

Council Chambers
Regular Session
Monday, December 9, 2019

CITIZENS' HEARING – 5:30 P.M.

There were no citizens present requesting 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 eleven matters. None of these matters are scheduled to appear on the agenda tonight, with the exception of the eleventh matter. The City Council will receive background information and legal advice concerning a matter with the Municipal Courts, receive background information and there will be discussion of negotiations incident to proposed contractual arrangements concerning a potential amendment of an existing intergovernmental agreement related to properties in the downtown area, receive background information and there will be discussion of negotiations incident to proposed contractual arrangements concerning potential economic development and utility related agreements related to properties near Dave Lyle Boulevard, I-77, Red River Road, Celanese Road, Anderson Road, and Tech Park, receive background information and legal advice concerning two Parks Recreation and Tourism Department contractual matters, receive background information and legal advice related to certain City employment benefits, and will discuss Council appointments to City Boards and Commissions.

REGULAR SESSION - 6:00 P.M.

Council met in regular session with Mayor Gettys, and Councilmembers Black, Jackson, Oborokumo, Pender, 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. Chris Keimig and Marvin Beech were present representing WCCB, Reid Bennett was present representing NBC, Derek Dellinger was present representing Fox46, and Bria Bell was present representing WBTV.

ACKNOWLEDGED TECHNOLOGY INCUBATOR'S RECEIPT OF EXCELLENCE IN ECONOMIC DEVELOPMENT AWARD FROM THE INTERNATIONAL ECONOMIC DEVELOPMENT COUNCIL

The City Council acknowledged the Technology Incubator's receipt of Excellence in Economic Development award from the International Economic Development Council.

David Warner, Director, Technology Incubator @ Knowledge Park, along with RHEDC Entrepreneurship Committee members, Dan Ballou, and Dr. Laura Ullrich, were present and recognized.

The agenda item titled ORDINANCE TO PROVIDE FOR THE DISPOSITION BY SALE OF PROPERTY NEAR VERNSDALE ROAD, ROCK HILL, SOUTH CAROLINA BY THE CITY OF ROCK HILL TO KOPPERS PERFORMANCE CHEMICALS INC. was removed from the consent agenda without objection.

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

MINUTES OF WORK SESSION OF NOVEMBER 25, 2019

MINUTES OF SPECIAL SESSION OF NOVEMBER 25, 2019

ORDINANCE AUTHORIZING AN AMENDMENT TO THE INFRASTRUCTURE REIMBURSEMENT AGREEMENT BY AND BETWEEN THE CITY OF ROCK HILL, SOUTH CAROLINA AND MSI-FORKS, LLC (FORMERLY KNOWN AS MSI-FORKS, INC.), TO PROVIDE FOR THE ADDITION OF A PARTY TO SUCH AGREEMENT - Adopted

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

ORDINANCE FOR ABANDONMENT OF UTILITY RIGHTS OF WAY AND EASEMENTS ON PROPERTY LOCATED ON CEL-RIVER ROAD IN THE CITY OF ROCK HILL - 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 CEL-RIVER ROAD/EDEN TERRACE AREA II LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C. - 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 7.4 ACRES LOCATED ON EDEN TERRACE EXTENSION FROM INDUSTRY GENERAL (IG) AND INDUSTRIAL DEVELOPMENT DISTRICT (ID) TO COMMERCIAL INDUSTRIAL (CI) - Adopted

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

ORDINANCE TO PROVIDE FOR THE DISPOSITION BY SALE OF PROPERTY NEAR VERNSDALE ROAD, ROCK HILL, SOUTH CAROLINA BY THE CITY OF ROCK HILL TO KOPPERS PERFORMANCE CHEMICALS INC.

- Adopted

An ordinance entitled AN ORDINANCE TO PROVIDE FOR THE DISPOSITION BY SALE OF PROPERTY NEAR VERNSDALE ROAD, ROCK HILL, SOUTH CAROLINA BY THE CITY OF ROCK HILL TO KOPPERS PERFORMANCE CHEMICALS INC. was given second reading and adopted upon a motion by Councilmember Sutton with was duly seconded and approved upon a vote of 6-0, with Mayor Gettys recusing.

There have been no changes to the ordinance since first reading. An official copy of Mayor Gettys recusal statement is attached and is hereby made an official part of this record.

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. -

Adopted

An ordinance entitled 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 given second reading adopted upon a motion by Councilmember Reno, 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 0.88 ACRE LOCATED ON CEL-RIVER ROAD FROM BUSINESS DEVELOPMENT III (BD-III) TO COMMUNITY COMMERCIAL (CC) - Adopted

An ordinance entitled 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 given second reading adopted upon a motion by Councilmember Reno, which was duly seconded and unanimously approved.

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 EDEN TERRACE/I-77 AREA I LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C. -

Deferred

An ordinance entitled 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

EDEN TERRACE/I-77 AREA LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C. was deferred upon a motion by Councilmember Pender, which was duly seconded and unanimously approved.

ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROCK HILL CODE BY MAKING CERTAIN CHANGES IN THE OFFICIAL ZONING MAP AFFECTING APPROXIMATELY 281.87 ACRES LOCATED SOUTH OF EDEN TERRACE AND WEST OF I-77 FROM RESIDENTIAL CONSERVATION DISTRICT I (RC-1), RESIDENTIAL DEVELOPMENT DISTRICT I (RD-I) AND URBAN DEVELOPMENT DISTRICT (UD) IN YORK COUNTY TO MASTER PLANNED COMMERCIAL (MP-C) - Deferred

An ordinance entitled ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROCK HILL CODE BY MAKING CERTAIN CHANGES IN THE OFFICIAL ZONING MAP AFFECTING APPROXIMATELY 281.87 ACRES LOCATED SOUTH OF EDEN TERRACE AND WEST OF I-77 FROM RESIDENTIAL CONSERVATION DISTRICT I (RC-1), RESIDENTIAL DEVELOPMENT DISTRICT I (RD-I) AND URBAN DEVELOPMENT DISTRICT (UD) IN YORK COUNTY TO MASTER PLANNED COMMERCIAL (MP-C) was deferred upon a motion by Councilmember Pender, which was duly seconded and unanimously approved.

ORDINANCE TO APPROVE THE LAND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ROCK HILL AND T.W. HUTCHISON FAMILY LIMITED PARTNERSHIP, THE HUTCHISON FAMILY, LLC, T.W. HUTCHISON FAMILY LIMITED PARTNERSHIP NO. 2, HIRAM HUTCHISON AND LINDA D. HUTCHISON, AS CO-TRUSTEES OF THE HUTCHISON FAMILY TRUST, HIRAM HUTCHISON AND JAN P. ARNOLD AND AUTHORIZING CERTAIN CITY OFFICIALS TO EXECUTE AND DELIVER THE LAND DEVELOPMENT AGREEMENT - Deferred

An ordinance entitled ORDINANCE TO APPROVE THE LAND DEVELOPMENT AGREEMENT BETWEEN THE CITY OF ROCK HILL AND T.W. HUTCHISON FAMILY LIMITED PARTNERSHIP, THE HUTCHISON FAMILY, LLC, T.W. HUTCHISON FAMILY LIMITED PARTNERSHIP NO. 2, HIRAM HUTCHISON AND LINDA D. HUTCHISON, AS CO-TRUSTEES OF THE HUTCHISON FAMILY TRUST, HIRAM HUTCHISON AND JAN P. ARNOLD AND AUTHORIZING CERTAIN CITY OFFICIALS TO EXECUTE AND DELIVER THE LAND DEVELOPMENT AGREEMENT was deferred upon a motion by Councilmember Pender, which was duly seconded and unanimously approved.

ORDINANCE AMENDING APPENDIX A FEE SCHEDULE OF THE CODE OF THE CITY OF ROCK HILL CONCERNING BUSINESS LICENSE FEES – First Reading

An ordinance entitled ORDINANCE AMENDING APPENDIX A FEE SCHEDULE OF THE CODE OF THE CITY OF ROCK HILL CONCERNING BUSINESS LICENSE FEES was given first reading upon a motion by Councilmember Sutton, which was duly seconded and unanimously approved.

Currently, the Business License Fees for lessors of real property only applies to lessors with over \$75,000 in gross receipts; the threshold has remained the same for many years. This amendment will increase that exemption to \$125,000. It will also clarify that all lessors, regardless of revenue, must apply for an annual business license, with no fee for lessors with less than \$125,000 in gross receipts.

Bill Meyer, Planning & Development Director, presented the item to the City Council.

ORDINANCE APPROVING A 2020 AMENDMENT TO THE DOWNTOWN REDEVELOPMENT PLAN (DOWNTOWN AND TEXTILE CORRIDOR REDEVELOPMENT PROJECT AREAS) DATED JANUARY 2020; INCREASING THE AUTHORIZED AGGREGATE PRINCIPAL AMOUNT OF TAX INCREMENT BONDS WHICH MAY BE ISSUED; AUTHORIZING THE EXECUTION AND DELIVERY OF A THIRD AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE CITY OF ROCK HILL AND ROCK HILL SCHOOL DISTRICT NO. 3 OF YORK COUNTY, SOUTH CAROLINA; AUTHORIZING THE EXECUTION AND DELIVERY OF A THIRD AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE CITY OF ROCK HILL AND YORK COUNTY, SOUTH CAROLINA; AND OTHER MATTERS RELATING THERETO – First Reading

An ordinance entitled ORDINANCE APPROVING A 2020 AMENDMENT TO THE DOWNTOWN REDEVELOPMENT PLAN (DOWNTOWN AND TEXTILE CORRIDOR REDEVELOPMENT PROJECT AREAS) DATED JANUARY 2020; INCREASING THE AUTHORIZED AGGREGATE PRINCIPAL AMOUNT OF TAX INCREMENT BONDS WHICH MAY BE ISSUED; AUTHORIZING THE EXECUTION AND DELIVERY OF A THIRD AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE CITY OF ROCK HILL AND ROCK HILL SCHOOL DISTRICT NO. 3 OF YORK COUNTY, SOUTH CAROLINA; AUTHORIZING THE EXECUTION AND DELIVERY OF A THIRD AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE CITY OF ROCK HILL AND YORK COUNTY, SOUTH CAROLINA; AND OTHER MATTERS RELATING THERETO was given first reading upon a motion by Councilmember Pender, which was duly seconded and unanimously approved.

This ordinance will approve the 2020 Amendment to the Downtown Redevelopment Plan (Downtown and Textile Corridor Redevelopment Project Areas) for the City of Rock Hill. The amendment will combine the Downtown and Textile Corridor TIF areas and will raise the limits on the amount of future TIF debt authorized. Intergovernmental agreements with the County and School District are underway and will be completed prior to second reading of this ordinance.

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

Stuart Justin Hallman, 350 Pickens Street, addressed the City Council.

APPROVED A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCK HILL FOR THE CLOSING OF LYNDERBORO STREET

Upon a motion by Councilmember Reno, which was duly seconded and unanimously approved, approved a Resolution of the City Council of the City of Rock Hill for the closing of Lynderboro Street.

Randolph Yarns, Inc. plans to develop a site within the City limits along Red River Road/Cel-River Road. The development plans will require an abandonment of the existing Lynderboro St. in exchange for new utility easements/rights-of-way. This Resolution facilitates that process. The City attorney recommends adoption of this Resolution.

Paul Dillingham, City Attorney, presented the item to the City Council.

APPROVED TAX ABATEMENT REQUEST FOR PROJECT EDGE

Upon a motion by Councilmember Sutton, which was duly seconded and unanimously approved, approved tax abatement for Project Edge.

Project Edge plans to occupy an existing building in Tech Park at 467 Lakeshore Parkway, invest \$3.9M in new equipment, and create approximately 100 new jobs within 5 years with a weighted average hourly wage of \$27.40. According to the South Carolina Department of Revenue, Project Edge is eligible for a 5-year property tax abatement on the new equipment. The real estate will be leased and is not eligible for the exemption. This project automatically qualifies by statute for the Manufacturers 5-Year Property Tax Abatement of County property taxes. An abatement of City taxes requires Council approval.

Staff recommended approval of the tax abatement.

Rick Norwood, Director of Industrial Recruitment, presented the item to the City Council.

APPROVED GROWTH MANAGEMENT INCENTIVE (GMI) APPLICATION FOR THE ROCK HILL NEST, LLC.

Upon a motion by Councilmember Sutton, which was duly seconded and unanimously approved, approved Growth Management Incentive (GMI) application for the Rock Hill Nest, LLC.

The Nest is a student housing project to be built on the University Center site to serve Winthrop University students. The project will offer 305 bedrooms within 85 apartments. The developer has stated that the total investment in this project will be \$23 million. Estimated building permit fees: \$ 45,003 Estimated impact fees: \$148,740 Estimated water meter set fees: \$ 2,920 Total: \$196,663 The GMI Review Committee found that this application meets the requirements of the City's GMI policy for having approved uses located within an Opportunity Zone. Additionally, fees associated with development at the University Center have been previously negotiated as part of the Development Agreement. The Committee recommended reimbursement of building permit fees, impacts fees, and water/sewer meter set fees totaling \$196,663.

David Lawrence, Knowledge Park Development Manager, presented the item to the City Council.

APPROVED AMENDMENTS TO GROWTH MANAGEMENT INCENTIVE POLICY AND FORM

Upon a motion by Councilmember Sutton, which was duly seconded and unanimously approved, approved amendments to Growth Management Incentive Policy and Form.

The City's Growth Management Incentive (GMI) has been a useful tool to attract and assist economic and community development into preferred locations and meeting the City's goals for over ten years. As the local economy has evolved, City Council and staff have reviewed the GMI policy and application form in an effort to make the program meet current economic development goals and foster desired results going forward. The revised policy has changes in two locations. The first revision reduces the standard threshold for reimbursements from 100% to 50% while providing latitude for City Council to use the GMI reimbursement as a discretionary tool to support the City's economic development/community development goals, such as affordable housing, the attraction of a grocery store on Saluda Street, etc. The second revision concerns the identification of benefits of the project seeking GMI assistance. The project developer is asked to provide information about the number of new jobs, wages to be paid, how the project meets City economic development goals, and other relevant information. This additional information will allow City Council and staff to make more informed decisions about these incentive requests.

David Lawrence, Knowledge Park Development Manager, presented the item to the City Council.

ANNOUNCED SMARTSWITCH WINNER

This month's SmartSwitch winner, chosen at random by computer, is Youlanda Mobley. 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

Mayor Gettys reminded the public that there are no pending items requiring a special meeting of the City Council on Monday, December 23, 2019, and no meeting is planned.

The City Council recognized several students in attendance at the meeting.

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.

Commission for Children and Youth

Sarah Hopkins, 296 Hancock Union Lane, to a term expiring December 31, 2022.

Parks and Recreation Commission

Bennie Evans, 1155 Glenarden Drive, to a term expiring January 1, 2023.
Matt Watson, 1644 Clarendon Place, to a term expiring January 1, 2023.
Perry Sutton, 1002 S. Confederate Avenue, to a term expiring January 1, 2023.

There being no other further business the meeting was adjourned.

Minutes approved and adopted this _____ day of _____ 2020.

Anne P. Harty, Municipal Clerk