

**CITIZENS' HEARING – 5:30 P.M.**

Milton Delair, 1686 Essex Hall Dr., addressed the City Council regarding the Vietnam Veterans Memorial.

Jonathan Nichols, 2285 Leslie Hwy Suite 102, addressed the City Council regarding tattoo shop zoning regulations.

Randi Sisk, 621 Mondale Dr., addressed the City Council regarding a claim against the City.

Aaron Barnes, 1424 Beckworth Ave., addressed the City Council regarding the rules and procedures of the City Council.

Cran Neely, 736 Saluda St., addressed the City Council regarding residential utility services.

**EXECUTIVE SESSION**

Upon a motion by Councilmember Sutton, which was duly seconded and unanimously approved, the Mayor and Council went into Executive Session to discuss ten matters including receiving legal advice concerning an existing intergovernmental utility agreement, receiving legal advice on a zoning matter related to property near I-77, receiving background information and legal advice on potential contracts related to the City's small parcel real estate holdings, receiving background information and legal advice concerning a potential cemetery project within the downtown area near Flint Street, receiving background information and legal advice related to the potential acquisition of land near the downtown area for a parks recreation and tourism project, receiving background information and legal advice on a potential extension of City utilities and related agreements for property near Albright Road and the southern section of the City limits, receiving legal advice on a potential economic development project and contracts related to property near the Airport, receiving background information and legal advice on a potential City agreement for the purchase or sale of land near the Textile Corridor, and discussing Council appointments to City Boards and Commissions.

**REGULAR SESSION - 6:00 P.M.**

Council met in regular session with Mayor Gettys, Mayor Pro Tem Pender and Councilmembers Black, Jackson, Oborokumo, Reno, and Sutton. Also present were City Manager David Vehaun, Deputy City Manager Jimmy Bagley, Deputy City Manager Steven Gibson, City Attorney Paul Dillingham, and Municipal Clerk Anne P. Harty. Matthew Kreh from WRHI and Eric Johnson from Fox 46 were also in attendance.

**MINUTES OF REGULAR SESSION OF DECEMBER 10, 2018**

Upon a motion by Councilmember Sutton, which was duly seconded and unanimously approved, approved the minutes of the Regular Session of December 10, 2018.

**ORDINANCE TO PROVIDE FOR THE DISPOSITION BY SALE OF PROPERTY ON DAVE LYLE BOULEVARD, ROCK HILL, SOUTH CAROLINA BY THE CITY OF ROCK HILL TO LANFORD ASSOCIATES, INC.** - Adopted

An ordinance entitled AN ORDINANCE TO PROVIDE FOR THE DISPOSITION BY SALE OF PROPERTY ON DAVE LYLE BOULEVARD, ROCK HILL, SOUTH CAROLINA BY THE CITY OF ROCK HILL TO LANFORD ASSOCIATES, INC. was given second reading and adopted upon a motion by Councilmember Reno, which was duly seconded and approved upon a vote of 6-1 with Councilmember Sutton dissenting.

There have been no changes to the ordinance since first reading.

**ORDINANCE TO PROVIDE FOR THE QUIT CLAIM OF THE RIGHT OF WAY OF AN ALLEY RUNNING PERPENDICULAR AND PARALLEL TO WORKMAN STREET BY THE CITY OF ROCK HILL** - Adopted

An ordinance entitled AN ORDINANCE TO PROVIDE FOR THE QUIT CLAIM OF THE RIGHT OF WAY OF AN ALLEY RUNNING PERPENDICULAR AND PARALLEL TO WORKMAN STREET BY THE CITY OF ROCK HILL was given second reading and adopted upon a motion by Councilmember Reno, which was duly seconded and unanimously approved.

There have been minor changes to the exhibit since first reading.

**FINAL ADOPTION OF A PENDING ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROCK HILL TO LIMIT THE AREAS WHERE SELF-STORAGE MINI-WAREHOUSING USES AND STRUCTURES ARE A PERMITTED USE** - Adopted

An ordinance entitled A PENDING ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROCK HILL TO LIMIT THE AREAS WHERE SELF-STORAGE MINI-WAREHOUSING USES AND STRUCTURES ARE A PERMITTED USE was given second reading and adopted upon a motion by Councilmember Sutton, which was duly seconded and unanimously approved.

After seeing more frequent requests for the construction of self-storage facilities, and seeing those requests be made for prime locations on major retail corridors, City Council recently enacted a moratorium on the consideration of new locations for the use. The moratorium was enacted on October 22, 2018, and is expected to last approximately six months or less. At the same time, City Council gave first reading approval to a pending ordinance that would amend the Zoning Ordinance to further restrict the zoning districts in which the use can locate. The pending ordinance would prohibit the consideration of new self-storage facilities in any zoning district except for Industry General (IG) or Industry Heavy (IH). Staff will develop a more comprehensive set of regulations for the use during the moratorium period, which would come back through the normal consideration process for amending the Zoning Ordinance before the moratorium is lifted. Planning Commission held a public hearing and consideration of the pending ordinance at their December meeting and recommended approval by a vote of 5-1 (Mallard opposed, Graham absent).

**ORDINANCE FOR PARTIAL ABANDONMENT OF UTILITY RIGHTS OF WAY AND EASEMENTS ON PROPERTY LOCATED NEAR HEATHER HILL ROAD IN THE CITY OF ROCK HILL** – First Reading

An ordinance entitled AN ORDINANCE FOR PARTIAL ABANDONMENT OF UTILITY RIGHTS OF WAY AND EASEMENTS ON PROPERTY LOCATED NEAR HEATHER HILL ROAD IN THE CITY OF ROCK HILL was given first reading upon a motion by Councilmember Sutton, which was duly seconded and unanimously approved.

On February 3, 2004, a development plat was recorded in the York County Register of Deeds in Plat Book C251 at page 7 securing a utility easement for future development. The development plans have changed and the easement on this parcel is no longer needed. Eliminating this easement will result in a buildable lot. Staff recommended abandoning the obsolete portion of the easement to accommodate development.

Jimmy Bagley, Deputy City Manager, presented the item to the City Council.

**ORDINANCE TO PROVIDE FOR THE LEASE OF SPACE AT THE AIRPORT FROM THE CITY OF ROCK HILL TO JAAM AVIATION, LLC.** – First Reading

An ordinance entitled AN ORDINANCE TO PROVIDE FOR THE LEASE OF SPACE AT THE AIRPORT FROM THE CITY OF ROCK HILL TO JAAM AVIATION, LLC. was given first reading upon a motion by Councilmember Reno, which was duly seconded and unanimously approved.

The hangar area lease is for a 25-year lease of raw land at the Airport. The area is approximately 5,625 square feet with an initial rental amount of \$1,237.50 per year, based upon final field calculations, with annual CPI increases. The tenant will construct an aircraft hangar totaling 5,625 square feet. The City will own the hangar at the end of the lease term. This lease is modeled after similar hangar lease agreements. This lease will benefit the City through potential economic development, increased Airport use and the property taxes generated by the aircraft.

Steven Gould, Airport Director, presented the item to the City Council.

**APPROVED PLANNING COMMISSION RECOMMENDATION REGARDING PETITION M-2018-23 BY IGLESIA CRISTANA EL SILOE TO REZONE APPROXIMATELY 0.4 ACRES AT 986 MYRTLE DRIVE FROM SINGLE-FAMILY RESIDENTIAL-4 (SF-4) TO SINGLE-FAMILY RESIDENTIAL-5 (SF-5) TAX PARCEL 629-18-01-003**

Upon a motion by Councilmember Reno, which was duly seconded and unanimously approved, approved Planning Commission recommendation regarding Petition M-2018-23 by Iglesia Cristana el Siloe to rezone approximately 0.4 acres at 986 Myrtle Drive from Single-Family Residential-4 (SF-4) to Single-Family residential-5 (sf-5) tax parcel 629-18-01-003.

The Iglesia Christiana el Siloe church owns both the subject parcel at 986 Myrtle Drive, which is zoned Single-Family 4 (SF-4) and the adjacent parcel at

914 Cherry Road, which is zoned Office and Institutional (OI). The church use is classified as a large religious institution, which is permitted in the OI zoning district but not the SF-4 zoning district. The applicant originally requested a rezoning of the subject parcel to OI in order to use that land for church use as well. The applicant would like to use the property for a children's playground and as a place for visiting preachers to stay. A public hearing was held on this request in November and although the neighbors were not opposed to the proposed use, they were opposed to other uses that would be permitted in the OI district. The case was deferred by the Planning Commission and the applicant revised his application to request Single-Family 5 (SF-5) zoning. This district would protect the neighborhood while still allowing the church to use the property as desired. The proposed use is a Special Exception in the SF-5 district and requires approval of the Zoning Board of Appeals. The Planning Commission recommended approval of the rezoning at their December meeting by a vote of 6-0 (Graham absent).

Eric Hawkins, Planner III, presented the item to the City Council.

**ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROCK HILL CODE BY MAKING CERTAIN CHANGES IN THE OFFICIAL ZONING MAP AFFECTING APPROXIMATELY 0.4 ACRES LOCATED ON MYRTLE DRIVE FROM SINGLE-FAMILY RESIDENTIAL-4 (SF-4) TO SINGLE-FAMILY RESIDENTIAL-5 (SF-5) – First Reading**

An ordinance entitled AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROCK HILL CODE BY MAKING CERTAIN CHANGES IN THE OFFICIAL ZONING MAP AFFECTING APPROXIMATELY 0.4 ACRES LOCATED ON MYRTLE DRIVE FROM SINGLE-FAMILY RESIDENTIAL-4 (SF-4) TO SINGLE-FAMILY RESIDENTIAL-5 (SF-5) was given first reading upon a motion by Councilmember Reno, which was duly seconded and unanimously approved.

This ordinance will enact the SF-5 zoning for the property at 986 Myrtle Drive as recommended by the Planning Commission.

Eric Hawkins, Planner III, presented the item to the City Council.

**APPROVED PLANNING COMMISSION RECOMMENDATION REGARDING PETITION M-2018-24 BY ROCK HILL ELKS LODGE 1318 TO REZONE APPROXIMATELY 8.6 ACRES AT 535 HOLLIS LAKES ROAD FROM NEIGHBORHOOD OFFICE (NO) TO OFFICE AND INSTITUTIONAL (OI). TAX PARCEL 589-01-01-055**

Upon a motion by Councilmember Pender, which was duly seconded and unanimously approved, approved Planning Commission recommendation regarding Petition M-2018-24 by Rock Hill Elks Lodge 1318 to rezone approximately 8.6 acres at 535 Hollis Lakes Road from Neighborhood Office (NO) to Office and Institutional (OI). Tax parcel 589-01-01-055.

The applicant is requesting the rezoning in order to use the property as a fraternal lodge for the Rock Hill Elks Club. The proposed use is permitted by Special Exception in the OI zoning district. The Planning Commission

recommended approval of the rezoning at their December meeting by a vote of 5-0 (Smith recused, Graham absent).

Eric Hawkins, Planner III, presented the item to the City Council.

Kenneth Martin, Chairman of the Board of Directors of the Elks Club, addressed the City Council.

**ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROCK HILL CODE BY MAKING CERTAIN CHANGES IN THE OFFICIAL ZONING MAP AFFECTING APPROXIMATELY 8.6 ACRES LOCATED ON HOLLIS LAKES ROAD FROM NEIGHBORHOOD OFFICE (NO) TO OFFICE AND INSTITUTIONAL (OI) TAX PARCEL 589-01-01-055** – First Reading

An ordinance entitled AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROCK HILL CODE BY MAKING CERTAIN CHANGES IN THE OFFICIAL ZONING MAP AFFECTING APPROXIMATELY 8.6 ACRES LOCATED ON HOLLIS LAKES ROAD FROM NEIGHBORHOOD OFFICE (NO) TO OFFICE AND INSTITUTIONAL (OI) TAX PARCEL 589-01-01-055 was given first reading upon a motion by Councilmember Pender, which was duly seconded and unanimously approved.

This ordinance will enact the OI zoning for the property at 535 Hollis Lakes Road as recommended by the Planning Commission.

Eric Hawkins, Planner III, presented the item to the City Council.

**APPROVED AN ART INITIATIVE IN THE DOWNTOWN AREA**

Upon a motion by Councilmember Reno, which was duly seconded and unanimously approved, approved an Art Initiative in the Downtown area.

The Women's Art Initiative requested permission to place Haiku poems on the downtown sidewalks in time for National Poetry Month in April, and in observance of the naming of Rock Hill's first Poet Laureate. Haiku poems specifically require 3 lines: 5 syllables in the first line 7 syllables in the second line and 5 syllables in the third line, and should include reference to nature. The Women's Art Initiative recently met with representatives of the Rock Hill School District to present the concept. The School District has endorsed the idea and will participate by inviting the art and writing teachers have their students write poetry as part of a contest and participate in the application. The Haiku Poetry Contest would be announced in January for students and other writers. Poems will be selected in February with application in March in time for an April celebration. The Women's Art Initiative has not selected specific spots on the sidewalks, but the plan is to print the poetry down both sides of Main Street from Fountain Park to Dave Lyle - spaced out so there is about 10 on each side of the street. The Women's Art Initiative will work with City staff on placement and speak to business owners to make them aware of poems near their places and give them details on the project in case customers ask about it.

Harriet Goode presented the item to the City Council.

**APPROVED REQUEST FOR WATER AND SEWER UTILITY SERVICE FOR LEGION COLLEGIATE ACADEMY, NEAR CORNER OF MT. HOLLY ROAD AND LONG MEADOW ROAD**

Upon a motion by Councilmember Reno, which was duly seconded and unanimously approved, approved request for water and sewer utility service for Legion Collegiate Academy, near the corner of Mt. Holly Road and Long Meadow Road.

The applicant is requesting utility service for Legion Collegiate Academy, a public charter high school. The proposed building is approximately 48,000 square feet and will comply with the City's design standards. The property is undeveloped and is not contiguous to the City Limits. The Utility Service Policy requires City Council approval. The owner will execute an annexation agreement for the property upon City Council approval.

Eric Hawkins, Planner III, presented the item to the City Council.

**APPROVED FIRST AMENDMENT TO SANITARY SEWER SERVICES AGREEMENT TO ALLOW WASTEWATER COLLECTION BY YORK COUNTY OF A DESIGNATED SERVICE AREA WITHIN TEGA CAY**

Upon a motion by Councilmember Sutton, which was duly seconded and unanimously approved, approved First Amendment to Sanitary Sewer Services Agreement to allow wastewater collection by York County of a designated service area within Tega Cay.

The City of Rock Hill has a current agreement with Tega Cay for sewer services where Tega Cay sends sewer directly to the City of Rock Hill for treatment. Tega Cay is seeking to serve a new area by sending sewer through York County's collection lines which will then be sent to the City of Rock Hill for treatment. The current sewer treatment agreement must be amended to allow this arrangement. The amendment provides that sewer from this new area must still be sent to the City of Rock Hill for treatment.

Jimmy Bagley, Deputy City Manager, presented the item to the City Council.

**APPROVED FINALIZATION OF AWARD OF THE EARLY WORK/CLARIFIER PROJECT CONSTRUCTION CONTRACT TO MB KAHN FOR \$33,288,009**

Upon a motion by Councilmember Reno, which was duly seconded and unanimously approved, approved finalization of award of the Early Work/Clarifier Project construction contract to MB Kahn for \$33,288,009.

On September 10, 2018, Council took action to approve a construction contract with MB Kahn for the construction of a new secondary clarifier, new return activated sludge (RAS) pump station, repair of the existing secondary clarifiers and associated RAS pump stations, new electrical work, upgrades to site piping, and some maintenance items. The cost estimate taken to Council at that time was in the amount of \$31,810,300 and was based on the 60% design drawings. One condition of the approval was that staff would have an independent firm review the costs associated with the contract. Michael Baker

International, an international engineering firm with experience in wastewater treatment and cost estimating large projects, was contacted by staff to review the proposal by MB Kahn. By the time of the review, the 90% design was complete and MB Kahn was able to update their cost estimates based on the 90% design. The revised cost was \$33,288,009 and is being used to establish the contract with MB Kahn. Michael Baker International submitted a Probable Cost Analysis to the City on December 12, 2018. In summary, they found that "...the MB Kahn proposal seems to be on the lower side of probable costs for the project...". Based on the independent review of the costs, staff recommended finalization of award of the Early Work/Clarifier Project construction contract to MB Kahn for \$33,288,009.

Jimmy Bagley, Deputy City Manager, presented the item to the City Council.

Aaron Barnes, 1424 Backworth Ave., addressed the City Council.

Cedric Barnes, 842 S. Confederate, addressed the City Council.

### **ANNOUNCED SMARTSWITCH WINNER**

This month's SmartSwitch winner, chosen at random by computer, is Robert Phillip. This customer will receive a \$100 credit on their next utility bill.

### **CITY COUNCIL COMMITTEE REPORTS**

There were no City Council committee reports.

### **MISCELLANEOUS BUSINESS**

Councilmember Reno requested that the Piedmont Medical Center Sponsorship proposal for the Indoor Arena be placed back on the City Council agenda for consideration, which was approved without objection.

Councilmember Black wished his son a Happy Birthday.

### **RETURNED TO EXECUTIVE SESSION**

### **RETURNED TO REGULAR SESSION**

The City Council returned to Regular Session and Mayor Gettys reported that no action was taken.

Upon a motion by Councilmember Sutton, which was duly seconded and unanimously approved, the Council approved the following appointments to City Boards and Commission.

#### **Construction Board of Appeals**

Michael Duralia, 350 Market Hall Place, to a term expiring January 28, 2022.

Philip Keisel, 1965 Hammock Lane, to a term expiring January 28, 2022.

Carl "Trey" Janicke III, 1161 Evergreen Circle, to a term expiring January 28, 2022.

Mayor's Committee on People with Disabilities

2022. Daryl Bowie, 1771 Sharonwood Lane, to a term expiring January 26,

2022. David LeGrande, 4680 Summerlin Place, to a term expiring January 26,

Carolyn Harmon, 2397 Sweetbriar, to a term expiring January 26, 2022.

2022. Joshua Myers, 1657 Heatherhill Road, to a term expiring January 26,

Tree Commission

2022. Elden LeBrun, 3410 Breezewood Drive, to a term expiring January 30,

There being no other further business the meeting was adjourned.

Minutes approved and adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

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Anne P. Harty, Municipal Clerk