

**CITY OF LANCASTER  
WORK SESSION  
TUESDAY, AUGUST 8, 2023**



**CITY OF LANCASTER  
WORK SESSION  
TUESDAY, AUGUST 8, 2023  
7:00 P.M.**

- I. Invocation & Pledge of Allegiance – Council Member Hood**
- II. Roll Call**
- III. Citizen Comments\***
- IV. Employee Comments**
- V. Approval of Minutes**
  - A. Regular Meeting – July 25, 2023 **Pg. 1**
- VI. Ordinance**
  - A. O23-18 (Second Reading) An Ordinance Annexing into the City of Lancaster, South Carolina One Parcel of Land Totaling 0.418 Acres Located at 1337 Kent Drive, and Owned by Thomas Alexander Jackson and Deverne Hall Jackson (*Hutfles*) **Pg. 6**
  - B. O23-19 (Second Reading) An Ordinance to Grant an Easement to Lancaster County Natural Gas Authority on the Southeastern Portion of Land Identified As Tax Map #0082C-0A-017.00, and Owned by the City of Lancaster, South Carolina (*Hutfles*) **Pg. 14**
- VII. Executive Session-Contractual Negotiations (§30-4-70(a)(1))**
  - A. To discuss the Finance Director applicants

*N.B.: Upon returning to open session, Council may take action on matters discussed in executive session.*

**VIII. Adjournment**

\*Persons desiring to speak should notify the City Clerk prior to the beginning of the meeting. All persons wishing to speak must be signed in and present prior to the start of the meeting. Please begin by stating your name and address. You will have up to 3 minutes to address Council. The entire Citizen Comments portion of the agenda shall not extend longer than thirty (30) minutes. All statements should be addressed to Council as a body and not to individual Council Members. Please be advised that this is not a period of dialogue with Council or a question-and-answer period.



Any person requiring special accommodations should contact the Office of the City Administrator at (803) 289-1453 at least 24 hours prior to the scheduled meeting.

**CITY OF LANCASTER  
REGULAR MEETING  
TUESDAY, JULY 25, 2023**

P1

A meeting of the Lancaster City Council was held in the City Hall Council Chambers on Tuesday, July 25, 2023, at 7:00 p.m.

Mayor T. Alston DeVenny called the meeting to order. A notice of the meeting was posted at City Hall and placed on the City's website. The local news media was contacted about the meeting time and place. The meeting was open to the public and streamed live on the City's YouTube channel.

**I. Invocation & Pledge of Allegiance**

Mayor DeVenny offered the Invocation and led the Pledge of Allegiance.

**II. Roll Call**

**Present:** Mayor Alston DeVenny, Council Member Harris, Council Member Jones, Council Member Marsh, and Council Member Sowell

**Absent:** Council Member Hood, and Council Member Taylor

**Others Present:** City Administrator Flip Hutfler, City Attorney Mitch Norrell, City Clerk Tracy Rabon, Building and Zoning Director Louis Streater, Fire Chief Justin McLellan, Police Chief Don Roper, Public Utilities Director Donnie Ledford, Field Superintendent Ken Sims for Public Works Director Rendell Mingo, Sanitation & Maintenance Operations Director Matt Berry, Human Resource Director Angela Roberson, IT Director Melissa Izzard, and Haley Jones with the Lancaster News.

**III. Special Presentation**

*A. Benchmark Planning Comprehensive Plan Status Update*

Jason Epley, AICP with Benchmark Planning presented the update of the Comprehensive Plan. Mr. Epley noted that the next steps would include (1) Development of a draft plan, (2) Planning Commission workshops, (3) Public meeting to review the draft plan, then adoption.

Council Member Harris stated that it is crucial that citizen engagement be considered before implementing the plan. Mayor DeVenny recommended having a joint meeting with the City Planning Commission. Council Member Sowell noted that the community outreach survey received great ideas, however he wished more people had taken part in the survey.

**IV. Citizen Comments**

Michael Miles of 121 S. Main Street addressed Council regarding the Downtown Rehabilitation Grant. Mr. Miles thanked Council for the grant opportunity and encouraged Council to consider approving the grant.

Corky Manns of 123 S. Main Street addressed Council regarding the Downtown Rehabilitation Grant. Mr. Manns also encouraged Council to consider implementing the grant.

Krista Poyner of 303 S. Main Street addressed Council in support of the Downtown Rehabilitation Grant.

**V. Employee Comments**

Police Chief Don Roper addressed Council and stated that since August, sixteen police officers and two telecommunication officers have been hired. Chief Roper introduced the following new employees to Council:

*Certified Officers*

Nelson Bowling as a Field Services Captain, James Howe as a Detective Sergeant in Special Operations Joseph Correll as a Patrol Officer, and Bernice Thompson as a Part-Time Patrol Officer

*Patrol Recruits*

Zack Campbell, Marty Tolbert, Jake Walters, Johnny Cunningham, and Justin Tucker

Mayor DeVenny commended Chief Roper on building a police force that this community wants to see.

**VI. Approval of Minutes**

A. *Work Session – July 11, 2023*

**Motion:** To approve the minutes for the Work Session July 11, 2023

**Moved by** Council Member Jones, **Seconded by** Council Member Sowell

**Vote:** Motion carried by unanimous roll call vote

**Action:** Approved

**VII. Monthly Reports for June 2023**

Council Member Harris thanked Sanitation & Maintenance Operations Director Matt Berry and Building and Zoning Director Louis Streater for taking quick action and addressing an incident that occurred on Dunlap Street. Council Member Harris expressed concern with the safety of foot traffic on Dunlap Street and stated that the South Carolina Department of Transportation (SCDOT) needs to address safety hazards immediately for the safety of the citizens in the east side of the City. Council Member Marsh agreed and stated that a citizen fell in front of First Baptist Church and when she contacted SCDOT she was referred to the Columbia office of SCDOT.

Council Member Harris asked for an update on the FY 22-23 Council Goals *Should Do Goal #2a: Enhanced Customer Service by Implementing a Diversity, Equity, and Inclusion Training Program*. Mr. Hutfles reported that Ms. Roberson has reached out to several consulting firms, and received information from Chief Roper and Chief McLellan regarding the firm that conducts Diversity, Equity, and Inclusion (DEI) training specifically for Public Safety. Council Member Harris asked for clarification that the training would be for all employees not just the public safety sector. Mr. Hutfles confirmed that it would be for all employees including Council.

Council had no further questions or concerns regarding the Monthly Report for June 2023. The complete report is available for review in the City Clerk's office.

**VIII. End of Fiscal Year 22-23 Soft Closing Cash Management and Finance Report**

Mayor DeVenny asked for the status of the Finance Director's position. Mr. Hutfles stated that the City is still accepting applications, however minimal have been received.

Mr. Hutfles presented the End of the FY 22-23 Soft Closing Cash Management and Finance Report.

Council Member Harris asked for an update on the Audit. Mr. Hutfles stated that he and the Assistant Finance Director have submitted all the requested information, and that the City should be receiving the draft audit by the end of July.

Mayor DeVenny asked about the police cars. Mr. Hutfles stated that eleven vehicles have been received and staff is looking for companies to install the decals and striping.

Council Member Harris asked if the software concerns at the Municipal Court had been addressed. Mr. Hutfles stated that Court personnel are scheduled to implement a new record management system in October 2023.

**IX. Discussion and Action Items**

*A. Discussing Purchasing Downtown Christmas Decorations*

Event Manager Lisa Roddey presented Council with a proposal to purchase new Christmas Decorations for downtown to enhance the downtown area in order to make it a destination for viewing lights during the Christmas season. Ms. Roddey stated the decorations will be placed on Main Street from Meeting Street to Chesterfield Street. Ms. Roddey also noted that it is the department's intent to have to have decorations that can be added too each year.

Ms. Roddey presented the following items for approval;

- Four large Christmas ornaments at the entrance of Downtown
- String lights/swag on the Main Street poles along with bows and garland
- Four lighted arches to line the Red Rose Park path
- One Waterloo arch placed on one of the Main Street sidewalk bump outs
- Thirty-five red and white balls placed in the trees that line Main Street

Mayor DeVenny asked about the capacity of the light poles to accommodate the extra wattage. Ms. Roddey stated that she scheduled two separate meetings with the manufacturers to assess the capacity of the poles. Ms. Roddey stated she also met with the City's contracted electrician and the Sanitation & Maintenance Operations Director Matt Berry to confirm these additions would be possible. Ms. Roddey noted that she has requested that the vendor install and remove the decorations after the holidays to lengthen the life of the product and to place less of a burden on City staff.

Council Member Harris asked about the trees' ability to hold the requested lighting. Mr. Berry stated that each orb would need to be placed on the tree to see what/if it could support the decoration. Council Member Harris asked if the lights could be incorporated with the Greenway's lights. Ms. Roddey stated that a collaboration is being planned.

Mayor DeVenny asked if the new lights would integrate well with the new Christmas tree. Ms. Roddey stated that one of the companies she has talked too is the same company that supplied the Christmas Tree. Mayor DeVenny and Council Member Harris suggested that staff begin looking for a place downtown for the new Christmas tree.

Council Member Harris asked that citizens be allowed to provide feedback to allow them to express their opinions on the downtown decorations. Ms. Roddey stated that a downtown business owner was present at tonight's meeting for any input she could provide from a business perspective. Council Member Harris stated that the City needs feedback from citizens, not just business owners, and recommended placing the pictures on Facebook to ask for citizen feedback.

*B. Discussing the Downtown Rehabilitation Grant Program*

Marketing & Development Manager Alize Thomas presented Council with the Downtown Rehabilitation Grant Program. Ms. Thomas noted that this grant would help property owners with façade renovations, foundation repairs, roofing, plumbing, electrical, fire prevention systems, windows, HVAC, insulation, and ADA improvements. The grant committee would consist of the Finance and Information Technology Standing Committee Chair, the Building, Planning, and Zoning Standing Committee Chair, the Finance Director, the Code enforcement Officer, and the Lancaster County Chamber of Commerce President/CEO.

Mayor DeVenny asked for clarification of funding source. Mr. Hutfles confirmed that \$200,000 has been earmarked in the General Fund of the FY 23/24 budget.

Council Member Harris asked how the 70/30 match with a \$50,000 maximum was determined. Ms. Thomas stated that she reviewed several other towns' grants and the 70/30 match seemed to be consistent throughout. Mr. Hutfles clarified that an applicant is eligible to receive 70% of the total project cost (up to a maximum of \$50,000), and noted the minimum amount awarded to an applicant would be 17.5% of the project cost. Council Member Harris expressed concern that the 70/30 match was not presented to Council prior to the meeting and asked that Finance Committee meet to discuss the specifics of the grant. Council Member Harris also noted that the footprint needs to be reviewed, as the Façade Grant covered a larger area.

Council Member Harris stated that the application needs to be more in-depth to allow for discussion within the committee and recommended that the applicant include a business plan with the application.

**X. Ordinance**

- A. *023-18 (First Reading) An Ordinance Annexing into the City of Lancaster, South Carolina One Parcel of Land Totaling 0.418 Acres Located at 1337 Kent Drive, and Owned by Thomas Alexander Jackson and Deverne Hall Jackson*

Building, Planning, Zoning & Licensing Director Louis Streater presented Council with 023-18 requesting annexation of 1337 Kent Drive. Mr. Streater noted that Mr. & Mrs. Jackson purchased the property on May 10, 2023. To establish water and sewer service they were required to submit a petition for annexation. Mr. Streater noted that since the property is a doughnut hole within the city, the property would not place any additional burden on emergency personnel or trash service. This property will generate approximately \$1,337 in property tax revenue for the City.

**Motion:** To approve the first reading of *023-18* an Ordinance Annexing into the City of Lancaster, South Carolina one parcel of land totaling 0.418 acres located at 1337 Kent Drive, and owned by Thomas Alexander Jackson and Deverne Hall Jackson

**Moved by** Council Member Harris, **Seconded by** Council Member Marsh

**Vote:** Motion carried by unanimous roll call vote

**Action:** Approved

- B. *023-19 (First Reading) An Ordinance to Grant an Easement to Lancaster County Natural Gas Authority on the Southeastern Portion of Land Identified As Tax Map #0082C-0A-017.00, and Owned by the City of Lancaster, South Carolina*

Sanitation and Maintenance Operations Director Matt Berry presented 023-19 requesting Council grant Lancaster County Natural Gas Authority (LCNGA) an easement on City property located on the northwest corner of Plantation Road and Springdale Road to install a rectifier and place cathodic wires and sacrificial anodes to provide cathodic protection on their natural gas pipes.

Mayor DeVenny asked how close the right of way is to the easement. Mr. Hutfles stated it was approximately 20 feet.

**Motion:** To approve the minutes for the Work Session July 11, 2023

**Moved by** Council Member Sowell, **Seconded by** Council Member Jones

**Vote:** Motion carried by unanimous roll call vote

**Action:** Approved

Mayor DeVenny stated that he attended the Public Hearing conducted regarding the repair of the Plantation Road bridge. Mayor DeVenny stated the reported plan is to remove the bridge and completely restructure it, which should be completed in approximately six months. Mayor DeVenny also noted that the City needs to begin thinking about adding a pathway under the bridge to connect to the Greenway.

**XI. Executive Session-Contractual Negotiations (§30-4-70(a)(2))**

A. To discuss the proposed purchase of real property

**Motion:** To enter Executive Session

**Moved by** Council Member Jones, **Seconded by** Council Member Marsh

**Vote:** Motion carried by unanimous roll call vote

**Action:** Approved

Council returned from Executive Session where no votes were taken.

**Motion:** To return to open session

**Moved by** Council Member Harris, **Seconded by** Council Member Jones

**Vote:** Motion carried by unanimous roll call vote

**Action:** Approved

**XII. Adjournment**

**Motion:** To adjourn

**Moved by** Council Member Jones, **Seconded by** Council Member Marsh

**Vote:** Motion carried by unanimous roll call vote

**Action:** Adjourned

There being no further business, Council adjourned at 9:54 p.m.

Respectfully submitted,

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Tracy Rabon  
City Clerk

## Agenda Item VI.A

**City of Lancaster  
City Council Meeting  
August 8, 2023**

**TO:** City Council  
**SUBJECT:** Annexation Ordinance  
**INITIATED BY:** Thomas & Deverne Jackson  
**PREPARED BY:** City Administrator

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**Background:** Article I Chapter 28 of the City Code states in part that once a structure located within a doughnut hole changes ownership the new property owner must sign an annexation agreement to have water and sewer services. Furthermore, the agreement states that the City can call at any time for the owner to petition to annex into the City.

The Jackson purchased the property at 1337 Kent Drive on May 10, 2023. In order to establish water and sewer service they were required to submit a petition for annexation.

Council unanimously approved the first reading of Ordinance O23-18 at the July 25, 2023 City Council meeting.

**Financial:** 1337 Kent Drive being located in a doughnut hole will not place any additional burden on the existing police and fire services, and residential trash. As a primary residential dwelling unit the property will be assessed at the 4% residential rate. Currently, the property has an appraised value of \$165,500, and hence will generate approximately \$1,337 in property tax revenue for the City.

**Policy Considerations:** Section 28-1, 28-2, and 28-3 of the City Code. Furthermore, the proposed annexation would be in the best interest of the City as there will be no additional burdens placed on existing City residents.

**Recommendations/Actions:** Approve Ordinance O23-18.

**Attachments:** Ordinance O23-18, annexation petition, deed, boundary survey map, and location map.



**ORDINANCE 023-18**

**AN ORDINANCE ANNEXING INTO THE CITY OF LANCASTER, SOUTH CAROLINA ONE PARCEL OF LAND TOTALING 0.418 ACRES LOCATED AT 1337 KENT DRIVE AND OWNED BY THOMAS ALEXANDER JACKSON AND DEVERNE HALL JACKSON**

**WHEREAS**, the South Carolina Code of Laws of 1976, as amended, Title 5 Chapter 3 provides for the process for municipalities to annex property; and

**WHEREAS**, the City of Lancaster has enacted a Zoning Ordinance which governs the annexation and rezoning of annexed property; and

**WHEREAS**, a proper petition has been filed with the City of Lancaster by 100 percent of the freeholders owning 100 percent of the assessed value of the contiguous property hereinafter described petitioning for annexation of the property to the City of Lancaster under provisions of South Carolina Code Section 5-3-150(3); and

**WHEREAS**, it appears to Council that annexation would be in the best interest of the property owner and the City of Lancaster.

**NOW, THEREFORE, BE IT ORDAINED**, by Mayor and Council of the City of Lancaster, South Carolina, in Council assembled, that the property herein described below is hereby annexed to and becomes a party of the City of Lancaster.

ALL that certain piece, parcel, or lot of land lying, being and situate near the City of Lancaster in Lancaster County, South Carolina, fronting one hundred twenty (120') feet on the south side of Kent Drive and being more particularly described by Plat Number 8559 as recorded in the Office of the Clerk of Court for Lancaster County and designated as Lot 22 in Block X and Lot 23 in Block X of Forest Hills Subdivision Number 12.

Being the same property conveyed to Cynthia F. Williams and Martin S. Faulkenberry by deed of The Estate of Shirley Sims Faulkenberry 2021ES2900731 dated August 4, 2022 in Deed Book 1577, Page 138 in the Lancaster County Register of Deeds.

Tax Map No.: 0067J-0F-021.00

The property shall have an interim zoning classification of R-15 pending rezoning pursuant to the Zoning Ordinance.

**DONE IN MEETING ASSEMBLED** on the 8<sup>th</sup> day of August 2023, and to become effective August 8, 2023.

Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Requested by:

Thomas & Deverne Jackson

\_\_\_\_\_  
T. Alston DeVenny, Mayor

Approved as to Form:

\_\_\_\_\_  
Mitch Norrell, City Attorney

\_\_\_\_\_  
Tracy Rabon, Municipal Clerk

First Reading: July 25, 2023  
Second Reading: August 8, 2023



# City of Lancaster Annexation Petition

216 South Catawba Street  
PO Box 1149  
Lancaster SC 29721-1149  
Phone: 803-283-4253

INFORMATION	
Petitioner/Owner Name <u>Thomas A Jackson</u>	Telephone <u>704 207 4139</u>
Mailing Address / City ST ZIP <u>1337 Kent Drive</u>	
Additional Owner Name (if applicable) <u>Deverne H Jackson</u>	Telephone <u>704 877 8947</u>
Mailing Address / City ST ZIP <u>1337 Kent Drive</u>	
Additional Owner Name (if applicable)	Telephone
Mailing Address / City ST ZIP	

GENERAL LOCATION OF SUBJECT PROPERTY OR PROPERTIES		
<u>1337 Kent Drive, Lancaster, SC 29720</u>	Tax Map # <u>006U-0F02100</u> Acres (±) <u>.42</u>	Requested Zoning <u>R-15</u>
	Tax Map # Acres (±)	Requested Zoning
	Tax Map # Acres (±)	Requested Zoning
	Tax Map # Acres (±)	Requested Zoning
	Tax Map # Acres (±)	Requested Zoning

**Attach a metes and bounds legal description prepared by a surveyor registered in South Carolina as Exhibit A of this petition.**

### PETITIONER'S STATEMENT AND ASSURANCES

I, the undersigned, pursuant to Section 5-3-150(3) of the Code of Laws of the State of South Carolina, representing to be at least 18 years of age and owner of all the area described on Exhibit A attached hereto at the date hereof, and whose name(s) appear on the county tax records as the owner(s) of said real estate, do by this petition, request that the property described on Exhibit A attached hereto be annexed into the City of Lancaster, South Carolina, and be classified in the above indicated City Zoning District. I certify that I have received a copy of, understand and agree to Sections 28-2 and 31-24(e) of the City of Lancaster Code of Ordinances regarding provision of utility services to contiguous properties and extension of City services pending final action by City Council regarding annexation.

### PRINTED NAME(S) AND SIGNATURE(S) OF PETITIONER/PROPERTY OWNER(S) AND DATE

<u>Thomas A Jackson</u>	<u>Thomas A Jackson</u>	<u>7/7/23</u>
<u>Deverne H Jackson</u>	<u>Deverne H Jackson</u>	<u>7/7/2023</u>

### ACTION BY LANCASTER CITY COUNCIL

Petition <input type="checkbox"/> Approved <input type="checkbox"/> Denied	Action Date
Signature of Authorized City Representative	Date Signed

LANCASTER COUNTY ASSESSOR  
Tax Map:  
0067J OF 021 00

RECORDED THIS 10th DAY  
OF MAY, 2023  
IN BOOK 00 PAGE 00

*Stephanie Knight*  
Auditor, Lancaster County, SC

Recording Requested By and  
When Recorded, Return to  
Southern Law Group  
568 Savannah Hwy., Suite A  
Charleston, SC 29407  
(Above the line is for recorder's use)

LANCASTER COUNTY, SC	
2023005850	DEED
RECORDING FEES	\$15.00
STATE TAX	\$832.00
COUNTY TAX	\$352.00
PRESENTED & RECORDED	
05-10-2023	03:17:46 PM
BRITTANY GRANT	
REGISTER OF DEEDS	
LANCASTER, COUNTY SC	
BY: STEPHANIE KNIGHT	
BK:DEED 1664 PG:82-83	

STATE OF SOUTH CAROLINA            )  
  )     **TITLE TO REAL ESTATE**  
COUNTY OF LANCASTER                )

**KNOW ALL MEN BY THESE PRESENTS**, that Cynthia F. Williams and Martin S. Faulkenberry ("Grantor"), in consideration of the sum of three hundred nineteen thousand six hundred AND NO/100THS DOLLARS (\$319,600.00), to the Grantor in hand paid at or before the sealing of these presents by Thomas Alexander Jackson and Deverne Hall Jackson, as joint tenants with right of survivorship and not as tenants in common ("Grantee") in the State aforesaid, the receipt of which is hereby acknowledged, **SUBJECT TO** the restrictions, exceptions, and limitations as set forth hereinafter, if any, has granted, bargained, sold and released, and by these presents *does grant, bargain, sell and release unto the said Thomas Alexander Jackson and Deverne Hall Jackson, as joint tenants with right of survivorship and not as tenants in common, his/her/their/its* Successors, Heirs, and Assigns, forever in fee simple, the following described property to-wit:

ALL that certain piece, parcel or lot of land lying, being and situate near the City of Lancaster in Lancaster County, South Carolina, fronting one hundred twenty (120') feet on the south side of Kent drive and being more particularly described by Plat Number 8559 as recorded the Office of the Clerk of Court for Lancaster County and designated as Lot 22 in Block X and Lot 23 in Block X of Forest Hills Subdivision Number 12.

**SUBJECT TO** any restrictions, reservations, zoning ordinances or easements that may appear of record on the recorded plats or on the property.

**BEING** the same property conveyed to Cynthia F. Williams and Martin S. Faulkenberry by deed of The Estate of Shirley Sims Faulkenberry 2021ES2900731 dated August 4, 2022 and recorded on August 4, 2022 in Deed Book 1577, Page 138 in the Lancaster County Register of Deeds.

**Grantee's Address:** 1337 Kent Drive, Lancaster, SC 29720

**Tax Parcel Number:** 0067J-0F-021.00

TOGETHER WITH all and singular the rights, members, hereditaments and appurtenances to said premises belonging or appertaining thereto.

TO HAVE AND TO HOLD all and singular the premises before mentioned unto the Grantee and the Grantee's successors, heirs, and assigns forever. AND the Grantor does hereby bind the Grantor and the Grantor's heirs or successors, executors and administrators to warrant and forever defend all and singular said premises unto the Grantee and the Grantee's successors, heirs, and assigns and against every person whomsoever lawfully claiming or to claim the same or any part thereof.

Any reference in this instrument to the singular shall include the plural and vice versa. Any reference to one gender shall include the others, including the neuter. Such words of inheritance shall be applicable as are required by the gender of the Grantee.

WITNESS my hand and seal this the 10 day of May, 2023.

SIGNED, SEALED, AND DELIVERED  
IN THE PRESENCE OF:

Cynthia F. Williams  
Cynthia F. Williams

Martin S. Faulkenberry  
Martin S. Faulkenberry

Courtney Fox  
WITNESS 1

Ulah Z. Fox  
WITNESS 2/NOTARY

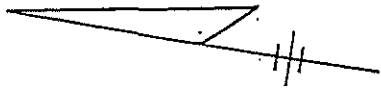
STATE OF North Carolina  
COUNTY OF Mecklenburg

ACKNOWLEDGEMENT

I, a Notary Public for the State and County aforesaid, do hereby certify that **Cynthia F. Williams and Martin S. Faulkenberry**, Grantor, personally appeared before me on this the 10 day of May, 2023, and acknowledged the due execution of the foregoing instrument.

Ulah Z. Fox  
Notary Public for the State of North Carolina  
My Commission Expires: 7-23-24

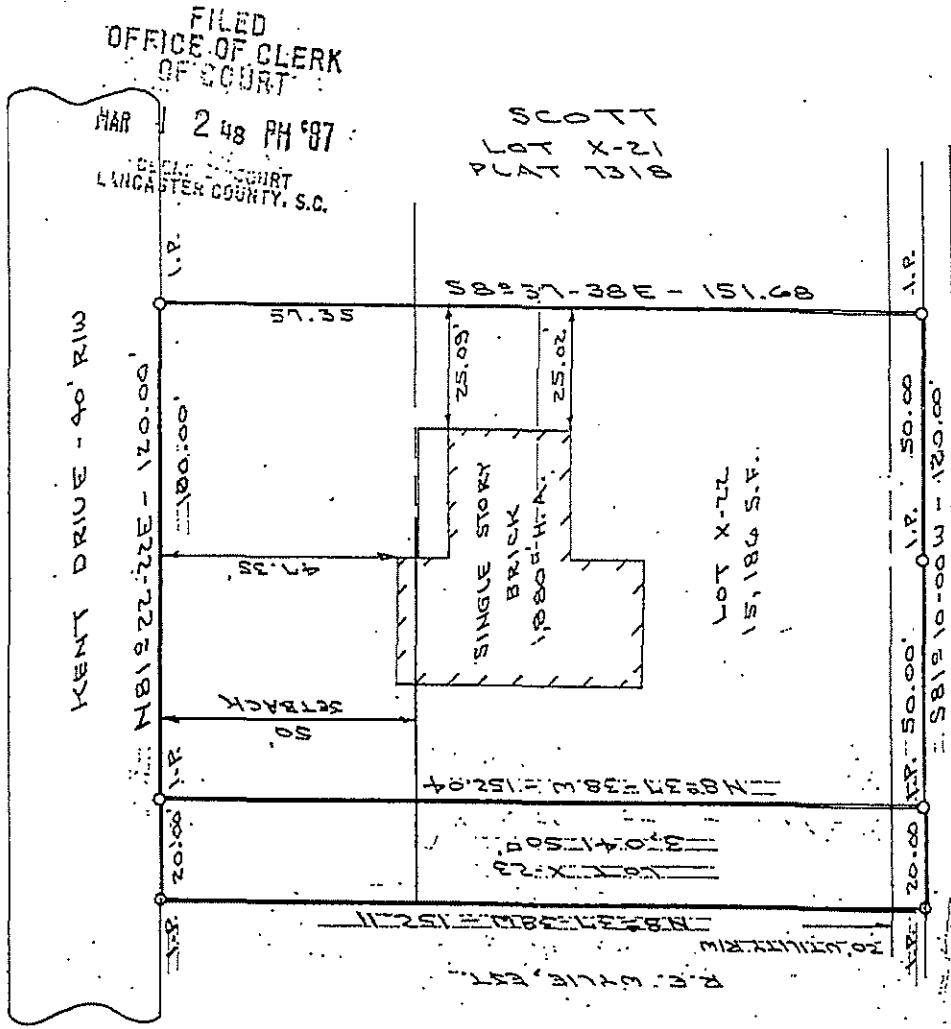




NOTE This lot does not lie within any designated flood area and there are no encroachments or projections other than as shown on this plat.

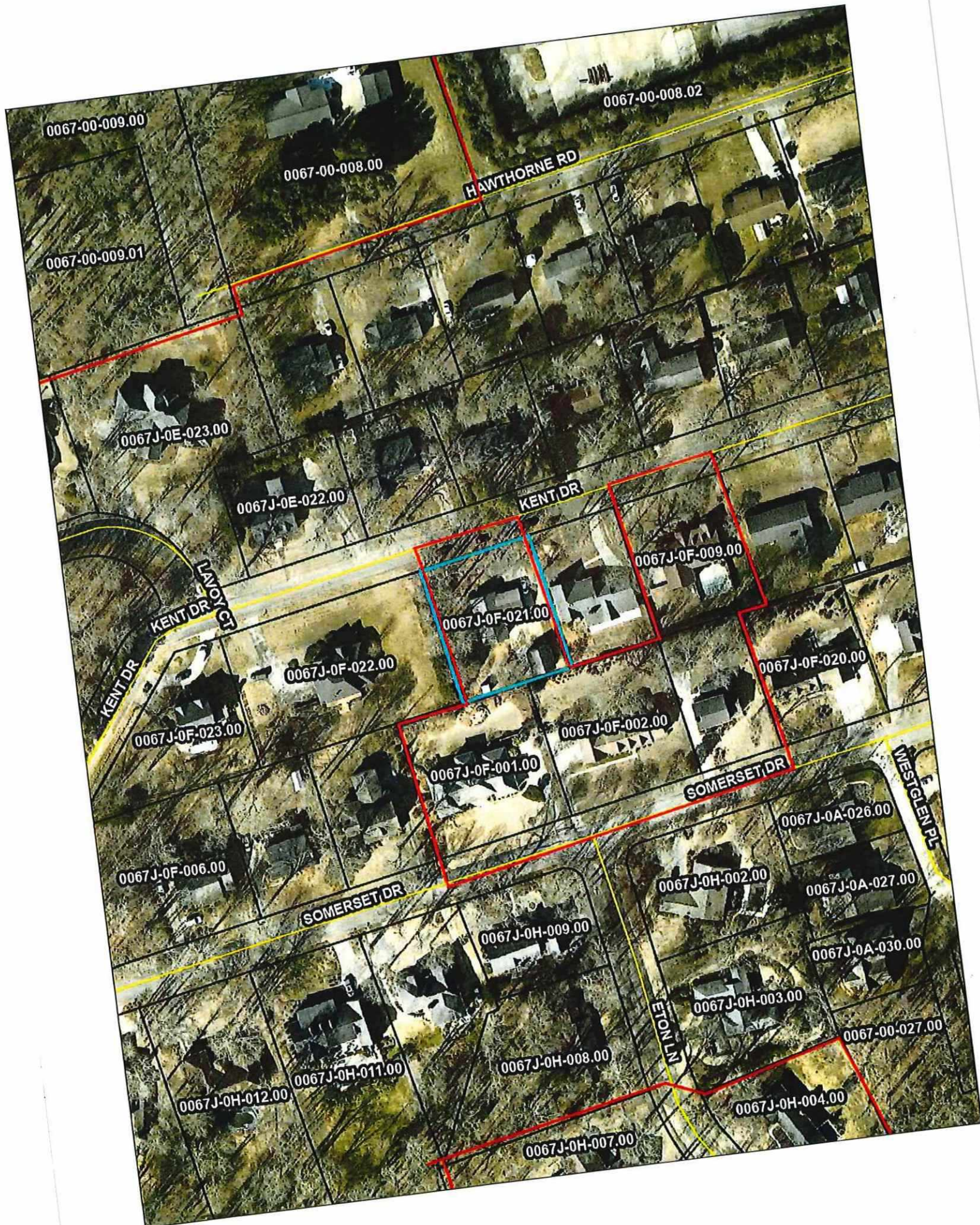
Plat # 8559

TO RUSBY ROAD



PLAT OF PROPERTY  
 DAVID P. & LAURA M. CUNE  
 LOCATED IN  
 FOREST HILLS SUB-DIV. NO. 12  
 NEAR  
 NORTHWESTERN CITY LIMITS  
 LANCASTER, S.C.  
 LANCASTER COUNTY  
 SCALE 1"=30' JAN. 16, 1987  
 SURVEY BY: R. H. ISELEY  
 J. C. CRUMPLER

R. H. Iseley



0067-00-009.00

0067-00-008.02

0067-00-008.00

HAWTHORNE RD

0067-00-009.01

0067J-0E-023.00

0067J-0E-022.00

KENT DR

0067J-0F-009.00

0067J-0F-021.00

0067J-0F-022.00

0067J-0F-020.00

LAYOY CT  
KENT DR

0067J-0F-023.00

0067J-0F-002.00

0067J-0F-001.00

SOMERSET DR

0067J-0F-006.00

SOMERSET DR

0067J-0A-026.00

0067J-0H-002.00

0067J-0A-027.00

0067J-0H-009.00

0067J-0A-030.00

0067J-0H-012.00

0067J-0H-011.00

0067J-0H-008.00

0067J-0H-003.00

0067-00-027.00

ELMTON LN

0067J-0H-007.00

0067J-0H-004.00

WEST GLEN PL

## Agenda Item VI.B

**City of Lancaster  
City Council Meeting  
August 8, 2023**

**TO:** City Council  
**SUBJECT:** Easement Ordinance  
**INITIATED BY:** Lancaster County Natural Gas Authority  
**PREPARED BY:** City Administrator

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**Background:** The Lancaster County Natural Gas Authority has requested an easement on City owned property located at the northwest corner of Plantation Road and Springdale Road in order to install a rectifier and place cathodic wires and sacrificial anodes to provide cathodic protection on their natural gas pipes.

A rectifier is an external power source used to send current through the pipeline cathodic protection system in order to prevent corrosion. The rectifier is a metal box placed about one foot off the ground on a platform. The box is typically 22” long, 21” wide, and 24” high. The rectifier will be placed approximately 70 feet from Springdale Road property line and 20 feet from the Plantation Road property line, which is just outside of the floodplain.

Council unanimously approved the first reading of Ordinance O23-19 at the July 25, 2023 City Council meeting.

**Financial:** There is no direct cost to the City in granting the easement nor will the City receive any financial compensation for granting the easement.

**Policy Considerations:** Section 2-35 of the City Code.

**Recommendations/Actions:** Approve Ordinance O23-19.

**Attachments:** Ordinance O23-19, easement agreement, right-of-way map, and location map.



**ORDINANCE 023-19**

**AN ORDINANCE TO GRANT AN EASEMENT TO LANCASTER COUNTY NATURAL GAS AUTHORITY ON THE SOUTHEASTERN PORTION OF LAND IDENTIFIED AS TAX MAP #0082C-0A-017.00, AND OWNED BY THE CITY OF LANCASTER, SOUTH CAROLINA**

**WHEREAS**, Lancaster County Natural Gas Authority, requests a perpetual and non-exclusive easement for the purpose of laying, constructing, operating, inspecting, maintaining, and replacing pipeline and appurtenances for the transportation of natural gas on property identified as Tax Map #0082C-0A-017.00; and

**WHEREAS**, the easement will be a strip of land ten feet (10') wide and three hundred sixty feet (360') long with a twenty foot (20') by twenty foot (20') wide equipment area near the southeastern property line adjacent to Springdale Road; and

**WHEREAS**, Section 5-7-40 of the South Carolina Code of Laws grants all municipalities the right to own and possess property; and

**WHEREAS**, Section 2-53 of the City of Lancaster City Code states in part that Council shall act by ordinance in all matters including granting rights on public property; and

**WHEREAS**, it appears to Council that granting the easement would be in the best interest of the residents and the City of Lancaster.

**NOW, THEREFORE, BE IT ORDAINED**, by Mayor and Council of the City of Lancaster, South Carolina, in Council assembled, that the City of Lancaster grants an easement to Lancaster County Natural Gas Authority on the aforementioned property, and that the City Administrator is authorized to execute, on behalf of the City of Lancaster, the attached easement agreement and any other necessary documents.

**DONE IN MEETING ASSEMBLED** on the 8<sup>th</sup> day of August 2023, and to become effective August 8, 2023.

Yeas \_\_\_\_\_ Nays \_\_\_\_\_

Requested by:

Lancaster County Natural Gas Authority

\_\_\_\_\_  
T. Alston DeVenny, Mayor

Approved as to Form:

\_\_\_\_\_  
Mitch Norrell, City Attorney

\_\_\_\_\_  
Tracy Rabon, Municipal Clerk

First Reading: July 25, 2023  
Second Reading: August 8, 2023



GRANTEE may install posts or markers as required by law where practicable indicating the course of any pipeline.

GRANTEE will, upon initial construction and installation of the pipeline, remove all vegetative debris (roots and stumps will be removed to ground level), smooth and stabilize the right-of-way area, remove all trash and other debris left during installation, and plant vegetation when construction is complete.

TOGETHER also with the right from time to time to remove or clear and keep clear such trees, underbrush, structures and other obstructions, upon said right-of-way (and branches or roots of such trees that may interfere with or endanger said lines or appurtenances when nearby), and the right of entry upon the right of way area for all the purposes aforesaid provided that such removal and clearing will be done through manual and mechanical means and without chemical applications.

PROVIDED, however, any damage to the property of Grantor(s) (other than to property cleared or removed as hereinbefore provided) caused by Grantee in the course of constructing, rebuilding, maintaining, altering, upgrading, relocating or repairing said lines shall be borne by Grantee.

THE rights herein granted may be assigned in whole or in part.

GRANTOR covenants that Grantor has the right to convey the said right-of-way; that Grantee shall have quiet and peaceable possession, use and enjoyment of the aforesaid right-of-way, rights and privileges, and that Grantor will execute such further assurances thereof as may be requisite.

GRANTOR covenants and warrants that Grantor will not transfer, alienate, devise, encumber, or otherwise affect title to the subject property above for a period of seven (7) days from the date of this Right-of-Way, which will allow the Grantee time to have this Right-of-Way recorded in the Office of the Register of Deeds for Lancaster County, South Carolina.

And the Grantor(s) hereby represents(s) that said premises are owned by the undersigned in fee.

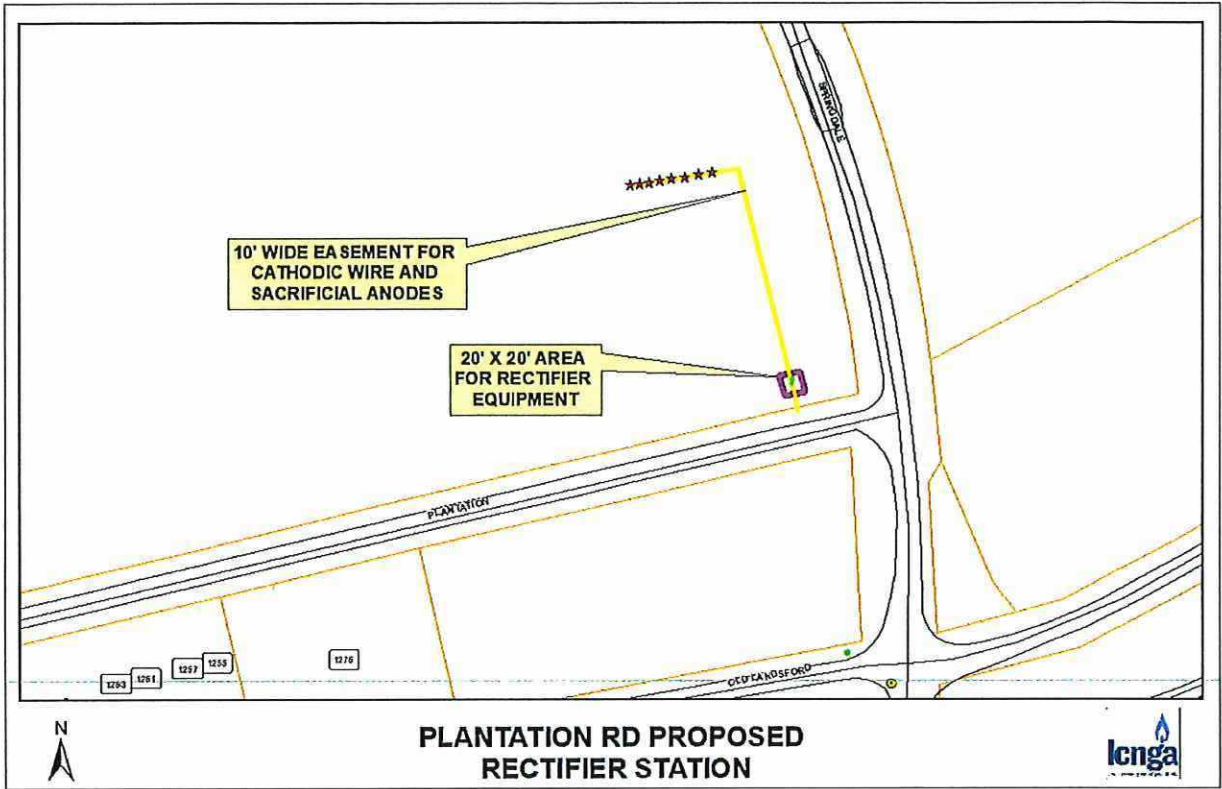
TO HAVE AND TO HOLD said easement, right and rights of way, estates and privileges, unto Grantee, its successors and assigns forever.

ALL rights and privileges, obligations and liabilities created by this instrument shall inure to the benefit, and be binding upon, the heirs, devisees, administrators, executors, personal representatives, successors or assigns of the parties hereto.

IT is agreed that this Right-of-Way covers all the agreements between the parties and no representation or elements or statements, verbal or written, have been made previously, modifying, adding to, or changing the terms of the agreement.



Exhibit "A"





**10' WIDE EASEMENT FOR  
CATHODIC WIRE AND  
SACRIFICIAL ANODES**

**20' X 20' AREA  
FOR RECTIFIER  
EQUIPMENT**

# PLANTATION RD PROPOSED RECTIFIER STATION

