecker of not less than two and one-half (2 ½) tons in size, shall meet the requirements in subsection (a) of this section, and in addition thereto, shall be equipped with a power operated winch, winch line and boom, with a factory rating lifting capacity of not less than 32,000 pounds, single or double line capacity, and a tow sling.

Section 5. Insurance.

(a) An applicant shall procure and keep in full force and effect a policy of public liability and property damage insurance issued by a casualty insurance company authorized to do business in the state and in the standard form approved by the Insurance Commissioner of the state, with the insured provision of such policy including the City as an insured, and the coverage provision insuring the public from any loss or damage that may arise to any person or property by reason of the operation of an emergency wrecker of such applicant and providing that the amount of recovery on each emergency wrecker shall be in limits of not less than the following sums:

- (1) For damages resulting in bodily injury or death of one (1) person in any one (1) accident, \$250,000.00.
- (2) For any damages arising out of any one occurrence, \$500,000.00.
- (3) For injury to or destruction of property in any one (1) accident, \$25,000.00.

(b) An applicant shall procure liability insurance in the amount of \$100,000 to cover damages arising out of bodily injury or death to persons and in the amount of \$25,000 for damages for injury to or destruction of property caused by vehicles in tow, under possession of, or in control of a wrecker operated and maintained by the applicant.

(c) Every policy mentioned in (a) above shall contain an endorsement providing for 30 days notice to the City in the event of any material change or cancellation of the policy.

(d) The applicant shall also provide proof of the above referenced insurance annually through a certificate of insurance filed with the Police Department.

Section 6. Storage lot requirements.

(a) Lot. The wrecker service shall maintain a safe storage area for all vehicles towed which shall be approved by the Florence Police Department. This may be a locked building or a secured fenced-in area where the stored vehicles and other property shall not be accessible to the public. The owner of any approved storage facility and the wrecker license holder whose wrecker tows a vehicle to an approved storage facility and the wrecker license holder whose wrecker tows a vehicle to an approved storage facility shall be jointly and severally responsible for any damages or losses inflicted to vehicles which have been left at any such approved storage facility; provided however, that the foregoing liability and responsibility shall extend only to damage or losses caused by negligence of said storage facility, said wrecker service license holder, either of their agents, or by improper maintenance of such storage facility. Before any storage facility shall be approved by the Florence Police Department, an affidavit acknowledging the liability and responsibility, shall be executed by the person applying to have the storage facility approved by the Florence Police Department. These approved facilities shall be located within the City Limits or within one (1) mile adjacent to the City Limits. Those storage facilities

located in the City Limits shall have proof of compliance with city zoning regulations. The City of Florence shall assume no liability for storage of the vehicle.

Section 7. Wrecker and storage charges.

(a) When a vehicle is towed by a wrecker service selected under Section 2 and 3 of this Policy, the following fees shall be the maximum allowable charges by any wrecker operator or company and no other fees or charges of any kind shall be required by the vehicle owner in order to recover the vehicle.

(1) Towing by a Class A Wrecker/Car Carrier:

Towing - (per tow) \$135.00 flat fee to include dollies and Go-Jacks.

No Tow - shall be 50% of the towing fee.¹

After Hours Vehicle Release - \$35.00 per release.²

(2) Class D Wrecker:

Towing - (per tow) \$150.00 flat fee to include dollies and Go-Jacks.

No Tow - shall be 50% of the towing fee.³

After Hours Vehicle Release - \$35.00 per release.⁴

In addition to the charges specified above, an additional charge of \$100.00 dollars each may be made if the vehicle is flipped over and must be righted and/or if the vehicle is on a bank or sloping terrain.

(b) When a vehicle is towed by a wrecker service selected under Section 2 and 3 of this Policy, no storage charge shall be assessed for the first 24 hours after the towing. After the first 24 hours, the maximum storage charges on stored and impounded vehicles weighing under

¹ If the owner of such vehicle appears before his vehicle is towed away and makes claim to his vehicle after the wrecker has been ordered to remove such vehicle, the vehicle shall be released to the owner upon settlement with the wrecker service for 50% of the towing fee, provided the owner shall satisfy all charges against the vehicle at police headquarters.

² Normal business hours for wrecker and storage businesses governed by this Policy shall be Monday through Friday from 7:00 a.m. until 6:00 p.m. A wrecker service operator is not required to return a vehicle to an owner after the company's normal business hours pursuant to Section 56-5-2525 of the South Carolina Code of Laws, as amended. Should the operator elect to provide for after hour request to pick up vehicles, the operator may charge no more than the amount specified in Section 7 (a) and (b) above.

³ See Footnote 1 above.

⁴ See Footnote 2 above.

10,000 pounds shall be \$20.00 dollars per day for storage of vehicles and or trailers. After the first 24 hours, the maximum storage charges on stored and impounded vehicles weighing 10,000 pounds or more shall be \$30.00 dollars per day for storage of vehicles and or trailers.

(c) All towing and storage charges will be itemized on an invoice or receipt when the charges are paid. No charges other than the towing or storage charges allowed in Section 7 (a) and (b) above may be made on any vehicle towed by a wrecker service selected under Section 2 and 3 of this Policy without the prior written approval of the owner or his agent.

Section 8. Penalties.

The business license of the owner or operator of any wrecker service who shall violate any of the applicable provisions of this chapter shall be subject to immediate suspension upon written notification by the Chief of Police for a period of up to fifteen (15) days, or permanent suspension by City Council after public hearing, in addition to prosecution for each violation of this chapter as a separate offense. Any deviation from the policies herein established or failure to provide reasonable, quick and efficient service may result in removal of a wrecker service from this rotation list by the Chief of Police. A wrecker service shall be automatically removed from this rotation list upon failure to respond to two consecutive calls, unless the Chief of Police shall determine after investigation that unusual circumstances were responsible for the company's failure to perform the requested towing service.

Section 9. Liability.

The City of Florence, its agents and employees, shall not be liable for any personal injury or property damage caused by negligence or failure of the wrecker or towing service to exercise reasonable prudent care in responding to a call or in towing a vehicle for storage or in any damage that may occur while the vehicle is in storage.

Section 10. Incorporation of applicable ordinances.

All of the provisions of Article III, Chapter 20 of the Code of Ordinances for the City of Florence regulating wrecker service companies are fully incorporated by reference as is repeated below.

Section 11. Personal property in towed vehicle.

The tow truck operator must permit the vehicle owner to remove at all times health and human care related devices such as, but not limited to, car seats, strollers, walkers, crutches and the like, medications, prescriptions, personal handbags, and personal and identity papers from the vehicle without charge and without regard to any towing or storage charge owed on the vehicle. If the tow truck operator has removed this personal property from the vehicle, he must return it to

the vehicle owner when requested without charge and without regard to any towing or storage charge owed on the vehicle.

FLORENCE CITY COUNCIL MEETING

VIII. b.
Resolution
No. 2012-16

DATE: August 13, 2012

AGENDA ITEM: A Reimbursement Resolution Related to Water and Sewer Utility Improvements and Street Repairs in the Downtown Redevelopment District Project Area (TIF District)

DEPARTMENT: Finance

I. ISSUE UNDER CONSIDERATION

A resolution of City Council declaring the City's intent to make reimbursement from funds generated by the Downtown Redevelopment District Project Area (TIF District) to the City's Water and Sewer Enterprise Fund for costs associated with water and sewer improvements and related street repairs in the TIF District.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

- A. On December 18, 2006, City Council adopted an ordinance establishing the TIF District in Downtown Florence. As established by the ordinance, the City has until December 2016 to issue TIF obligation bonds to fund public improvements. The City also has until December 2026 to repay the bonds.
- B. On October 10, 2011 and November 14, 2011, City Council adopted resolutions and conditional grant agreements for the development of a 53 room hotel and a 180 seat restaurant on West Evans Street in downtown Florence.
- C. The supplemental information to the resolution and conditional grant agreement adopted November 14, 2011, provides that revenues to be generated from a Tax Increment Financing (TIF) district borrowing will be used for Water and Sewer Infrastructure improvements and related street repairs in the downtown area.

III. POINTS TO CONSIDER


- A. To ensure that the City is legally able to reimburse the Water and Sewer Utility Fund with TIF revenues, it has been recommended by the City's bond attorney that a Reimbursement Resolution be adopted by City Council making a declaration of intent to reimburse such expenditures made prior to the issuance of a TIF obligation.
- B. The following points are also provided in support of the reimbursement from TIF generated revenues to the Water and Sewer Utilities Fund:
 - 1. To facilitate the construction schedule for the hotel and restaurant development and to encourage future downtown redevelopment, the downtown water and sewer infrastructure improvements are currently being engineered with construction anticipated to begin in the near future.
 - 2. Because the TIF district currently generates no revenues above the 2006 tax values, immediately obtaining TIF funded financing to pay for the water and sewer infrastructure improvements is unlikely. Therefore, to ensure that the infrastructure improvements are begun and completed in a timely manner, the project will be initially funded with Water and Sewer Utilities Enterprise Fund revenues and reimbursed to the Water and Sewer Utilities Enterprise Fund when a TIF funded borrowing is viable.

IV. STAFF RECOMMENDATION

Approval and adoption of the proposed resolution.

V. ATTACHMENTS

Resolution of intent to issue reimburse the Water and Sewer Utilities Enterprise Fund through a Tax Increment Financing obligation.


Thomas W. Chandler
Finance Director


Andrew H. Griffin
City Manager

RESOLUTION 2012-_____

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF FLORENCE, SOUTH CAROLINA, DECLARING ITS INTENT TO MAKE REIMBURSEMENT TO THE WATER AND SEWER UTILITIES ENTERPRISE FUND THROUGH THE ISSUANCE OF TAX INCREMENT FINANCING BONDS FOR PUBLIC IMPROVEMENTS IN THE CITY'S DOWNTOWN REDEVELOPMENT DISTRICT PROJECT AREA PURSUANT TO UNITED STATES TREASURY DEPARTMENT, INTERNAL REVENUE SERVICE, REGULATION 1.150-2

WHEREAS, the City Council of the City of Florence, South Carolina ("City Council") is the governing body of the City of Florence, South Carolina (the "City"); and

WHEREAS, Title 31, Chapter 6 of the Code of Laws of South Carolina, 1976, as amended (the "Tax Increment Financing Law"), authorizes incorporated municipalities of the State of South Carolina to provide incentives for redevelopment in areas which are, or threaten to become, blighted, through the financing of municipally owned improvements pursuant to the provisions of the Tax increment Financing Law; and

WHEREAS, by authorization contained in the Tax Increment Financing Law, City Council adopted an ordinance on December 18, 2006 establishing the Florence Downtown redevelopment District Project Area that provides for certain public improvements to accomplish redevelopment of the Project Area; and

WHEREAS, City Council intends to issue Tax Increment Financing bonds when feasible to defray the cost of capital improvements for water and sewer infrastructure improvements and related street repairs and improvements in the Downtown Redevelopment District Project Area (the "Project"); and

WHEREAS, water and sewer infrastructure and related street repairs are required for impending redevelopment, City Council finds that funds for the Project shall be advanced from the Water and Sewer Enterprise Fund with the expectation that proceeds of the Tax Increment Financing bonds received will immediately be deposited to the Water and Sewer Enterprise Fund as reimbursement to this fund; and

WHEREAS, City Council is mindful that, in order for the use of federally tax-exempt obligation proceeds to be considered "expended" for purposes of United States Treasury Department Internal Revenue Service Regulation 1.150-2 ("Reg. 1.150-2") when used to reimburse the City for expenditures made prior to the issuance of the obligations, certain conditions including the making of a declaration of intent to reimburse such expenditures must be met; and

WHEREAS, with the intent of supplementing, but not to supersede, any prior declarations of intent of City Council with respect to the Project, City Council desires to make such declaration of intent;

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

That the declaration of intent to reimburse expenditures on the Project with the proceeds of federally tax-exempt obligations not exceeding \$1 million pursuant to Reg. 1.150-2 is hereby made, and that the Clerk of City Council is hereby directed to maintain a copy of this declaration in the files and records of City Council.

TIF Reimbursement Resolution – Page 2

DONE IN MEETING DULY ASSEMBLED THIS ____ day of _____, 2012.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela
Mayor

Attest:

Dianne Rowan
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

DATE: August 13, 2012

AGENDA ITEM: Introduction of Resolution

DIVISION/DEPARTMENT: City Council

I. ISSUE UNDER CONSIDERATION

A Resolution requesting City Council to support an amendment to the Code of Laws of South Carolina, by adding Section 24-21-1010, so as to permit a person who applies for a pardon for certain offenses to request the Board of Pardons and Pardons recommend the expungement of criminal records.

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

RESOLUTION NO. 2012 – 17

**A RESOLUTION IN SUPPORT OF AN AMENDMENT TO THE CODE OF LAWS OF SOUTH CAROLINA, BY
ADDING SECTION 24-21-1010 SO AS TO PERMIT A PERSON WHO APPLIES FOR A PARDON FOR
CERTAIN OFFENSES TO REQUEST THE BOARD OF PAROLES AND PARDONS RECOMMEND THE
EXPUNGEMENT OF CRIMINAL RECORDS.**

- Whereas,** a great number of employers check criminal records before hiring potential employees; and
- Whereas,** in a great number of cases, those that have records will not get hired, no matter how old the record is; and
- Whereas,** this practice has complicated the lives of a great number of South Carolinians as it relates to fair and equitable quality of life; and
- Whereas,** Representatives Rutherford, G. R. Smith, Clyburn, Weeks, Whipper and R. L. Brown introduced Bill R284, H3127 that have the potential to help resolve this problem; and
- Whereas,** the unemployment rate in South Carolina is well above the national average and this bill would have a positive impact on unemployment in this state; and
- Whereas,** not being able to find jobs with living wages could contribute to more crimes and victims; and
- Whereas,** this bill would have provided means to clear certain records in certain cases to give more opportunity to South Carolinians to have a better chance to lead a more productive life.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Florence, South Carolina, duly assembled, supports Bill H3127 or a similar bill that accomplishes its objectives.

Resolved this 13th day of March, 2012.

Approved as to form:

James W. Peterson, Jr. City Attorney

Stephen J. Wukela, Mayor

Attest:

Dianne M. Rowan, Municipal Clerk



87°

Greenville Clear

Weather Alerts School/Other Closings

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SC bill allowing ex-cons to clear record dies

Posted: Jun 19, 2012 7:25 PM EDT Updated: Jul 17, 2012 7:25 PM EDT

COLUMBIA, SC (AP) - South Carolina lawmakers have killed a bill designed to help former convicts who have turned their lives around secure jobs.

Gov. Nikki Haley vetoed the bill that allows nonviolent felonies to be erased from the records of pardoned residents. The bill allows a one-time clearing. The Republican governor says she opposed it as overly broad. She said she'll work with sponsoring Rep. Todd Rutherford next year on a more limited bill.

But Rutherford said residents are trying to find jobs now, and employers won't hire those with a criminal record, no matter how old the crime.

The House upheld the veto 49-62, falling short of the two-thirds majority needed to override.

State Law Enforcement Division Chief Mark Keel let lawmakers know he opposed it as bad public policy.

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Two inmates stand inside a South Carolina prison. (File/FOX Carolina)



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 If you're afraid of flying, takeoff and landing can be the most stressful time during travel. And if you're looking to relax, airfarewatchdog.com recommends you stay away from these airports.
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 Police train at Mauldin High School to prepare for any type of situation involving a gunman and innocent people.
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Today Tomorrow Weekend

START HERE Summer Classes
 Mauldin - Simpsonville

Summer Day Camp (Coed Ages 6 - 11):...
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South Carolina General Assembly
119th Session, 2011-2012

Download [This Bill](#) in Microsoft Word format

~~Indicates Matter Stricken~~

Indicates New Matter

R284, H3127

STATUS INFORMATION

General Bill

Sponsors: Reps. Rutherford, G.R. Smith, Clyburn, Weeks, Whipper and R.L. Brown

Document Path: I:\council\bill\swb\9835cm11.docx

Introduced in the House on January 11, 2011

Introduced in the Senate on April 19, 2011

Last Amended on June 5, 2012

Passed by the General Assembly on June 7, 2012

Governor's Action: June 18, 2012, Vetoed

Legislative veto action(s): Veto sustained

Summary: Pardons

HISTORY OF LEGISLATIVE ACTIONS

Date	Body	Action Description with journal page number
12/7/2010	House	Prefiled
12/7/2010	House	Referred to Committee on Judiciary
1/11/2011	House	Introduced and read first time (House Journal-page 55)
1/11/2011	House	Referred to Committee on Judiciary (House Journal-page 55)
4/6/2011	House	Member(s) request name added as sponsor: Weeks
4/6/2011	House	Committee report: Favorable with amendment Judiciary (House Journal-page 6)
4/7/2011		Scrivener's error corrected
4/12/2011	House	Member(s) request name added as sponsor: Whipper, R.L.Brown
4/12/2011	House	Amended (House Journal-page 42)
4/12/2011	House	Requests for debate-Rep(s). Bedingfield, Hixon, JR Smith, Hiott, Skelton, Hamilton, Bikas, Henderson, Bannister, Forrester, Tallon, Patrick, Crosby, and Daning (House Journal-page 42)
4/13/2011	House	Read second time (House Journal-page 89)
4/13/2011	House	Roll call Yeas-90 Nays-0 (House Journal-page 89)
4/14/2011	House	Read third time and sent to Senate (House Journal-page 38)
4/19/2011	Senate	Introduced and read first time (Senate Journal-page 8)
4/19/2011	Senate	Referred to Committee on Corrections and Penology (Senate Journal-page 8)
3/21/2012	Senate	Recalled from Committee on Corrections and Penology (Senate Journal-page 3)
3/21/2012	Senate	Committed to Committee on Judiciary

(Senate Journal-page 3)

3/26/2012 Senate Referred to Subcommittee: Sheheen (ch), Knotts, Campsen
5/30/2012 Senate Committee report: Favorable with amendment **Judiciary**
(Senate Journal-page 10)

6/5/2012 Senate Committee Amendment Adopted (Senate Journal-page 79)
6/5/2012 Senate Read second time (Senate Journal-page 79)
6/5/2012 Senate Roll call Ayes-43 Nays-0 (Senate Journal-page 79)
6/6/2012 Scrivener's error corrected
6/6/2012 Senate Read third time and returned to House with amendments
(Senate Journal-page 7)

6/7/2012 House Debate adjourned (House Journal-page 26)
6/7/2012 House Concurred in Senate amendment and enrolled
(House Journal-page 34)

6/7/2012 House Roll call Yeas-98 Nays-7 (House Journal-page 34)
6/12/2012 Ratified R 284
6/18/2012 Vetoed by Governor
6/19/2012 House Veto sustained Yeas-49 Nays-62

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VERSIONS OF THIS BILL

[12/7/2010](#)
[4/6/2011](#)
[4/7/2011](#)
[4/12/2011](#)
[4/13/2011](#)
[5/30/2012](#)
[6/5/2012](#)
[6/6/2012](#)

(Text matches printed bills. Document has been reformatted to meet World Wide Web specifications.)

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(R284, H3127)

AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 24-21-1010 SO AS TO PERMIT A PERSON WHO APPLIES FOR A PARDON FOR CERTAIN OFFENSES TO REQUEST THE BOARD OF PAROLES AND PARDONS RECOMMEND THE EXPUNGEMENT OF CRIMINAL RECORDS, TO ALLOW RETROACTIVE APPLICATION OF THE STATUTE, TO PROVIDE AN EXCEPTION FOR PERSONS PARDONED FOR A VIOLENT CRIME, TO PROVIDE AN APPLICATION FEE, AND TO PROVIDE A PROCEDURE BY WHICH CRIMINAL RECORDS MAY BE EXPUNGED AND A NONPUBLIC RECORD MAINTAINED.

Be it enacted by the General Assembly of the State of South Carolina:

Pardons, expungement of criminal records, procedure, exceptions

SECTION 1. Article 11, Chapter 21, Title 24 of the 1976 Code is amended by adding:

"Section 24-21-1010. (A)(1) A person who is applying for an order of pardon for an offense pursuant to this article may request that the South Carolina Board of Pardons and Paroles recommend the expungement of records related to the offense.

(2) A person who has received an order of pardon for an offense pursuant to this article prior to the effective date of this section may apply to the South Carolina Board of Pardons and Paroles to request that the board recommend the expungement of records related to the offense.

(B) This section does not apply to a person who is applying for an order of pardon or has received an order of pardon for a felony offense defined as a violent crime pursuant to Section 16-1-60.

(C) The applicant shall pay a recommendation of expungement application fee of one hundred dollars, which must be retained by the South Carolina Department of Probation, Parole and Pardon Services and used to defray the costs associated with the expungement process. The fee is nonrefundable, regardless of whether the offense is later determined to be ineligible for expungement. If the applicant is applying for an order of pardon and a recommendation of expungement at the same time, the applicant shall pay both the order of pardon application fee and the recommendation of expungement application fee.

(D) The South Carolina Department of Probation, Parole and Pardon Services shall implement policies and procedures consistent with this section to ensure that the recommendation of expungement process is properly conducted. Such policies and procedures must include, but are not limited to:

- (1) assisting the applicant in completing the recommendation of expungement application;
- (2) collecting from the applicant and distributing to the appropriate agencies separate certified checks or money orders for charges prescribed by this section;
- (3) notifying the appropriate victim of the application pursuant to Section 16-3-1560, and the appropriate prosecuting or law enforcement agency;
- (4) coordinating with the South Carolina Law Enforcement Division to confirm that the offense is statutorily appropriate for expungement;
- (5) obtaining and verifying the presence of all necessary signatures; and
- (6) providing copies of the completed recommendation of expungement to the applicant.

(E) The South Carolina Law Enforcement Division shall verify and document that the offense sought to be expunged is appropriate for expungement. The South Carolina Law Enforcement Division shall receive a twenty-five dollar certified check or money order from the South Carolina Department of Probation, Parole and Pardon Services on behalf of the applicant made payable to the South Carolina Law Enforcement Division. The South Carolina Law Enforcement Division shall forward the necessary documentation back to the South Carolina Department of Probation, Parole and Pardon Services. Neither the South Carolina Department of Probation, Parole and Pardon Services nor the South Carolina Law Enforcement Division shall allow the applicant to take possession of the application during the recommendation of expungement application process.

(F)(1) The appropriate prosecuting or law enforcement agency may file an objection to the

recommendation of expungement with the South Carolina Board of Pardons and Paroles within thirty days of receiving notice of the application. The prosecuting or law enforcement agency's reason for objecting must be that the:

- (a) applicant has other charges pending;
 - (b) prosecuting or law enforcement agency believes that the evidence in the case needs to be preserved; or
 - (c) applicant's charges were dismissed as a part of a plea agreement.
- (2) The prosecuting or law enforcement agency must notify the applicant of the objection in writing at the address listed on the application.
- (3) If an objection is filed by the prosecuting or law enforcement agency, the objection must be heard by the South Carolina Board of Pardons and Paroles, acting in a three-member panel or meeting as a full board, and taken into consideration when the board is making a determination as to whether to recommend expungement of the applicant's records.
- (G) If no objection is filed by the prosecuting or law enforcement agency, an administrative hearing officer, appointed by the Director of the South Carolina Department of Probation, Parole and Pardon Services, may review the application and submit to the South Carolina Board of Pardons and Paroles written findings of fact and recommendations which must be taken into consideration when the board is making a determination as to whether to recommend expungement of the applicant's records.
- (H) If the South Carolina Board of Pardons and Paroles, acting in a three-member panel or meeting as a full board, recommends expungement of the applicant's records, ten years have passed since the completion of all terms and conditions of the person's sentence, including payment of restitution, and the person has had no other convictions other than minor traffic offenses during the ten-year period, the person may apply to the appropriate solicitors office for expungement pursuant to Article 9, Chapter 22, Title 17.
- (I)(1) No person may have the person's records expunged pursuant to this section more than once.
- (2) After the expungement, the South Carolina Department of Probation, Parole and Pardon Services and the South Carolina Law Enforcement Division shall keep a nonpublic record of the offense and the order of expungement to ensure that no person takes advantage of the rights of this section more than once. The nonpublic record is not subject to release pursuant to Section 34-11-95, the Freedom of Information Act, or any other provision of law except to those authorized law or court officials who need to know the information in order to prevent the rights afforded by this section from being taken advantage of more than once."

Time effective

SECTION 2. This act takes effect six months after approval by the Governor.

Ratified the 12th day of June, 2012.

President of the Senate

Speaker of the House of Representatives

Approved the _____ day of _____ 2012.

Governor

---XX---

This web page was last updated on June 20, 2012 at 12:40 PM

FLORENCE CITY COUNCIL MEETING

DATE: August 13, 2012

AGENDA ITEM: Ordinance – First Reading

DEPARTMENT: City Council

I. ISSUE UNDER CONSIDERATION

A Resolution of commitment by the City of Florence to donate to HopeHealth land totaling approximately 10 acres for the construction of a new facility within the City of Florence.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN

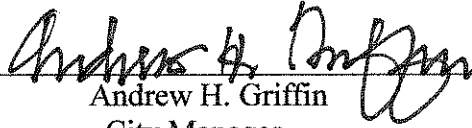
A. This is the initial consideration of this Resolution.

III. POINTS TO CONSIDER

- A. Since 2003, the City of Florence has worked to assess, obtain, and clean the former Bush Recycling Center property, a brownfield site located in the downtown redevelopment district.
- B. The source of funding of the cleanup of the property was provided by the Drs. Bruce and Lee Foundation, Environmental Protection Agency (EPA), Catawba Regional Development Corporation, S. C. Department of Health and Environmental Control (SCDHEC) and the City of Florence.
- C. In general, the City has been desirous of directing development to the “old” Bush Recycling Center that supports the downtown’s redevelopment goals and also reduces the negative impact of the old junkyard.

IV. Staff Recommendation

City Staff supports approval of this Resolution.


Andrew H. Griffin
City Manager

RESOLUTION NO. 2012-18

A RESOLUTION EXPRESSING THE COMMITMENT OF THE CITY OF FLORENCE TO DONATE TO HOPE HEALTH A NON-PROFIT 501(c)(3) ORGANIZATION LAND TOTALING APPROXIMATELY 10 ACRES FOR THE PURPOSES OF CONSTRUCTING A NEW FACILITY WITHIN THE CITY OF FLORENCE.

WHEREAS, HopeHealth, is a 501(c)(3) company whose mission is to provide access to comprehensive primary and preventive healthcare and to improve the health status of underserved and vulnerable populations in the communities they serve;

WHEREAS, HopeHealth has been awarded grant funding for the construction and expansion of a new building and other facilities associated with their business goals, mission and principles;

WHEREAS, HopeHealth at their present site is limited by a number of site development restrictions that significantly affect their current and future development plans which may in turn reduce HopeHealth's ability to meet its commitments to the people of the Pee Dee, and other areas served by HopeHealth;

WHEREAS, City Council recognizes and acknowledges the direct and indirect public benefit of the many programs offered by HopeHealth whose core value is to provide health care to the underserved and vulnerable populations of the Pee Dee; and

WHEREAS, the City in partnership with the Drs. Bruce and Lee Foundation, Environmental Protection Agency (EPA), Catawba Regional Development Corporation, South Carolina Department of Health and Environmental Control (SCDHEC) acquired, accessed and environmentally cleaned the area formerly known as the "Bush Recycling Center" to the point suitable for development;

WHEREAS, the City is desirous of facilitating development of the "old" Bush Recycling Center that is consistent with the City's downtown redevelopment goals and which also assists in eliminating the negative impacts associated with the blighting influences associated with social justice issues; and

WHEREAS, we find and conclude that the construction of the new HopeHealth healthcare facility on a portion of the "old" Bush Recycling Center site promotes the redevelopment goals described above while, at the same time, promotes the public interest by facilitating access to comprehensive primary and preventive healthcare in order to improve the health status of underserved and vulnerable populations.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Florence, South Carolina, at a duly called meeting of council as follows:

1. The City of Florence hereby commits in principle to donate to HopeHealth, a 501(c)(3) organization, land totaling approximately 10 acres generally known as a portion of the "old" Bush Recycling Center, the exact location of the tract to be mutually agreed upon between HopeHealth and the City.
2. The donation of the above described land will be given on the condition that the land will be used for the sole purpose of constructing a new healthcare facility which shall be used by HopeHealth to carry out its mission to provide access to comprehensive primary and preventive healthcare and to improve the health status of underserved and vulnerable populations in the surrounding community. In the event that HopeHealth, for any reason, is unable to begin construction of a healthcare facility on the donated land within four years of the date of this Resolution, HopeHealth shall agree to return the donated property to the City.

ADOPTED this ____ day of August, 2012.

Approved as to form:

James W. Peterson, Jr.
City Attorney

Stephen J. Wukela
Mayor

Attest:

Dianne M. Rowan
Municipal Clerk

FLORENCE CITY COUNCIL MEETING

**VIII. f.
Resolution
No. 2012-20**

DATE: August 13, 2012

AGENDA ITEM: Introduction of Resolution

DIVISION/DEPARTMENT: City Council

I. ISSUE UNDER CONSIDERATION

A Resolution requesting City Council to recognize Judge Glenda Hatchett for her distinguished life's work and accomplishments in the field of criminal justice and child advocacy.

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

RESOLUTION

- WHEREAS, The Honorable Judge Glenda Hatchett, a native of Atlanta, GA, is the daughter of Clemmie Barnes Hatchett and the late Paul Barnes and the granddaughter of the late Leon and Hattie Barnes of Florence, South Carolina who were members of Cumberland United Methodist Church and;
- WHEREAS, The Honorable Judge Glenda Hatchett, is a graduate of Emory University School of Law and received the highest award given to an Emory University alumnus, the Emory medal and;
- WHEREAS, The Honorable Judge Glenda Hatchett completed a coveted federal clerkship in the United States District Court, Northern District of Georgia; and became Georgia's first African-American Chief Presiding Judge of a state court and the department head of one of the largest juvenile court systems in the country and;
- WHEREAS, The Honorable Judge Glenda Hatchett presides over the two-time Emmy nominated syndicated show, *Judge Hatchett* which is currently in its eleventh season and;
- WHEREAS, The Honorable Judge Glenda Hatchett is the author of the national best-seller, *Say What You Mean, Mean What You Say* and *Dare To Take Charge* and;
- WHEREAS, The Honorable Judge Glenda Hatchett serves as the national spokesperson for the CASA (Court Appointed Special Advocate), a non-profit volunteer organization that trains volunteers to represent abused and neglected children.
- NOW, THEREFORE, BE IT RESOLVED**, by the Florence City Council, the governing body of the City of Florence that

THE HONORABLE JUDGE GLENDA HATCHETT

be commended for her distinguished life's work and accomplishments in the field of criminal justice and child advocacy .

AND IT IS SO RESOLVED, this 29th day of September, 2012.

Approved as to form:

James W. Peterson, Jr., City Attorney

Stephen J. Wukela, Mayor

Attest:

Dianne M. Rowan, Municipal Clerk

**IX. a.
Nominations to
Boards & Commissions**

FLORENCE CITY COUNCIL MEETING

DATE: August 13, 2012

AGENDA ITEM: Report To Council

DEPARTMENT/DIVISION: City Council

I. ISSUE UNDER CONSIDERATION:

Council will consider nominations for the vacancies or terms that expired June 30, 2012 for the City's Boards and/or Commissions.

II. CURRENT STATUS/PREVIOUS ACTION TAKEN:

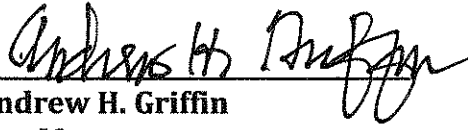
1. There are currently 16 boards and/or commissions for the City of Florence.
2. These boards/commissions are comprised of residents nominated and approved by Florence City Council.
3. As of July 9, 2012, there are 5 boards or commissions that have either vacancies or expiring terms.
4. City Council will have a total of 6 nominations to make for either a term that is expiring or a vacancy on the 5 boards or commissions.
5. City Council typically begins to make nominations for vacancies at their June City Council meeting.

III. POINTS TO CONSIDER:

1. A nomination rotation has been established and a spreadsheet has been prepared for each board or commission in which each member of city council shall be assigned the exclusive right to nominate the person to fill the next available seat on the respective board or commission.
2. The city council member assigned the nomination under the spreadsheet shall make the nomination, and city council shall vote on the nominee.
3. The nominee shall be appointed if he/she receives the approval of a majority. If the nominee does not receive the approval of a majority, then the same city council member assigned the nomination shall make another nomination. This process will continue until a nominee of the city council member making the nomination receives approval of a majority.

IV. ATTACHMENTS

Spreadsheet of Council Nominations to Boards and Commissions
Applications received to date



Andrew H. Griffin
City Manager

APPLICATIONS RECEIVED FOR BOARDS/COMMISSIONS

<u>Accommodations Tax Advisory Committee</u>	Quentin Donnell Williams
<u>City County Building Commission</u>	None
<u>City of Florence Design Review Board</u>	J. Christopher Riddle
<u>City of Florence Zoning Board of Appeals</u>	Jerome Scott Kozacki
<u>Parks & Beautification Commission</u>	Sally A. Bruton Jennifer L. Lee Evan Sellers Sjauntu Kireen Jackson

Applications have been received from the following, however there are no vacancies on the Board/Commission they listed to be considered for.

Michael Scott Long	Applied for Civic Center
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SCHEDULE OF COUNCIL NOMINATIONS TO BOARDS AND COMMISSIONS

Note: Schedule of appointments start with last appointment made.	District 1	District 2	District 3	At-Large 1	At-Large 2	At-Large 3	Mayor		
	Ervin	Robinson	Brand	Willis	Wms-Blake	Powers	Wukela		Requirements
Accommodations Tax Advisory Committee - 2 Vacancies					1			1st appt. - Williams-Blake	General
	2							2nd appt. - Ervin	Cultural
City-County Agriculture Commission			No Expirations/No Vacancies						
City-County Building Commission - 1 Vacancy		3						3rd appt. - Robinson	
City-County Civic Center Commission			No Expirations/No Vacancies						
City-County Historical Commission			No Expirations/No Vacancies						
City-County Memorial Stadium Commission			No Expirations/No Vacancies						
City-County Museum Commission			No Expirations/No Vacancies						
City of Florence Design Review Board - 1 Vacancy	4							4th appt. - Ervin	
City of Florence Planning Commission			No Expirations/No Vacancies						
City of Florence Zoning Board of Appeals - 1 Vacancy						5		5th appt. - Powers	
FLATS Committee			No Expirations/No Vacancies						
Parks & Beautification Commission - 1 Vacancy		6						6th appt. - Robinson	
Pee Dee Regional Airport Authority - 1 Vacancy			No Expirations/No Vacancies						
Veterans Park Committee			No Expirations/No Vacancies						
Pee Dee Regional Transportation Authority			No Expirations/No Vacancies						



APPLICATION FOR BOARDS AND COMMISSIONS
CITY OF FLORENCE
SOUTH CAROLINA

Board or Commission for which you are applying: <u>Accommodation Tax Commissions</u>			
Your Name (Last, First, Middle) <u>Williams, Quentin Donnell</u>	County <u>Florence</u>	Council District <u>07</u>	
Residential Address <u>418 West Pine Street</u>	City <u>Florence</u>	State <u>South Carolina</u>	Zip Code <u>29501</u>
Mailing Address <u>P.O. Box 14102</u>	City <u>Florence</u>	State <u>South Carolina</u>	Zip Code <u>29501</u>
Your Occupation - Title <u>Insurance Agent</u>	Business Phone <u>(843)694-9272</u>	Residence Phone <u>same</u>	
Employer Name <u>Palmetto State Insurance</u>	E-Mail Address <u>q_williams03@yahoo.com</u>		
Employer Address <u>1301 S. West Evans Street</u>	City <u>Florence</u>	State <u>South Carolina</u>	Zip Code <u>29501</u>

General Qualifications

Are you a resident of the City? Yes No How Long? 40 yrs

Why would you like to serve?

It is my duty as a citizen to serve. I would also like to work towards making Florence a better place to visit, work and live.

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:

Youth Coach for the City of Florence Recreation Department
 Volunteer - PDCAA Weed and Seed

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

To be a voice for the citizens of Florence, Complete any on-going projects, & promote programs that benefit underserved areas of Florence & achieve the greatest effectiveness.

I certify that the information above is true and correct. **Information on this form will be considered public information.**

Signature _____

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:	
Appointed to:	
Date:	



**APPLICATION FOR BOARDS AND COMMISSIONS
CITY OF FLORENCE
SOUTH CAROLINA**

Board or Commission for which you are applying: City of Florence Design Review Board (ATTORNEY)			
Your Name (Last, First, Middle) J. Christopher Riddle	County Florence	Council District	
Residential Address 913 Mohawk Drive	City Florence	State South Carolina	Zip Code 29501
Mailing Address P.O. Box 6617	City Florence	State South Carolina	Zip Code 29502
Your Occupation - Title Attorney	Business Phone (843) 669-6002	Residence Phone	
Employer Name Haynsworth Sinkler Boyd, P.A.	E-Mail Address criddle@hsb-lawfirm.com		
Employer Address 1831 West Evans Street, Suite 315	City Florence	State South Carolina	Zip Code 29501

General Qualifications

Are you a resident of the City? Yes No How Long? 2003

Why would you like to serve?

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:

Attorney with clients having received funding from the City of Florence.

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

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

I certify that the information above is true and correct. Information on this form will be considered public information.

J. Christopher Riddle
Signature

July 13, 2012
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>July 13, 2012</u>
Appointed to:	
Date:	



APPLICATION FOR BOARDS AND COMMISSIONS
CITY OF FLORENCE
SOUTH CAROLINA

Board or Commission for which you are applying: Board of Zoning Appeals			
Your Name (Last, First, Middle) Kozacki, Jerome Scott		County Florence	Council District
Residential Address 712 Prince Alston Cove		City Florence	State South Carolina
Mailing Address Post Office Box 1909		City Florence	Zip Code 29503
Your Occupation - Title Attorney		Business Phone (843) 664-3364	Residence Phone (843) 662-0194
Employer Name Willcox, Buyck & Williams, PA		E-Mail Address skozacki@willcoxlaw.com	
Employer Address 248 West Evans Street		City Florence	Zip Code 29501

General Qualifications

Are you a resident of the City? Yes No How Long? 21 Years - County
14 Years - City

Why would you like to serve?

To give back to the community which has given so much to me.

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:
Yes. City of Florence Board of Zoning Appeals.

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:
Yes. Board Member of the Florence Family Y.M.C. A.

Are you involved in any Community Activities? If so, please list:
Yes. St. Anthony School Advisory Board; Board Member of the Florence Family Y.M.C.A.; and Assistant/ Coach of the St. Anthony Mock Trial Team.

What are your goals and objectives if appointed to the Commission/Board?
To utilize my skills and experience to best serve all citizens.

I certify that the information above is true and correct. **Information on this form will be considered public information.**

J. R. Scott
 Signature

July 12, 2012
 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>7-13-2012</u>
Appointed to:	
Date:	



APPLICATION FOR BOARDS AND COMMISSIONS
CITY OF FLORENCE
SOUTH CAROLINA

Board or Commission for which you are applying: <u>Parks and Reautification Board</u>			
Your Name (Last, First, Middle) <u>Bruton, Sally A.</u>		County <u>Florence</u>	Council District <u>01</u>
Residential Address <u>1415 King Ave</u>		City <u>Florence</u>	State <u>South Carolina</u>
Mailing Address <u>1415 King Ave</u>		City <u>Florence</u>	Zip Code <u>29501</u>
Your Occupation - Title <u>Retired</u>		Business Phone <u>—</u>	Residence Phone <u>662-4515</u>
Employer Name <u>—</u>		E-Mail Address <u>sabruton43@gmail.com</u>	
Employer Address <u>—</u>		City <u>—</u>	State <u>South Carolina</u>
			Zip Code <u>—</u>

General Qualifications

Are you a resident of the City? Yes No How Long? 11+ yrs.

Why would you like to serve?

I am interested in improving the function and beauty of the parks in Florence.

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:

Maple Park Neighborhood Association

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

Get as much done with the limited resources as possible

I certify that the information above is true and correct. Information on this form will be considered public information.

Sally A. Bruton
Signature

03/29/2012
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>March 30, 2012</u>
Appointed to:	
Date:	



APPLICATION FOR BOARDS AND COMMISSIONS
CITY OF FLORENCE
SOUTH CAROLINA

Board or Commission for which you are applying: <i>Parks & Beautification Commission</i>			
Your Name (Last, First, Middle) <i>LEE, Jennifer, Louise</i>		County <i>Florence</i>	Council District
Residential Address <i>603 South McQueen Street</i>	City <i>Florence</i>	State <i>South Carolina</i>	Zip Code <i>29501</i>
Mailing Address <i>603 South McQueen Street</i>	City <i>Florence</i>	State <i>South Carolina</i>	Zip Code <i>29501</i>
Your Occupation - Title <i>Mother</i>	Business Phone	Residence Phone	
Employer Name		E-Mail Address	
Employer Address	City	State <i>South Carolina</i>	Zip Code

General Qualifications

Are you a resident of the City? Yes No How Long? *5 1/2 yrs.*

Why would you like to serve?

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

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:

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

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

I certify that the information above is true and correct. **Information on this form will be considered public information.**

Signature _____

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>June 8, 2012</i>
Appointed to:	
Date:	

Please see attached



APPLICATION FOR BOARDS AND COMMISSIONS
CITY OF FLORENCE
SOUTH CAROLINA

Board or Commission for which you are applying: PARKS, BEAUTIFICATION AND LEISURE SERVICES COMMISSION			
Your Name (Last, First, Middle) Sellers, Evan		County Florence	Council District 01
Residential Address 914 Gregg Ave		City Florence	State South Carolina
Mailing Address 914 Gregg Ave		City Florence	Zip Code 29501
Your Occupation - Title Teacher		Business Phone 664-8472	Residence Phone 598-2586
Employer Name FSD1/West Florence		E-Mail Address evansellers@gmail.com	
Employer Address 221 N. Beltline Dr		City Florence	Zip Code 29501

General Qualifications

Are you a resident of the City? Yes No How Long? 5 years

Why would you like to serve?

Parks, green spaces, and recreational opportunities are important to a city's well being. Quality parks will improve the quality of life in Florence.

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:

For the last 10 years I have worked as a coach at West Florence. Now that I am taking some time from coaching I want to get involved in the community at large.

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

Increase usage of Florence parks and green spaces. Improve grounds, maintenance, and appearance of parks. Expand park space.

I certify that the information above is true and correct. **Information on this form will be considered public information.**

Signature _____

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>June 13, 2012</u>
Appointed to:	
Date:	



APPLICATION FOR BOARDS AND COMMISSIONS
CITY OF FLORENCE
SOUTH CAROLINA

Board or Commission for which you are applying: Parks and Beautification Commission			
Your Name (Last, First, Middle) JACKSON SJAUNTI KIRREN		County FLORENCE	Council District
Residential Address 2616 LAKEVIEW DR Apt. E	City FLORENCE	State South Carolina	Zip Code 29505
Mailing Address	City	State South Carolina	Zip Code
Your Occupation - Title Unit Manager	Business Phone (843) 413 7235	Residence Phone (919) 656-3822	
Employer Name ASSURANT	E-Mail Address SJAUNTI.JACKSON@AIM.COM		
Employer Address 1323 CELEBRATION BLVD	City FLORENCE	State South Carolina	Zip Code 29501

General Qualifications

Are you a resident of the City? Yes No How Long? **8 MONTHS**

Why would you like to serve?
TO ENSURE FLORENCE'S PARKS ARE HERE FOR FUTURE GENERATIONS TO ENJOY.

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:
MEN'S MINISTRY Mt ZION AME CHURCH
SOUP KITCHEN Mt. ZION AME CHURCH

What are your goals and objectives if appointed to the Commission/Board?
1. That the beauty of all our parks are preserved;
2. THE FOCUS OF BEAUTY IS FOR EVERY NEIGHBORHOOD IN FLORENCE.

I certify that the information above is true and correct. Information on this form will be considered public information.

Signature *[Handwritten Signature]*

Date **7/9/12**

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:	7-9-2012
Appointed to:	
Date:	



APPLICATION FOR BOARDS AND COMMISSIONS
CITY OF FLORENCE
SOUTH CAROLINA

Board or Commission for which you are applying: <i>Civic Center</i>			
Your Name (Last, First, Middle) <i>Long, Michael, Scott</i>		County <i>Florence</i>	Council District
Residential Address <i>1414 Hunter St</i>		City <i>Florence</i>	State <i>South Carolina</i>
Mailing Address <i>Same</i>		City	Zip Code <i>29505</i>
Your Occupation - Title <i>Personal Banker</i>		Business Phone <i>843-664-2449</i>	Residence Phone <i>843-319-6975</i>
Employer Name <i>Wells Fargo</i>		E-Mail Address <i>Michael.Long78@gmail.com</i>	
Employer Address <i>PO Box 100533</i>		City <i>Florence</i>	Zip Code <i>29501</i>

General Qualifications

Are you a resident of the City? Yes No How Long? *17 yrs*

Why would you like to serve?
To help the city & county increase revenues & taxes through the use of the Civic Center.

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 (we) Florence CVB (Convention & Visitors Bureau)

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:
Heartwalk, Relay for Life, FALC

What are your goals and objectives if appointed to the Commission/Board?
To assist in the planning of short-term & long-term goals of FCC to increase tourism & revenue.

I certify that the information above is true and correct. Information on this form will be considered public information.

[Signature]
Signature

7-28-12
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>8-1-2012</i>
Appointed to:	
Date:	