

Council Chambers
Regular Session
Monday, August 9, 2021

CITIZENS' HEARING – 5:30 P.M.

Gwen Finley, 1292 Ebenezer Road, addressed the City Council regarding the REDI program.

Nathaniel Shell, 1843 Ebenezer Road, addressed the City Council regarding the YMCA.

Paul Bremner, 309 S. Stonewall Street, representing Cop Watch America, Inc., addressed the City Council regarding the Police Department.

Gwendolyn Kennedy, 5777 Gentle Breeze Lane, addressed the City Council concerning Kate's Skating Rink.

CT Kirk, 808 Cullybackey Drive, addressed the City Council regarding stormwater in the College Downs area.

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. None of these matters appear on the agenda except for the first and last items. Council received attorney client privileged legal advice involving a recent opinion of the South Carolina Attorney General approving the City's election schedule, discussed a potential low income housing related contract, received legal advice regarding a City zoning issue, received legal advice and discuss a potential intergovernmental agreement, discussed the employment of certain City employees, discussed a potential contract related to utility matters, discussed a potential contract related to the sale of land within Tech Park, received legal advice concerning a litigation matter and a potential litigation matter, and discussed 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. No members of the media were in attendance.

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

MINUTES OF WORK SESSION OF JUNE 28, 2021

MINUTES OF REGULAR SESSION OF JUNE 28, 2021

ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROCK HILL CODE BY MAKING CERTAIN CHANGES IN THE OFFICIAL ZONING MAP AFFECTING APPROXIMATELY 3.85 ACRES LOCATED ON OAKLAND AVE AND EBENEZER AVE FROM NEIGHBORHOOD OFFICE (NO) AND GENERAL COMMERCIAL (GC) TO LIMITED COMMERCIAL (LC) -

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 CHERRY ROAD/BURTON STREET AREA 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 14.85 ACRES LOCATED ON CHERRY ROAD FROM RESIDENTIAL CONSERVATION II (RC-II) AND BUSINESS DEVELOPMENT III (BD-III) TO OFFICE AND INSTITUTIONAL (OI) AND LIMITED COMMERCIAL (LC) - Adopted

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

ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INFRASTRUCTURE REIMBURSEMENT AGREEMENT BY AND BETWEEN THE CITY OF ROCK HILL, SOUTH CAROLINA, TKC CCLXXXV, LLC AND SOUTHWOOD CORP., PURSUANT TO TITLE 4, CHAPTER 1 AND CHAPTER 29, CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED; AND OTHER MATTERS RELATING TO THE FOREGOING – First Reading

An ordinance entitled ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INFRASTRUCTURE REIMBURSEMENT AGREEMENT BY AND BETWEEN THE CITY OF ROCK HILL, SOUTH CAROLINA, TKC CCLXXXV, LLC AND SOUTHWOOD CORP., PURSUANT TO TITLE 4, CHAPTER 1 AND CHAPTER 29, CODE OF LAWS OF SOUTH CAROLINA, 1976, AS AMENDED; AND OTHER MATTERS RELATING TO THE FOREGOING was given first reading upon a motion by Councilmember Reno, which was duly seconded and unanimously approved.

TKC Land Development (Project Recon) is building a new facility in Aspen Business Park. The project is anticipated to be a capital investment of at least \$5,500,000 in taxable development and at least 55 full time jobs. The Infrastructure Reimbursement Agreement allows for 75% of their property taxes to be used towards infrastructure. City staff recommended approval.

Jennifer Wilford, Economic and Urban Development Director, presented the item to the City Council.

ORDINANCE FOR ABANDONMENT OF UTILITY RIGHTS OF WAY AND EASEMENTS ON PROPERTY LOCATED IN THE VICINITY OF CHERRY ROAD AND CELANESE ROAD IN THE CITY OF ROCK HILL – First Reading

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

A new convenience store (7-Eleven) is being built and the existing easement, from 2003, must be abandoned. This ordinance preserves certain required easements. City Attorney recommended approval.

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

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

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

The current property owner of 1370 Fudge Street is selling the property for future development. The existing easements, from 1993, are no longer needed and no easements need to be retained. City Attorney recommended approval.

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

ORDINANCE TO AMEND CHAPTER 14, ELECTIONS, OF THE CODE OF THE CITY OF ROCK HILL, BY POSTPONING THE 2021 CITY WARD ELECTIONS UNTIL FEBRUARY 8, 2022 – First Reading

An ordinance entitled ORDINANCE TO AMEND CHAPTER 14, ELECTIONS, OF THE CODE OF THE CITY OF ROCK HILL, BY POSTPONING THE 2021 CITY WARD ELECTIONS UNTIL FEBRUARY 8, 2022 was given first reading upon a motion by Councilmember Sutton, which was duly seconded and unanimously approved with Councilmembers Black, Jackson, and Reno recusing themselves from this item. An official copy of their statements has been made a part of these minutes.

Due to the 2020 U.S. Census data being delayed, the City Council acted in May to delay elections for Wards 4, 5, and 6 to allow for a legally appropriate election. The delay allows time for several required steps following the receipt of census data. These steps include drawing a constitutionally appropriate ward plan, public input, and other requirements including notices and candidate filings. With Census data now expected by August 16, the City Council can consider a revised calendar with a ward election date of Tuesday, February 8, 2022. The City Attorney recommended approval.

Paul Dillingham, City Attorney, presented the item to the City Council.
Norma Gray, 407 Marshall Street, representing the Rock Hill NAACP and the Saluda Street Business Owner's group, addressed the City Council.

**APPROVED PLANNING COMMISSION RECOMMENDATION
REGARDING PETITION M-2021-18 BY FIRE TOWER LOGISTICS @ 77, LLC
(ANTHONY A. PARKER) TO REZONE APPROXIMATELY 98.27 ACRES AT
1798 FIRE TOWER ROAD, AN ADJACENT UNADDRESSED PARCEL, AND
ADJACENT RIGHT-OF-WAY FROM INDUSTRIAL DEVELOPMENT DISTRICT
(ID) AND URBAN DEVELOPMENT DISTRICT (UD) IN YORK COUNTY, TO
INDUSTRY GENERAL (IG). THE SUBJECT PROPERTY IS PROPOSED TO
BE ANNEXED INTO THE CITY OF ROCK HILL. TAX PARCELS 670-00-00-199
& -080 (PORTION)**

Upon a motion by Councilmember Reno to approve the McMillan/Pazden/Smith renderings dated July 29, 2021 with intent for the I-77 side of the facility to have a good and similar appearance to include berm, office façade, landscaping, no truck turning signage, no truck docks on the I-77 side of the development, and certain restrictions on truck parking, which was duly seconded and unanimously approved, approved Planning Commission recommendation regarding Petition M-2021-18 by Fire Tower Logistics @ 77, LLC (Anthony A. Parker) to rezone approximately 98.27 acres at 1798 Fire Tower Road, an adjacent unaddressed parcel, and adjacent right-of-way from Industrial Development District (ID) and Urban Development District (UD) in York County, to Industry General (IG). The subject property is proposed to be annexed into the City of Rock Hill. Tax Parcels 670-00-00-199 & -080 (Portion).

First reading of this item was deferred at the May 24, 2021 Council meeting. The developer submitted a new site plan showing a building that could be developed in two phases with a first phase of 682,000 square feet and a second phase of approximately 318,000 square feet, but was also willing to complete the project as one phase to satisfy the Council's desire for an office appearance facing I-77. One row of truck parking on the Fire Tower Road side of the building has been removed and a landscaped berm has been added along Fire Tower Road. The intent of the Council is to have the developer agree to these components of the plan through the annexation ordinance to ensure that the I-77 side of the development is constructed similar to the renderings provided. The applicant is requesting annexation and rezoning in order to facilitate the development of an industrial building on the property. The Planning Commission recommended approval of the proposed Industry General (IG) zoning at their May meeting by a vote of 7-0.

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

Steve McCraney and John Pattinger, representing the developer, addressed the City Council.

**APPROVED A PETITION FOR ANNEXATION TO THE CITY OF ROCK
HILL OF FIRE TOWER ROAD AREA III LYING ADJACENT TO THE CITY**

LIMITS OF THE CITY OF ROCK HILL, S.C. AS SHOWN ON MAP DATED MAY 6, 2021

Upon a motion to approve with the McMillan/Pazden/Smith renderings dated July 29, 2021 with intent for the I-77 side of the facility to have a good and similar appearance to include berm, office façade, landscaping, no truck turning signage, no truck docks on the I-77 side of the development, and certain restrictions on truck parking by Councilmember Reno, which was duly seconded and unanimously approved, approved a Petition for Annexation to the City of Rock Hill of Fire Tower Road Area III lying adjacent to the city limits of the City of Rock Hill, S.C. as shown on map dated May 6, 2021.

This is the annexation petition for the property at 1798 Fire Tower Road and an unaddressed parcel.

Dennis Fields, 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 FIRE TOWER ROAD AREA III LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C. – First Reading

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 FIRE TOWER ROAD AREA III LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C. was given first reading upon a motion by Councilmember Reno, which was duly seconded and unanimously approved.

This ordinance will enact the annexation of the property at 1798 Fire Tower Road and an unaddressed parcel.

Dennis Fields, 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 98.27 ACRES LOCATED ON FIRE TOWER ROAD FROM INDUSTRIAL DEVELOPMENT (ID) AND URBAN DEVELOPMENT (UD) TO INDUSTRY GENERAL (IG) – First Reading

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 98.27 ACRES LOCATED ON FIRE TOWER ROAD FROM INDUSTRIAL DEVELOPMENT (ID) AND URBAN DEVELOPMENT (UD) TO INDUSTRY GENERAL (IG) was given first reading upon a motion by Councilmember Reno, which was duly seconded and unanimously approved.

This ordinance will enact the IG zoning for the property at 1798 Fire Tower Road and an unaddressed parcel as recommended by the Planning Commission.

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

**APPROVED A RESOLUTION FOR THE LRB PROPERTY, LLC
TEXTILE MILL SITE UNDER THE SOUTH CAROLINA TEXTILES
COMMUNITIES REVITALIZATION**

Upon a motion by Councilmember Reno, which was duly seconded and unanimously approved, approved a resolution for the LRB Property, LLC Textile Mill Site under the South Carolina Textiles Communities Revitalization.

LRB Property, LLC requested approval of this resolution to facilitate a textile mill tax credit application in support of developing certain properties adjoining the Legal Remedy business site near Oakland Avenue and Ebenezer Avenue. The City Attorney recommended approval.

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

**APPROVED A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
ROCK HILL REQUIRING THE CLOSING OF AN ALLEY ADJACENT TO
WORKMAN STREET TO VEHICULAR AND PEDESTRIAN TRAFFIC**

Upon a motion by Councilmember Pender, which was duly seconded and unanimously approved, approved a Resolution of the City Council of the City of Rock Hill requiring the closing of an alley adjacent to Workman Street to vehicular and pedestrian traffic.

The portion of the alley to be abandoned runs between properties located at 309 and 319 Workman Avenue, which are owned by the Housing Development Corporation of Rock Hill. The abandonment has been through the normal City approval process without objection. City staff recommended approval.

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

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROCK HILL
REQUIRING THE CLOSING OF AN ALLEY ADJACENT TO HEMLOCK
AVENUE TO VEHICULAR AND PEDESTRIAN TRAFFIC**

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 requiring the closing of an alley adjacent to Hemlock Avenue to vehicular and pedestrian traffic.

The portion of the alley to be abandoned runs between properties located at 499 and 509 Hemlock Avenue, which are owned by the Housing Development Corporation of Rock Hill. The abandonment has been through the normal City approval process without objection. City staff recommended approval.

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

**DEFERRED ACTION ON A REQUEST FOR WATER AND SEWER
UTILITY SERVICE FOR PROPERTY AT 129 BACKWATER TRAIL**

Upon a motion by Councilmember Sutton, which was duly seconded and unanimously approved, the City Council deferred action on a request for Water and Sewer Utility Service for property at 129 Backwater Trail.

The applicant is requesting utility service for a 15,138 square foot office building and a 10,000 square foot truck/machinery maintenance facility. The property is undeveloped and is not contiguous to the City Limits although an adjoining property to the north is under consideration for annexation. The Utility Service Policy requires the development to comply with the City's design standards. Staff recommended approval.

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

APPROVED REVISIONS TO THE UTILITY SERVICE POLICY

Upon a motion by Councilmember Sutton, which was duly seconded and unanimously approved, approved revisions to the Utility Service Policy.

Staff proposed to update the Utility Service policy to enhance service provision and development goals. The proposed changes include making the developer responsible for coordinating the annexation path and requiring both water/sewer installations. Staff recommended approval.

Leah Youngblood, Planning & Development Director

APPROVED GROWTH MANAGEMENT INCENTIVE APPLICATION FOR 3D SYSTEMS

Upon a motion by Councilmember Pender, which was duly seconded and unanimously approved, approved a Growth Management Incentive application for 3D Systems.

3D Systems seeks reimbursement of eligible fees to be paid to the City of Rock Hill for the expansion of manufacturing space. The nearly 100,000 sq. ft. expansion is anticipated to be a \$13 million taxable investment with fifty new full-time positions (wages between \$18 to \$36 per hour with additional benefits). The estimated fees shown below are based on calculations made by the developer and the City's Planning and Development Department staff. 100% reimbursement is sought for these eligible fees to include building permit fees of \$ 36,430, impact fees of \$ 86,563, water meter set fee of \$ 1,350 for a total estimated reimbursement of \$124,343. The GMI Review Committee recommended reimbursement of paid fees totaling no more than \$124,343 as part of the City's Growth Management Incentive Policy.

Jennifer Wilford, Economic and Urban Development Director, presented the item to the City Council.

APPROVED REQUEST FOR SPONSORSHIP AT ROCK HILL SPORTS AND EVENT CENTER TO PRIMO INVESTMENT GROUP

Upon a motion by Councilmember Sutton, which was duly seconded and unanimously approved, approved sponsorship at Rock Hill Sports and Event Center to Primo Investment Group.

Primo Investment Group requested a sponsorship at the Rock Hill Sports and Event Center via the Rock Hill Parks Foundation. The sponsorship is for

monitors in the lobby for \$17,500 per year for 4 years starting September 2021. Staff recommended approval.

John Taylor, PRT Director, presented the item to the City Council.

ANNOUNCED SMARTSWITCH WINNER

This month's SmartSwitch winner, chosen at random by computer, is Kyran McShaw. 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 a joint meeting of the City Council and the City Planning Commission.

Councilmember Jackson recognized North Central Family Medical Center as part of National Healthcare Center Week.

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.

Board of Historic Review

Amy Applegate, 207 Marion Street, to a term expiring July 1, 2024.

Community Relations Council

Rena Hunter, 1808 Rock Glen Drive #206, to a term expiring March 10, 2023.

There being no other further business the meeting was adjourned.

Minutes approved and adopted this _____ day of _____ 2021.

Anne P. Harty, Municipal Clerk