

Council Chambers
Regular Session
Monday, September 14, 2020

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 included adding Consideration of Appointments to City Boards and Commissions to tonight's agenda, which was duly seconded and unanimously approved, the Mayor and Council went into Executive Session to discuss six matters none of which are scheduled to appear on this agenda except for the last item. The six items discussed include 1. receiving background information and discussing potential economic development contracts related to a property within the downtown area, 2. discussing the employment of an employee, 3. receiving background information and receiving legal advice related to a City physical plant contractual issue involving property near the downtown area, 4. Receiving legal advice and discuss a potential intergovernmental agreement related to property near Dave Lyle Boulevard, 5. receiving legal advice and related updates pertaining to a zoning issue, and 6. 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, Lindsay, 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. Cailyn Derickson from The Herald was also in attendance.

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 AUGUST 24, 2020

MINUTES OF SPECIAL SESSION OF AUGUST 24, 2020

ORDINANCE TO PROVIDE FOR THE DISPOSITION BY SALE OF PROPERTY ON NORTH PARK DRIVE IN TECH PARK, ROCK HILL, SOUTH CAROLINA BY THE CITY OF ROCK HILL TO TARTAN RESIDENTIAL, INC. –

Adopted

The Purchase and Sale Agreement was edited to change the Inspection Period from 240 days to 180 days. There have been no other changes since first reading.

ORDINANCE TO ALLOW THE CITY OF ROCK HILL, SOUTH CAROLINA TO EXECUTE A THIRD PARTY MORTGAGE TO PROVIDE FOR INTERIM FINANCING FOR MIRACLE PARK - Adopted

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

ORDINANCE TO PROVIDE FOR THE LEASE OF SPACE AT THE AIRPORT FROM THE CITY OF ROCK HILL TO CAROLINA AVIONICS MOBILE SERVICES, LLC. - 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, CHAPTER 9: SITE AND BUILDING DESIGN STANDARDS CONCERNING MULTI-FAMILY RESIDENTIAL STANDARDS - Adopted

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

EMERGENCY ORDINANCE EXTENDING THE IMPLEMENTATION OF EMERGENCY PROCEDURES FOR PUBLIC MEETINGS OF THE CITY OF ROCK HILL DURING THE PUBLIC HEALTH EMERGENCY OF THE COVID-19 PANDEMIC - Adopted

An ordinance entitled EMERGENCY ORDINANCE EXTENDING THE IMPLEMENTATION OF EMERGENCY PROCEDURES FOR PUBLIC MEETINGS OF THE CITY OF ROCK HILL DURING THE PUBLIC HEALTH EMERGENCY OF THE COVID-19 PANDEMIC was given second reading and adopted upon a motion by Councilmember Pender, which was duly seconded and approved upon a vote of 5-2, with Councilmembers Black and Sutton dissenting.

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

EMERGENCY ORDINANCE EXTENDING THE REQUIREMENT FOR INDIVIDUALS TO WEAR FACE COVERINGS IN CERTAIN CIRCUMSTANCES IN THE CITY OF ROCK HILL TO REDUCE RISK OF EXPOSURE TO COVID-19 DURING THE PUBLIC HEALTH EMERGENCY, AND MATTER RELATED THERETO - Adopted

An ordinance entitled EMERGENCY ORDINANCE EXTENDING THE REQUIREMENT FOR INDIVIDUALS TO WEAR FACE COVERINGS IN CERTAIN CIRCUMSTANCES IN THE CITY OF ROCK HILL TO REDUCE RISK OF EXPOSURE TO COVID-19 DURING THE PUBLIC HEALTH EMERGENCY, AND MATTER RELATED THERETO was given second reading and adopted upon a motion by Councilmember Pender, which was duly seconded and approved upon a vote of 5-2, with Councilmembers Black and Sutton dissenting.

There have been no changes to the ordinance since first reading. Upon completion of this agenda item, Councilmember Black was excused from the remainder of the meeting due a family emergency.

Amanda Beam, Ward 3, addressed the City Council in opposition to the ordinance.

Rebecca Lugthart, Ward 4, addressed the City Council in opposition to the ordinance.

Larry Winsch, 1816 Hyatt Ave, addressed the City Council in opposition to the ordinance.

Aaron Barnes, 1424 Beckworth Avenue also 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 7.70 ACRES LOCATED ON CONSTITUTION BOULEVARD FROM INDUSTRY GENERAL (IG) TO MASTER PLANNED-COMMERCIAL (MP-C) AND MASTER PLANNED-RESIDENTIAL (MP-R) - 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 7.70 ACRES LOCATED ON CONSTITUTION BOULEVARD FROM INDUSTRY GENERAL (IG) TO MASTER PLANNED-COMMERCIAL (MP-C) AND MASTER PLANNED-RESIDENTIAL (MP-R) was given second reading and adopted upon a motion by Councilmember Pender which included the Social House use, which was duly seconded and unanimously approved.

Following the City Council's first reading of the proposed master planned rezoning, the applicant was contacted by a party interested in the remaining portion of the former American Legion building. The use would be for a Social House. This is the same use that was originally approved through a separate master planned development directly across Cherry Road. Staff reviewed the parking requirements and a conceptual floor plan for the space, and found that the social house use would meet the development standards, including parking, should the use be added to the master plan terms and conditions document. The proposed language is as follows: Social House – This use is a mix of Indoor recreation use (such as bowling, billiards, table top games, and electronic games) and an extended hours restaurant serving alcohol use. The use specific standards for an extended hours restaurant serving alcohol will be applied to this use.

Dennis Fields, Planner I, 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 30.10 ACRES LOCATED ON ANDERSON ROAD FROM SINGLE-FAMILY RESIDENTIAL-3 (SF-3) TO MASTER PLANNED-RESIDENTIAL (MP-R) - 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 30.10 ACRES LOCATED ON ANDERSON ROAD FROM SINGLE-FAMILY RESIDENTIAL-3 (SF-3) TO MASTER PLANNED-RESIDENTIAL (MP-R) was given second reading and adopted upon a motion by Councilmember Pender, which was duly seconded and unanimously approved.

During the City Council's first reading of the proposed master planned rezoning, the Council directed the applicant and staff to research options to help alleviate existing stormwater flooding issues that impact homes along Prince Lane and Princeton Road. On September 2, 2020, staff held a meeting with the developer

to hear several proposed mitigation efforts that could be made as part of or in tandem with the Johnston Farms development. The developer submitted a memo that summarizes the options, which include adding stormwater pipes to redirect water to the other side of Princeton Road at the Developer's expense; installing culverts under Princeton Road at the Developer's expense; capturing existing run-off and oversizing stormwater detention facilities on the development site; and working with the affected property owners to make individual improvements to their properties such as relocating accessory structures or raising HVAC units. Given the close proximity of the homes to the creek, none of these options will fully mitigate the stormwater issues that the residents currently experience. However, the proposed mitigation efforts should reduce the number and severity of flooding events on the most affected lots. Staff also made two changes to the proposed Terms and Conditions document to remove the "Restaurant Serving Alcohol" use type as directed by City Council at first reading, and to clarify construction phasing and maintenance, with respect to public and private amenities within the development.

Dennis Fields, Planner I, presented the item to the City Council.

TENTH SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF CITY OF ROCK HILL, SOUTH CAROLINA, COMBINED UTILITY SYSTEM REVENUE BONDS, IN ONE OR MORE SERIES, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$21,400,000; AUTHORIZING THE MAYOR OR CITY MANAGER TO DETERMINE CERTAIN MATTERS WITH RESPECT TO THE BONDS; PRESCRIBING THE FORM AND DETAILS OF SUCH BONDS; PROVIDING FOR THE ISSUANCE AND SALE OF ONE OR MORE BOND ANTICIPATION NOTES PENDING ISSUANCE OF SAID BONDS; AND OTHER MATTERS RELATING THERETO – First Reading

An ordinance entitled TENTH SUPPLEMENTAL ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF CITY OF ROCK HILL, SOUTH CAROLINA, COMBINED UTILITY SYSTEM REVENUE BONDS, IN ONE OR MORE SERIES, IN THE PRINCIPAL AMOUNT OF NOT EXCEEDING \$21,400,000; AUTHORIZING THE MAYOR OR CITY MANAGER TO DETERMINE CERTAIN MATTERS WITH RESPECT TO THE BONDS; PRESCRIBING THE FORM AND DETAILS OF SUCH BONDS; PROVIDING FOR THE ISSUANCE AND SALE OF ONE OR MORE BOND ANTICIPATION NOTES PENDING ISSUANCE OF SAID BONDS; AND OTHER MATTERS RELATING THERETO was given first reading upon a motion by Councilmember Pender, which was duly seconded and unanimously approved.

This bond ordinance will authorize issuance of up to \$21.4 million of interim financing to provide for construction of utilities related to the Panthers development. This ordinance will provide short-term financing on a ten-year term, pre-payable at any time or will be in the form of a Bond Anticipation Note. The bond will be paid off upon final financing of the infrastructure needs for the development in accordance with the development agreement. The financing is structured so that the property taxes from the development are the repayment source rather than the utility system.

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

APPROVED A RESOLUTION TO ESTABLISH THE CITY OF ROCK HILL CITIZEN REVIEW BOARD

Upon a motion, subject to a recommendation on the name of the Board and the terms of the members, by Councilmember Pender, which was duly seconded and approved upon a vote of 5-1, with Councilmember Sutton dissenting, approved a Resolution to establish the City of Rock Hill Citizen Review Board.

This resolution was brought forward as an opportunity to increase transparency through the creation of a Citizen Review Board (CRB). The resolution was prepared based on the feedback of the City Council at the first meeting in August and subsequent staff research. This resolution establishes the City of Rock Hill's CRB as an 8-member board, appointed by City Council, that will promote positive community relationships, provide recommendations on departmental policies and practices, and provide civilian review into citizen complaints.

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

Twana Burris, 204 Johnston Street, addressed the City Council.

Dr. Norma Gray, representing the Rock Hill NAACP, addressed the City Council.

Essie Fielder, 1835 Timberlake Drive, addressed the City Council.

Larry Winsch, 1816 Hyatt Avenue, addressed the City Council.

Antonio Mickel, 1034 Flint Hill Street, addressed the City Council.

Dorene Boular, Rock Hill NAACP President, addressed the City Council.

APPROVED A RESOLUTION COMMITTING THE CITY OF ROCK HILL TO PROVIDING A LOCAL MATCH FOR A MUNICIPAL ASSOCIATION OF SOUTH CAROLINA HOMETOWN ECONOMIC DEVELOPMENT GRANT AND FOLLOWING ITS PROCUREMENT POLICY WHEN SECURING SERVICES AND PRODUCTS WITH GRANT FUNDS

Upon a motion by Councilmember Pender, which was duly seconded and unanimously approved, approved a Resolution committing the City of Rock Hill to providing a local match for a Municipal Association of South Carolina Hometown Economic Development grant and following its procurement policy when securing services and products with grant funds.

Staff requested adoption of the resolution to allow for the application for a Hometown Economic Development Grant in the amount of \$25,000 to support a feasibility analysis and catalog of potential sites in the Clinton Connexion planning area to house education, workforce, and career development programming. The grant would require a 15%, \$3,750 match, and would further the Clinton Connexion Committee's work in defining and implementing a vision for the revitalization and redevelopment of the southern side of Rock Hill.

Jennifer Wilford, Housing and Neighborhood Services Director, presented the item to the City Council.

APPROVED GROWTH MANAGEMENT INCENTIVE APPLICATION FOR CATALYST CAPITAL PARTNERS

Mayor Gettys recused himself from this item and the following façade rehabilitation grant item and turned the gavel over to Mayor Pro-Tem Pender. An official copy of his statement has been made a part of these minutes.

Upon a motion to approve a 100% Growth Management Incentive by Councilmember Reno, which was duly seconded and approved upon a vote of 5-

0 with Mayor Gettys recusing, approved a Growth Management Incentive Application for Catalyst Capital Partners.

Catalyst Capital Partners requests a reimbursement of eligible fees to be paid to the City of Rock Hill for the redevelopment of the building located at 153 East White Street for retail and office purposes. The project value is \$905,008. The redevelopment of this building is the first step in The Exchange project which will ultimately see the redevelopment of the former Good Motors property and nearly the whole block. The estimated fees of \$4,105 are based on calculations made by the City's Planning and Development Department. Growth Management Incentives are not reimbursed until a Certificate of Occupancy is issued.

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

APPROVED A FACADE REHABILITATION GRANT PROGRAM APPLICATION FOR 153 EAST WHITE STREET

Upon a motion by Councilmember Reno, which was duly seconded and approved upon a vote of 5-0 with Mayor Gettys recusing, approved a Facade Rehabilitation Grant program application for 153 East White Street. Upon completion of approval and discussion, Mayor Pro-Tem Pender returned the gavel to Mayor Gettys.

RH Exchange Retail QOZB LLC, an affiliate of Catalyst Capital Partners, has purchased the building. Exterior improvements to the building will cost \$152,130 as per a pricing statement from Wharton-Smith Inc. The Facade Rehabilitation Grant Program provides a 25% reimbursement of eligible exterior facade improvements, subject to limits of \$20,000 on front facades and \$15,000 on side and rear facades. Using the policy established for funding limits, the proposed assistance calculations are: Front facade \$ 11,525 cost @ 25% = \$ 2,881 Side 1 facade \$111,602 cost @ 25% = \$15,000 funding limit reached Side 2 facade \$ 0 cost @ 25% = \$ 0.00 Rear facade \$ 29,003 cost @ 25% = \$ 7,251; Total \$25,132. The developer intends to lease the ground floor tenant spaces to retail uses while the upper floor will be marketed to office uses.

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 Tan Nguyen. 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

David Vehaun, City Manager, reported that the City would be circulating information and spraying on Marshall Street, as a result of a request from the South Carolina Department of Health and Environmental Control related to one West Nile virus case in that area.

Councilmember Sutton requested that the mask ordinance be placed on the next City Council agenda for consideration.

Councilmember Reno requested an update on the State's paving plans for Eden Terrace.

Councilmember Jackson commended CSM Jeffrey Minton of Rock Hill on his recent retirement and thanked him for his service in the US Army.

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.

Community Relations Council

Cynthia Ware, 1677 Mulberry Circle, to a term expiring October 8, 2023.

Commission for Children and Youth

Queenie Hall, 1508 Billess Court, to a term expiring November 11, 2023.

Clair Britt, 634 Guilford Road, to a term expiring November 11, 2023.

There being no other further business the meeting was adjourned.

Minutes approved and adopted this _____ day of _____ 2020.

Anne P. Harty, Municipal Clerk