

CITIZENS' HEARING – 5:30 P.M.

There were no citizens present wishing to address the City Council.

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 seven matters including receiving background information and legal advice concerning an existing utilities related litigation matter, receiving background information and legal advice concerning potential economic development and utility related agreements concerning properties near Mt. Gallant Road, I-77 and Red River Road, receiving background information and legal advice concerning a potential economic development related agreement for a property located in the downtown area and discussing the employment of a City of Rock Hill employee.

REGULAR SESSION - 6:00 P.M.

Council met in regular session with Mayor Gettys, Mayor Pro Tem Pender and Councilmembers Black, Jackson, Oborokumo, and Sutton. Councilmember Reno was not in attendance. 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. No members of the media were in attendance at the meeting.

Upon a motion by Councilmember Sutton, which was duly seconded and unanimously approved, approved the following five consent agenda items:

MINUTES OF WORK SESSION OF AUGUST 26, 2019

MINUTES OF SPECIAL SESSION OF AUGUST 26, 2019

FIFTH SUPPLEMENTAL ORDINANCE APPROVING THE FINANCING OF THE IMPROVEMENT, CONSTRUCTION AND EQUIPPING OF CERTAIN STORMWATER FACILITIES IN THE CITY OF ROCK HILL, SOUTH CAROLINA, THROUGH THE BORROWING BY THE CITY OF NOT EXCEEDING \$5,300,000 FROM THE STATE WATER POLLUTION CONTROL REVOLVING FUND, BY AGREEMENT WITH THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY, PURSUANT TO TITLE 48, CHAPTER 5, CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED; PROVIDING FOR AN AGREEMENT TO MAKE AND TO ACCEPT A LOAN, THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN THE CITY AND THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND

AUTHORITY, THE EXECUTION AND DELIVERY OF A PROMISSORY NOTE FROM THE CITY TO THE SOUTH CAROLINA WATER QUALITY REVOLVING FUND AUTHORITY; AND OTHER MATTERS RELATING THERETO - Adopted

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

ORDINANCE TO PROVIDE FOR THE DISPOSITION BY SALE OF PROPERTY LOCATED AT THE CORNER OF CONSTITUTION BOULEVARD AND BYNUM AVENUE BY THE CITY OF ROCK HILL TO MAYFIELD PROPERTIES LLC OF THE CAROLINAS - Adopted

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

ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROCK HILL CODE BY MAKING CERTAIN CHANGES IN THE OFFICIAL ZONING MAP AFFECTING APPROXIMATELY 0.9 ACRE LOCATED ON BRANCH STREET FROM MULTI-FAMILY 15 (MF-15) TO OFFICE AND INSTITUTIONAL (OI) - Adopted

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

ORDINANCE TO AMEND CHAPTER 7, ANNEXATIONS, OF THE CODE OF THE CITY OF ROCK HILL, SO AS TO PROVIDE FOR THE ANNEXATION, ZONING AND WARD DESIGNATION OF CELANESE ROAD/HILLTOP ROAD AREA LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C. – Adopted

An ordinance entitled AN ORDINANCE TO AMEND CHAPTER 7, ANNEXATIONS, OF THE CODE OF THE CITY OF ROCK HILL, SO AS TO PROVIDE FOR THE ANNEXATION, ZONING AND WARD DESIGNATION OF CELANESE ROAD/HILLTOP ROAD AREA LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C. was given second reading and adopted, upon a motion by Councilmember Sutton, which was duly seconded and unanimously approved.

An excerpt from the minutes of the January 7, 2019 County Council public hearing regarding this property was provided in response to Council's questions at first reading. There were no public comments made at the hearing. Before the rezoning was considered, the applicant had to get a portion of the property released from a deed restriction. Information about the proposed development was mailed to all of the neighbors in the area and the applicant's agent met with many of the neighbors in person. All of the information shared with the neighbors showed a 10,000 square foot building, the same size as currently planned, and more than enough signatures were gathered to release the deed restriction. Based on SCDOT's requirements for access location, the drive will need to be lined up with the access across Hilltop Road. Along the property lines abutting single-family residential, the buffer requirement is either 40' wide or 30' wide with a six-foot high solid fence. The portions of property along Country Court and Hilltop Road across from single-family residential require a twenty-foot wide buffer and no fence is required in these areas.

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

ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROCK HILL CODE BY MAKING CERTAIN CHANGES IN THE OFFICIAL ZONING MAP AFFECTING APPROXIMATELY 2.85 ACRES LOCATED ON CELANESE ROAD FROM BUSINESS DEVELOPMENT DISTRICT I (BD-I) TO NEIGHBORHOOD COMMERCIAL (NC) – Adopted

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 2.85 ACRES LOCATED ON CELANESE ROAD FROM BUSINESS DEVELOPMENT DISTRICT I (BD-I) TO NEIGHBORHOOD COMMERCIAL (NC) was given second reading and adopted, upon a motion by Councilmember Sutton, which was duly seconded and unanimously approved.

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

ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROCK HILL CODE BY MAKING CERTAIN CHANGES IN THE OFFICIAL ZONING MAP AFFECTING APPROXIMATELY 39.46 ACRES LOCATED ON TWIN LAKES ROAD FROM PLANNED UNIT DEVELOPMENT (PUD) TO A REVISED PLANNED UNIT DEVELOPMENT (PUD) – Adopted

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 39.46 ACRES LOCATED ON TWIN LAKES ROAD FROM PLANNED UNIT DEVELOPMENT (PUD) TO A REVISED PLANNED UNIT DEVELOPMENT (PUD) was given second reading and adopted, upon a motion by Councilmember Pender, which was duly seconded and unanimously approved.

Since first reading, the Augusta Place PUD Plan revision has been updated to clarify that the five-foot setback will still apply to the principal structure. While hardscaping is not regulated, the amendment states that staff will review hardscaping for any drainage consideration.

ORDINANCE FOR PARTIAL ABANDONMENT OF UTILITY RIGHT OF WAY AND EASEMENT ON PROPERTY LOCATED IN THE VICINITY OF ANNAFREL STREET IN THE CITY OF ROCK HILL – First Reading

An ordinance entitled AN ORDINANCE FOR PARTIAL ABANDONMENT OF UTILITY RIGHT OF WAY AND EASEMENT ON PROPERTY LOCATED IN THE VICINITY OF ANNAFREL STREET IN THE CITY OF ROCK HILL was given first reading upon a motion by Councilmember Oborokumo, which was duly seconded and unanimously approved.

Water & Sewer Utility staff recommended abandoning a portion of the sanitary sewer easement crossing the property located at 903 Annafrel Street. The developer has granted the City a new easement to accommodate a new piping location.

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

ORDINANCE FOR PARTIAL ABANDONMENT OF UTILITY RIGHT OF WAY AND EASEMENT ON PROPERTY LOCATED IN THE VICINITY OF SHEEBAR PLACE IN THE CITY OF ROCK HILL – First Reading

An ordinance entitled AN ORDINANCE FOR PARTIAL ABANDONMENT OF UTILITY RIGHT OF WAY AND EASEMENT ON PROPERTY LOCATED IN THE VICINITY OF SHEEBAR PLACE IN THE CITY OF ROCK HILL was given first reading upon a motion by Councilmember Oborokumo, which was duly seconded and unanimously approved.

Water & Sewer Utility staff recommended abandoning a portion of the sanitary sewer easement crossing the property located at 2147 Sheebar Place. In order to accommodate maintenance access, the City acquired additional easement on the neighboring lot.

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

DEFERRED ACTION ON PLANNING COMMISSION RECOMMENDATION REGARDING PETITION M-2019-17 BY DAVID HOE, HOE FAMILY VETERINARY HOLDINGS LLC, TO REZONE APPROXIMATELY 0.88 ACRES AT 933 CEL-RIVER ROAD FROM BUSINESS DEVELOPMENT III (BD-III) TO COMMUNITY COMMERCIAL (CC). THE SUBJECT PROPERTY IS PROPOSED TO BE ANNEXED INTO THE CITY OF ROCK HILL. TAX PARCEL 662-00-00-050

Deferred without objection action on the Planning Commission recommendation regarding Petition M-2019-17 by David Hoe, Hoe Family Veterinary Holdings LLC, to rezone approximately 0.88 acres at 933 Cel-River Road from Business Development III (BD-III) to Community Commercial (CC). The subject property is proposed to be annexed into the City of Rock Hill. Tax Parcel 662-00-00-050.

The applicant is requesting the annexation and rezoning in order to facilitate the development of a veterinary clinic on the property. The proposed use is a conditional use in the Community Commercial zoning district. The proposed building would be approximately 4,200 square feet in size and would front Cel-River Road with access from a private drive to the rear of the property. The Planning Commission recommended approval of the proposed CC zoning at their August meeting by a vote of 6-0 (Martens absent).

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

DEFERRED ACTION ON A PETITION FOR ANNEXATION TO THE CITY OF ROCK HILL OF CEL-RIVER ROAD AREA LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C. AS SHOWN ON MAP DATED AUGUST 8, 2019

Deferred without objection a Petition for Annexation to the City of Rock Hill of Cel-River Road Area I lying adjacent to the City limits of the City of Rock Hill, S.C. as shown on map dated August 8, 2019.

This is the annexation petition for the property at 933 Cel-River Road. Eric Hawkins, Planner III, presented the item to the City Council.

ORDINANCE TO AMEND CHAPTER 7, ANNEXATIONS, OF THE CODE OF THE CITY OF ROCK HILL, SO AS TO PROVIDE FOR THE ANNEXATION, ZONING AND WARD DESIGNATION OF CEL-RIVER ROAD AREA I LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C. – First Reading

An ordinance entitled AN ORDINANCE TO AMEND CHAPTER 7, ANNEXATIONS, OF THE CODE OF THE CITY OF ROCK HILL, SO AS TO PROVIDE FOR THE ANNEXATION, ZONING AND WARD DESIGNATION OF CEL-RIVER ROAD AREA I LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C. was deferred without objection.

This ordinance will enact the annexation of the property at 933 Cel-River Road.

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 0.88 ACRE LOCATED ON CEL-RIVER ROAD FROM BUSINESS DEVELOPMENT III (BD-III) TO COMMUNITY COMMERCIAL (CC) – 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 0.88 ACRE LOCATED ON CEL-RIVER ROAD FROM BUSINESS DEVELOPMENT III (BD-III) TO COMMUNITY COMMERCIAL (CC) was deferred without objection.

This ordinance will enact the CC zoning for the property at 933 Cel-River Road as recommended by the Planning Commission.

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

APPROVED A RESOLUTION IN SUPPORT OF A GRANT APPLICATION TO THE SC MUNICIPAL ASSOCIATION

Upon a motion by Councilmember Pender, which was duly seconded and unanimously approved, approved a resolution in support of a grant application to the SC Municipal Association.

Workforce and talent development are important components of the Knowledge Park Action Plan. RHEDC's Talent Development Committee, with representation from many different educational and community organizations, is seeking to promote cooperation, collaboration and effectiveness among the many different organizations that have a role in workforce development. The City intends to submit a grant application to the South Carolina Municipal Association

in support of these workforce and talent development initiatives. This grant application requires a resolution of the City Council stating the City's commitment to provide a required match of \$3,750 from the budget of the Economic and Urban Development Department and to follow the City's procurement policies in administering the grant. Staff requested City Council approval of this resolution in order that the grant application can be submitted on or before September 27.

Frank Keel, Old Town Economic Development Manager, presented the item to the City Council.

APPROVED GROWTH MANAGEMENT INCENTIVE APPLICATION FOR UNIVERSITY CENTER

Upon a motion by Councilmember Pender, which was duly seconded and approved upon a vote of 5-0, with Councilmember Sutton recusing, approved Growth Management Incentive Application for University Center. Councilmember Sutton submitted a recusal statement to be filed with the minutes of the City Council meeting.

The City Council established the Growth Management Incentive (GMI) in 2005 in order to support new investment in targeted areas of the community. GMI reimburses businesses for fees paid to the City including impact fees, building permit fees and water/sewer meter set fees. Applications for GMI assistance are reviewed by a committee appointed by the City Manager. The members of this committee are David Vehaun, Anne Harty, Bill Meyer, Eddie Boulware (representing RHEDC), Randy Graham (representing the Planning Commission) and Stephen Turner. This committee has reviewed this application and recommended approval of a GMI award by City Council. As per the development agreement, the Tuttle Company, on behalf of Lowenstein Partners, LLC, has filed a request for reimbursement of eligible fees paid to the City of Rock Hill on projects located at University Center. University Center continues to show strong progress with tenants moving into the Lowenstein Building and other projects being constructed. This application seeks reimbursement for an array of eligible expenses within the Lowenstein Building related to the development of tenant spaces for Piedmont Medical, The White Horse, Winthrop University, Arauco, and Get Fit with Troy. Expenses associated with the sports arena will not be reimbursed, nor will re-inspection fees. Within the development agreement for University Center, the developer is allowed to apply for and receive Growth Management Incentive assistance at various times during the build out of the project. Reimbursement is sought for building permit fees \$15,490.00, impact fees \$19,666.00, Water/Sewer meter set fees \$ 1,860.00, for a total of \$37,016.00. The GMI Review Committee found that this application meets the requirements of the City's Growth Management Incentive Policy for being in a targeted location, Old Town; being for approved uses, office and retail; and meeting the City's design standards. The committee recommended reimbursement of building permit, water/sewer meter set fees and impact fees totaling \$37,016.00 as part of the City's Growth Management Incentive Policy. It is requested that the City Council authorize the City Manager to adjust the incentive amounts given above to reflect reimbursement of actual fees paid by

the applicants, should there be changes or recalculations. Unless otherwise approved by City Council (such as within a development agreement) that no GMI incentives are paid until a Certificate of Occupancy (CO) is issued.

David Vehaun, City Manager, presented the item to the City Council.

APPROVED REALLOCATION OF \$456,177 IN UNDESIGNATED LOCAL HOSPITALITY TAX FUNDS

Upon a motion by Councilmember Oborokumo, which was duly seconded and unanimously approved, approved reallocation of \$456,177 in undesignated local hospitality tax funds.

The balance of remaining undesignated funds in the City of Rock Hill's Hospitality Tax Fund is \$456,177. Staff recommended reallocating these local hospitality tax funds as follows: \$150,000 Sports Tourism to be used for operational expenses for major sports tourism-related events, \$100,000 BMX track modifications to rebuild asphalt turns and make track modifications required by the UCI for the 2020 World Cup, \$85,177 Downtown lighting and seasonal decorations to expand our year-round tree lighting program to newly developed Knowledge Park properties, replace aging existing lighting, and incorporate new seasonal lighting and decorations to provide a consistent look throughout our downtown area, \$53,000 Fountain Park fountain lights to replace the existing lights with LED lights, \$28,000 Velodrome Track painting to repaint the track lines, safety zone and balustrade wall in preparation for the USA Cycling Collegiate Nationals and other major race events, \$25,000 Riverview Road enhancements to provide an improvement to the Riverview Road Project to include acquisition and purchase of several right-of-way easements for future installation of pads, benches and trash receptacles, and \$15,000 Downtown landscaping to replace shrubs, trees and annual plants in the Downtown area.

John Taylor, Parks, Recreation, and Tourism Director, presented the item to the City Council.

Aaron Barnes, 1424 Beckworth Ave, also addressed the City Council.

ANNOUNCED SMARTSWITCH WINNER

This month's SmartSwitch winner, chosen at random by computer, is William Burgin. 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

There was no miscellaneous business.

RETURNED TO EXECUTIVE SESSION

RETURNED TO REGULAR SESSION

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

There being no other further business the meeting was adjourned.

Minutes approved and adopted this _____ day of _____ 2019.

Anne P. Harty, Municipal Clerk