

Council Chambers
Special Session
Monday, February 22, 2010

SPECIAL SESSION 6:00 P.M.

Council met in special session with Mayor Echols, Mayor Pro Tem Hinton, and Councilmembers Black, Pender, Reno, Roddey, and Sutton present. Also present were City Manager Carey Smith, Assistant City Manager Gerald E. Schapiro, Assistant City Manager/Municipal Clerk David Vehaun, and City Attorney Paul Dillingham. Herald reporter Matt Garfield was also in attendance.

After Mayor Echols called the meeting into session the entire assembly recited the Pledge of Allegiance.

PROCLAIMED FEBRUARY 23, 2010 AS ROTARY POLIO ERADICATION DAY

Upon a motion by Councilmember Sutton which was duly seconded and unanimously approved, the City Council proclaimed February 23, 2010 as Rotary Polio Eradication Day. Mr. David Casey, President of Rotary Club of Rock Hill, was present to receive the Proclamation.

PROCLAIMED TUESDAY, MARCH 2, 2010 AS READ ACROSS AMERICA DAY

Upon a motion by Councilmember Sutton which was duly seconded and unanimously approved, the City Council proclaimed Tuesday, March 2, 2010 as Read Across America Day. Ms. Julie Marshall, a fifth grade teacher at Oakdale Elementary and the district's Teacher of the Year, was present to accept the Proclamation.

RECOGNIZED AWARDS WON FOR CHRISTMASVILLE AT THE CAROLINA SHOWFEST AWARDS

The City Council recognized the awards won for Christmasville at the Carolina Showfest Awards. Mr. John Rinehart, President of the ChristmasVille Board of Governors, announced three awards ChristmasVille received at the 2010 Carolina Showfest Conference which was held February 1st in Charlotte, N.C.: the SC Event of the Year Award (accepted by Allan Miller); the South Carolina Director of the Year (accepted by Candy Clapp); and Best Website (accepted by Terry Windell). Mr. Rinehart thanked and recognized all ChristmasVille Board of Governors and the 2009 ChristmasVille Team Leaders.

APPROVED MINUTES OF THE REGULAR SESSION OF FEBRUARY 8, 2010.

Upon a motion by Councilmember Pender which was duly seconded and unanimously approved, the City Council approved the minutes of the Regular Session of February 8, 2010.

ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INFRASTRUCTURE REIMBURSEMENT AGREEMENT BY AND AMONG THE CITY OF ROCK HILL, SOUTH CAROLINA, RETFORD INVESTMENTS LLC AND BRADMAN-LAKE, INC. 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 - Adopted

An ordinance entitled AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INFRASTRUCTURE REIMBURSEMENT AGREEMENT BY AND AMONG THE CITY OF ROCK HILL, SOUTH CAROLINA, RETFORD INVESTMENTS LLC AND BRADMAN-LAKE, INC. 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 second reading and adopted upon a motion by Councilmember Hinton which was duly seconded and unanimously approved.

CONSIDERED PLANNING COMMISSION RECOMMENDATION

The City Council considered the following recommendation from the City of Rock Hill Planning Commission. Mr. Eric Hawkins, Planner III, presented the item to the City Council.

- M-2010-02 A petition by Everine P. Brooks to rezone approximately 1.88 acres at 1326 & 1334 Burton St. and the un-addressed lot behind 1334 Burton St. from Residential Conservation District-I (RC-I) in York County to Single Family -3 (SF-3). Tax parcels 634-00-00-023, -024, & -025. The Planning Commission unanimously recommended approval of the item. The City Council agreed to the Planning Commission recommendation upon a motion by Councilmember Sutton which was duly seconded and unanimously approved.

APPROVED A PETITION FOR ANNEXATION TO THE CITY OF ROCK HILL OF BURTON STREET AREA 1 LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C. AS SHOWN ON MAP DATED FEBRUARY 9, 2010. (CASE #M-2010-02)

Upon a motion by Councilmember Sutton which was duly seconded and unanimously approved, the City Council approved a petition for annexation of the Burton Street Area 1.

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 BURTON STREET AREA 1 LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C. (CASE #M-2010-02) – 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 BURTON STREET AREA 1 LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C. (CASE #M-2010-02) was given first reading upon a motion by Councilmember Hinton 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 1.88 ACRES LOCATED AT 1326 & 1334 BURTON ST. AND THE UN-ADDRESSED LOT BEHIND 1334 BURTON ST. FROM RESIDENTIAL CONSERVATION DISTRICT-I (RC-I) TO SINGLE FAMILY -3 (SF-3). (CASE #M-2010-02) – 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 1.88 ACRES LOCATED AT 1326 & 1334 BURTON ST. AND THE UN-ADDRESSED LOT BEHIND 1334 BURTON ST. FROM RESIDENTIAL CONSERVATION DISTRICT-I (RC-I) TO SINGLE FAMILY -3 (SF-3). (CASE #M-2010-02) was given first reading upon a motion by Councilmember Hinton which was duly seconded and unanimously approved.

AWARDED A CONTRACT TO LEITNER CONSTRUCTION CO., INC. FOR INSTALLATION AND CONSTRUCTION OF STREETScape IMPROVEMENTS ON PORTIONS OF CALDWELL STREET AND EAST WHITE STREET IN THE AMOUNT OF \$209,761.15

Upon a motion by Councilmember Pender which was duly seconded and unanimously approved, the City Council awarded a contract to Leitner Construction Co., Inc. for installation and construction of streetscape improvements on portions of Caldwell Street and East White Street in the amount of \$209,761.15. This project will install streetscape improvements including sidewalks, pavers, curb and gutter, lighting, and landscaping on portions of Caldwell Street and East White Street.

Based on the complete bid documentation submitted by the contractors and the bid tabulation, Leitner Construction Co., Inc. has been determined to be the lowest responsible, responsive bidder with a total base bid of \$209,761.15. Leitner Construction Co., Inc. anticipates that twenty-five (25) jobs (primary contractor and subcontractors) will be retained through this project. Leitner anticipates that no new jobs will be created

with this project. This project meets the strategic goal of strengthening and enhancing the neighborhoods and business centers of Old Town, the City's urban core.

Mr. David Lawrence, Downtown Development Manager, presented the item to the City Council.

APPROVED REQUEST TO SUBMIT FY 10-11 STATE MASS TRANSIT FUNDS AND FTA 5307 GRANT APPLICATIONS FOR COMMUTER BUS AND DEMAND RESPONSE TRANSPORTATION SERVICES AND APPROVED THE RELATED RESOLUTION IN SUPPORT OF THE SMTF FUNDING REQUEST.

Upon a motion by Councilmember Roddey which was duly seconded and approved upon a 6-1 vote with Councilmember Sutton dissenting, the City Council approved a request to submit the FY 2010-11 State Mass Transit Funds and FTA 5307 Grant Applications for Commuter Bus and Demand Response Transportation Services and approve the related resolution in support of the SMTF funding request. The staff will also prepare information on ridership and marketing efforts for the routes

Mr. David F. Hooper, Transportation Planner, presented the item to the City Council. Councilmember Sutton asked how long the City should wait to see if ridership increases. Mr. Hooper stated that he believed that the route should be given at least one full year before making a decision to end the service. Mr. Sutton also expressed concern for the cost per rider since the ridership numbers were so low. Councilmember Pender stated that she believed that marketing needs to be done to promote ridership. Councilmember Reno stated that any surveys that are conducted should include the riders on the 82x route to see if there are concerns to the 78x route.

AWARDED A CONTRACT AWARD TO SYNTERRA FOR ARCADE MILL BROWNFIELDS REMEDIATION PROFESSIONAL SERVICES IN THE AMOUNT OF \$48,000.

Upon a motion by Councilmember Hinton which was duly seconded and unanimously approved, the City Council awarded a contract to Synterra for Arcade Mill Brownfields remediation and professional services in the amount of \$48,000. This contract will provide for cleanup planning and oversight. The motion included a request that the City Attorney review the contract again to ensure that the City is protected and to review certain terms and conditions within the contract.

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

APPROVED THE CITY MANAGER'S RECOMMENDATION TO AMEND THE CITY'S PROCUREMENT POLICY RELATED TO LOCAL PURCHASING.

Upon a motion by Councilmember Pender which was duly seconded and unanimously approved, the City Council approved the City Manager's Recommendation to amend the City's procurement policy related to local purchasing to provide a 3% advantage for local contractors (capped at \$10,000). The preferred local contractor

would be required to meet the low bid. The policy has a sunset provision of March 1, 2011 and would need to be recommended for reauthorization by the City Manager and reauthorized by the City Council prior to March 1, 2011. In addition, the Mayor offered a friendly amendment that was unanimously agreed to that at least 3 bids would be required for this policy to take effect.

Mr. Carey Smith, City Manager, presented the item to the City Council. He stated that he would provide an interim report in July 2010 to the City Council regarding the status of the program.

Mr. Kent Allen, 524 Sugartree Drive, spoke in opposition to the proposal.

Mr. Steve Crump, 750 West Oak Drive, spoke in opposition to the proposal.

ANNOUNCED SMARTSWITCH WINNER

This month's SmartSwitch winner, chosen at random by computer, is Rene Wetherell. 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.

EXECUTIVE SESSION

Upon a motion by Councilmember Hinton which was duly seconded and unanimously approved, the City Council moved into Executive Session for discussion of the employment of an employee and to receive attorney-client privileged legal advice related thereto.

RETURNED TO OPEN SESSION

Mayor Echols reported that no action was taken in Executive Session.

There being no further business the meeting was adjourned.

Minutes approved and adopted this ____ day of _____ 2010.

David B. Vebaun, Municipal Clerk