

**REGULAR MEETING OF FLORENCE CITY COUNCIL
MONDAY, MARCH 18, 2024 – 1:00 P.M.
CITY CENTER – COUNCIL CHAMBERS
324 WEST EVANS STREET
FLORENCE, SOUTH CAROLINA**

MEMBERS PRESENT

Mayor Teresa Myers Ervin, Mayor Pro Tempore George Jebaily, Councilwoman Lethonia Barnes, Councilman Chaquez T. McCall, Councilman Bryan A. Braddock, Councilwoman LaShonda NeSmith-Jackson and Councilman J. Lawrence Smith, II

ALSO PRESENT

Mr. Scotty Davis, Interim City Manager; Mr. Benjamin T. Zeigler, City Attorney; Mrs. Casey Moore, Municipal Clerk; Mr. Clint Moore, Assistant City Manager of Development; Chief Allen Heidler, Florence Police Department; Chief Shannon Tanner, Florence Fire Department; Mr. Michael Hemingway, Director of Utility Planning and Economic Development; Mr. Joshua Whittington, Director of Utilities; Mrs. Amanda Pope, Director of Marketing/Communications and Municipal Services; Mr. Adam Swindler, Director of Public Works; Mr. Kevin Rawlinson, Chief Financial Officer and Ms. Patrice Rankin, Administrative Coordinator

MEDIA PRESENT

Mr. Naeem McFadden with the Florence Morning News, Ms. Shawnia Butler with WPDE News 15 and Mr. Seth Taylor with the Post and Courier were present for the meeting.

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

CALL TO ORDER

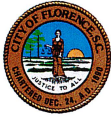
Mayor Ervin called the March 18, 2024 regular meeting of Florence City Council to order at 1:01 p.m.

INVOCATION

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

APPROVAL OF MINUTES

Councilwoman Barnes made a motion to adopt the minutes of the February 12, 2024 Regular Meeting and the January 25-26, 2024 Work Session. Councilwoman NeSmith-Jackson seconded the motion. The minutes were unanimously adopted.



SERVICE RECOGNITIONS

Mr. Shannon Tanner, Fire Chief, presented Daniel Stone with a certificate of recognition for 10 years of service with the Florence Fire Department.

Mr. Allen Heidler, Police Chief, presented Stephen Starling with a certificate of recognition for 15 years of service with the Florence Police Department.

ORDINANCES IN POSITION

Bill No. 2024-03 – Second Reading

An Ordinance to amend the City of Florence Code of Ordinances Chapter 1.7 and add a new subsection providing that a person who violates any section of the City’s Code of Ordinances with the intent to intimidate another person or persons in whole or in part because of the action or perceived race, color, creed, religion, ancestry, gender, sexual orientation, gender identity, physical or mental disability or national origin is guilty of the separate offense of hate intimidation.

Councilman McCall made a motion to adopt Bill No. 2024-03 on second reading and Councilwoman NeSmith-Jackson seconded the motion.

Council voted unanimously (7-0) in favor of the motion. Bill No. 2024-03 was adopted.

INTRODUCTION OF ORDINANCES

Bill No. 2024-04 – First Reading

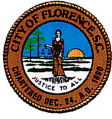
An Ordinance to amend the budget for Fiscal Year beginning July 1, 2023 and ending June 30, 2024.

Pro tem Jebaily made a motion to pass Bill No. 2024-04 on first reading and Councilman McCall seconded the motion.

Mr. Kevin Rawlinson, Chief Financial Officer, reported the city has a policy that 30% of expenses be maintained in the unassigned fund balance. Mr. Rawlinson said this year there is about 34% of fund balance with \$6.5 million available for spending. The funds are used to fund capital projects and one-time projects that were removed from the initial budget. Mr. Rawlinson reported there is a \$300,000 transfer that will be used to purchase residential sanitation trucks. Mr. Rawlinson said the capital projects expenses include: \$40,000 for the expansion of the City Center Farmers Market parking lot; \$300,000 for the purchase of five police vehicles; \$60,000 to refurbish two fire engines; \$2 million for one ladder truck; \$1 million for one engine; \$90,000 for two command staff vehicles; \$1.1 million for two commercial sanitation trucks; \$200,000 for two dog parks; \$250,000 for an amphitheater at Dr. Iola Jones Park; and \$1.3 million to replace the lighting at Freedom Florence. The one-time non-capital project expenses include \$75,000 for recodification of city code of ordinances, \$200,000 for an Affordable Housing Study and \$200,000 for a Neighborhood Redevelopment Study.

Mr. Davis said that this information was shared at the January 25-26, 2024 budget retreat work session and was recommended by the Finance, Audit and Budget Committee.

Pro tem Jebaily congratulated Mr. Davis and city staff for working together on the budget and identifying available funds. Pro tem Jebaily said capital purchases are very expensive and difficult to accommodate in



**FLORENCE CITY COUNCIL
REGULAR MEETING – MARCH 18, 2024**

the budget due to constraints. He expressed his support of this ordinance and said every item included is not a want but an ongoing need.

Councilman McCall concurred with Pro tem Jebaily and commended Mr. Davis for allowing Council to see the departmental needs at the forefront at the budget retreat. He thanked City staff for their hard work and for preparing the information for Council so the City can continue to move forward.

Mayor Ervin also thanked Mr. Davis and City staff for creating a budget that reflects the needs of the City. Mayor Ervin congratulated Mr. Davis on the completion of his first budget as City Manager, and also thanked Council for working with staff at the budget retreat so that the needs of the City were addressed. Mayor Ervin said it was very important to approve the fire department's purchases due to the 3-year period it takes to receive a ladder track. Mayor Ervin said that the City of Florence has an excellent City Manager and excellent City staff leading the City.

Council voted unanimously (7-0) in favor of the motion. Bill No. 2024-04 was passed on first reading.

Bill No. 2024-05- First Reading

An Ordinance to annex and zone RG-3 3701 Bannockburn Road, identified as Florence County Tax Map Number 00152-01-025.

Councilman Smith made a motion to pass Bill No. 2024-05 on first reading and Councilwoman Barnes seconded the motion.

Mr. Clint Moore, Assistant City Manager of Development, said that this is a request to annex and zone RG-3 approximately 137 acres located on the corner of Bannockburn Road and Green Acres Road. Mr. Moore said water is currently available; however, a sewer extension would be required to provide sewer to the property. Planning Commission held a public hearing on this matter and voted unanimously to recommend the zoning requests. Mr. Moore said a sketch plan will be going before Planning Commission at their next meeting.

Paul Mishoe Jr., developer, and Chad Rast, engineer, each spoke in favor of the request.

Councilwoman NeSmith-Jackson inquired on the number of lots and Mr. Mishoe stated that there will be around 365 lots on the property that are between 5,000 and 10,000 square feet to allow some flexibility for different pricing. Councilwoman NeSmith-Jackson asked if there was a plan for this property and Mr. Mishoe responded the plan is to have single family residential detached homes. Mr. Mishoe also stated that they have been working closely with the City's engineer regarding the sewer line.

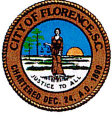
Councilwoman NeSmith-Jackson asked what property is adjacent to the Bannockburn property to allow for annexation. Mr. Moore stated the property is adjacent to the South Brook subdivision and other single family residential properties that are in the City limits.

Council voted unanimously (7-0) in favor of the motion. Bill No. 2024-05 was passed on first reading.

Bill No. 2024-06- First Reading

An Ordinance to annex and zone NC-15 2506 Parsons Gate, identified as Florence County Tax Map Number 01221-01-285.

Pro tem Jebaily made a motion to pass Bill No. 2024-06 on first reading and Councilwoman Barnes seconded the motion.



**FLORENCE CITY COUNCIL
REGULAR MEETING – MARCH 18, 2024**

Mr. Moore reported the property is located within the Windsor Forest subdivision and is an infield lot. There are currently no structures on the property. Mr. Moore said the applicant intends to construct a residential home on the lot.

Council voted unanimously (7-0) in favor of the motion. Bill No. 2024-06 was passed on first reading.

Bill No. 2024-07- First Reading

An Ordinance to rezone 709 and 711 West Darlington Street from NC-6.2 to NC-6.3, identified as Florence County Tax Map Numbers 90060-11-002 and 90060-11-017.

Councilwoman NeSmith-Jackson made a motion to pass Bill No. 2024-07 on first reading and Councilman Smith seconded the motion.

Mr. Moore reported these properties are currently vacant and face Darlington Street. NC-6.2 zoning only permits single family detached, patio homes, and duplexes. NC-6.3 will allow the applicant to construct the requested multiplex, which will appear as a large single-family home from a street view. Access to each unit will be interior to the multiplex. The conditions within the zoning ordinance would require certain criteria that will a high density project to occur.

Lorenzo Edwards, applicant, spoke in favor of the request. Mr. Edwards said he would like to build a small multi-unit consisting of four one-bedroom units. He is a native of Florence and said that 100 years ago, his grandfather built on this same land. Mr. Edwards he would like to improve and restore an area that has gone into decline but was once a proud area of Florence.

Councilman Smith asked Mr. Moore if there are any other multi-family units in this area and Mr. Moore there are, along with a multitude of other zoning designations.

Councilman McCall asked for the recommendation from Planning Commission. Mr. Moore said Planning Commission voted unanimously to recommend the zoning request.

Councilwoman Barnes thanked Mr. Edwards for coming to give back to the community.

Councilwoman NeSmith-Jackson thanked Mr. Edwards and said that she is familiar with the property since it is located in her district. She thanked Mr. Edwards for coming back to invest in the community and said she cannot wait to see the finished project.

Mayor Ervin thanked Mr. Edwards for respecting the design of the community, bringing new homes, but honoring the history of the community and bridging it to the future.

Council voted unanimously (7-0) in favor of the motion. Bill No. 2024-07 was passed on first reading.

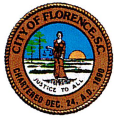
INTRODUCTION OF RESOLUTIONS

Resolution No. 2024-10

A Resolution to adopt the Municipal Association 2024 Advocacy Initiatives.

Councilman McCall made a motion to pass Resolution No. 2024-10 and Councilman Smith seconded the motion.

Council voted unanimously (7-0) to pass Resolution No. 2024-10. Resolution No. 2024-10 was passed.



**FLORENCE CITY COUNCIL
REGULAR MEETING – MARCH 18, 2024**

Resolution No. 2024-11

A Resolution of Appreciation for Chief Administrative Judge Debbie Jackson.

Councilwoman NeSmith-Jackson made a motion to pass Resolution No. 2024-11 and Pro tem Jebaily seconded the motion.

Pro tem Jebaily made a motion to amend the Resolution to place a portrait of Judge Jackson in the Municipal Courtroom and Councilman Braddock seconded the motion.

Council voted unanimously (7-0) in favor of the amendment.

Councilwoman Barnes made a motion to pass Resolution No. 2024-11, as amended and Councilman McCall seconded the motion.

Mayor Ervin acknowledged that a reception was held this morning to honor Judge Jackson, and thanked Judge Jackson for her years of service with the City of Florence.

Pro tem Jebaily presented Judge Jackson with the Resolution and thanked her for her dedicated years of service. Pro tem Jebaily said he has had the privilege to work with Judge Jackson throughout the years and that she is a lawyer and judge of excellence and integrity.

Mr. Hood Temple, SC Bar member, commended Council for allowing Judge Jackson's portrait to be placed in the City's Municipal Courtroom. Mr. Temple said that members of the Bar came together to acquire a picture of Judge Jackson when they learned of her retirement. Mr. Temple said that Judge Jackson has built bridges and enable people who are following in her footsteps to do as she has done.

Pro tem Jebaily said that Mr. Temple spearheaded the effort to have Judge Jackson's portrait commissioned and gifted to the City of Florence.

Judge Jackson thanked Council, Clerk of Court Hazle Wilson and City staff and said she looks forward to retirement.

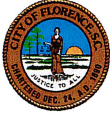
Councilman Braddock said Judge Jackson helped start Homeless Court and a House of Hope resident was one of the first to go through the process and have their record expunged.

Councilman McCall thanked Judge Jackson for her service and said that she is a well-respected judge. Councilman McCall said that while he's in court he hears that a lot of cities want to emulate Florence's court system and thanked Judge Jackson for what she has put in place in Florence.

Councilwoman Barnes, Councilwoman NeSmith-Jackson, and Councilman Smith also thanked Judge Jackson for her service.

Mayor Ervin thanked Council and Judge Jackson. Mayor Ervin said that Judge Jackson has set a precedence and asked City staff to look at ways to honor judges once they retire.

Council voted unanimously (7-0) to pass Resolution No. 2024-11, as amended. Resolution No. 2024-11 was passed, as amended.



REPORTS TO COUNCIL

Appointments to Boards and Commissions

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

Housing Authority

Councilman Braddock made a motion to appoint Wanda Vereen to the Housing Authority Board and the motion carried unanimously. Wanda Vereen was appointed to the Housing Authority Board for a term to begin immediately and expire on June 30, 2025.

MAYORAL REPORT

Mayor Ervin said a lot of positive things are in the media regarding federal funding for the City of Florence. She invited the public to attend the 2nd Annual Pee Dee Youth Day Initiative on July 13th and the Harbor Freight Fellowship on March 20th-21st at Barnes Street Activity Center. Mayor Ervin also shared that the Florence Faith Based Initiative will be meeting on Friday, March 22nd at The Assembly. She recognized city staff and council who visited Washington recently to represent the City of Florence.

COMMITTEE REPORTS

Business Development Committee, Chaired by Pro tem Jebaily

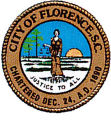
Pro tem Jebaily said that Don Strickland and Will Johnson of PDRTA presented a very informative update to the committee regarding PDRTA. PDRTA is working to locate a site for an inter-mobile center to include Amtrak and other forms of transportation. Pro tem Jebaily said that Councilman Braddock and Congressman Fry have been working to secure federal funding to assist with the cost of the mobile center. Pro tem Jebaily expressed his support for an inter-mobile center for this area and said this could be something of significance. The Committee also received an update regarding the water system, penny sales tax funding, and Carolina Theater. Pro tem Jebaily asked Mr. Moore if the developer has started work on the Nofal Building, to which Mr. Moore replied no.

Community Development Committee, Chaired by Councilwoman Barnes

Councilwoman Barnes expressed her excitement regarding the Dr. Iola Jones Park Amphitheater being included in the budget recommendations and thanked city staff and council for moving forward with the project. Councilwoman Barnes said to address crime in the community, we must find ways to instill pride in the community.

Marketing and Public Relations Committee, Chaired by Councilwoman NeSmith-Jackson

Councilwoman NeSmith-Jackson encouraged residents to apply for City University. Councilwoman NeSmith-Jackson recognized the Wilson High School Mock Trial Team as regional champs and also recognized participants with Leadership Florence who were in attendance for today's Council meeting. Councilwoman NeSmith-Jackson also shared that her son, DreShaun Jackson will be appearing on the Jennifer Hudson Show.



FLORENCE CITY COUNCIL
REGULAR MEETING – MARCH 18, 2024

Finance, Audit and Budget Committee, Chaired by Councilman McCall

Councilman McCall reported the committee reviewed the 30% recommendations and the monthly financial reports.

EXECUTIVE SESSION

Mayor Ervin said Council will be entering into Executive Session for a discussion of matters related to a for a discussion of matters relating to an Economic Development Project and for a personnel matter.

Councilwoman Barmes made a motion to enter into Executive Session and Councilwoman NeSmith-Jackson seconded the motion. Council voted unanimously (7-0) to enter into Executive Session at 2:03 p.m.

Council resumed open session at 3:21 p.m. and took action on the following items:

Personnel Matter

Councilman McCall, Chair of the Judicial Review Committee, said the Committee has recommended the reappointment of Judge Rangely Bailey as Associate Judge, Edgar Wilcox as Associate Judge, Nicholas Lewis as Municipal Judge, and Alesha Lewis as Municipal Judge, and to appoint Marsh Julian as the new Municipal Judge. The Committee also recommended the appointment of Marcus Woodson as the new Administrative Chief Judge, subject to contract negotiations with the City Manager's Office.

Councilman McCall made a motion to appoint the judges as recommended by the Judicial Review Committee and Councilman Smith seconded the motion.


Pro tem Jebaily recused himself from the vote for the appointment of judges due to Judge Rangeley Bailey being his law partner.

Council voted unanimously (6-0) in favor of the motion, with Pro tem Jebaily having recused himself. (The recusal statement is attached to and made part of the minutes.)

ADJOURN

Without objection, the March 18, 2024 Regular meeting of City Council was adjourned at 3:23 p.m.

Dated this 8th day of April 2024.


Casey C. Moore, Municipal Clerk


Teresa Myers Ervin, Mayor

RECUSAL STATEMENT

Member Name: George J Bailey

Meeting Date: March 18, 2024

Agenda Item: _____ Section _____ Number: _____

Topic: Judge Appointment

The Ethics Act, SC Code §8-13-700, provides that no public official may knowingly use his office to obtain an economic interest for himself, a family member of his immediate family, an individual with whom he is associated, or a business with which he is associated. No public official may make, participate in making, or influence a governmental decision in which he or any such person or business has an economic interest. Failure to recuse oneself from an issue in which there is or may be conflict of interest is the sole responsibility of the council member (1991 Op. Atty. Gen. No. 91-37.) A written statement describing the matter requiring action and the nature of the potential conflict of interest is required.

Justification to Recuse:

_____ Professionally employed by or under contract with principal

_____ Owns or has vested interest in principal or property

_____ Other: Judge Rangel B. Bailey
is a law partner with me.

Date: 3.18.24

[Signature]
Member

Approved by Parliamentarian: _____