

Council Chambers
Special Session
Monday, January 25, 2010

SPECIAL SESSION 6:00 P.M.

Council met in special session with Mayor Echols, Mayor Pro Tem Sutton, and Councilmembers Black, Hinton, Pender, Reno and Roddey 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.

APPROVED MINUTES OF THE REGULAR SESSION OF JANUARY 11, 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 January 11, 2010

ORDINANCE AMENDING CHAPTER 27, TAXATION, OF THE CODE OF THE CITY OF ROCK HILL CONCERNING DUE DATE, PAYMENT AND DELINQUENCY - Adopted

An ordinance entitled AN ORDINANCE AMENDING CHAPTER 27, TAXATION, OF THE CODE OF THE CITY OF ROCK HILL CONCERNING DUE DATE, PAYMENT AND DELINQUENCY was given second reading and adopted upon a motion by Councilmember Hinton which was duly seconded and unanimously approved.

ORDINANCE TO PROVIDE FOR THE LEASE OF SPACE AT THE AIRPORT FROM THE CITY OF ROCK HILL TO RAYMOND D. PETTY - Adopted

An ordinance entitled AN ORDINANCE TO PROVIDE FOR THE LEASE OF SPACE AT THE AIRPORT FROM THE CITY OF ROCK HILL TO RAYMOND D. PETTY was given second reading and adopted upon a motion by Councilmember Reno which was duly seconded and unanimously approved.

ORDINANCE TO PROVIDE FOR THE LEASE OF SPACE AT THE AIRPORT FROM THE CITY OF ROCK HILL TO ROBERTS ENTERPRISES, LIMITED PARTNERSHIP - Adopted

An ordinance entitled AN ORDINANCE TO PROVIDE FOR THE LEASE OF SPACE AT THE AIRPORT FROM THE CITY OF ROCK HILL TO ROBERTS ENTERPRISES, LIMITED PARTNERSHIP was given second reading and adopted upon a motion by Councilmember Reno which was duly seconded and unanimously approved.

ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROCK HILL CODE, ARTICLE 2: ADMINISTRATION, CONCERNING ADMINISTRATIVE CHANGES FOR PUBLIC NOTIFICATION AND REFERENCE TO DEVELOPMENT SERVICES DIRECTOR - Adopted

An ordinance entitled AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROCK HILL CODE, ARTICLE 2: ADMINISTRATION, CONCERNING ADMINISTRATIVE CHANGES FOR PUBLIC NOTIFICATION AND REFERENCE TO DEVELOPMENT SERVICES DIRECTOR was given second reading and adopted 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, ARTICLE 2: ADMINISTRATION, CONCERNING ADMINISTRATIVE ADJUSTMENTS - Adopted

An ordinance entitled AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROCK HILL CODE, ARTICLE 2: ADMINISTRATION, CONCERNING ADMINISTRATIVE ADJUSTMENTS was given second reading and adopted upon a motion by Councilmember Hinton which was duly seconded and unanimously approved.

AN ORDINANCE TO PROVIDE FOR THE DISPOSITION BY SALE OF PROPERTY LOCATED AT 627 EAST WHITE STREET, ROCK HILL, SOUTH CAROLINA BY THE CITY OF ROCK HILL TO NED L. POLK, INC. – First

Reading

An ordinance entitled AN AN ORDINANCE TO PROVIDE FOR THE DISPOSITION BY SALE OF PROPERTY LOCATED AT 627 EAST WHITE STREET, ROCK HILL, SOUTH CAROLINA BY THE CITY OF ROCK HILL TO NED L. POLK, INC. was given first reading upon a motion by Councilmember Sutton which was duly seconded and unanimously approved. This ordinance provides for the sale of approximately 0.02 acre of property located at 627 East White Street to Ned Polk for the amount of \$50.00 plus \$500.00 in administrative fees for a total of \$550.00.

Mr. Marty Burr, Performance Manager, presented the item to the City Council.

ORDINANCE AUTHORIZING AN AMENDMENT TO GENERAL BOND ORDINANCE NO. 2009-45 OF THE CITY OF ROCK HILL, SOUTH CAROLINA; AND OTHER MATTERS RELATING THERETO – First Reading

An ordinance entitled AN ORDINANCE AUTHORIZING AN AMENDMENT TO GENERAL BOND ORDINANCE NO. 2009-45 OF THE CITY OF ROCK HILL, SOUTH CAROLINA; AND OTHER MATTERS RELATING THERETO was given first reading upon a motion by Councilmember Reno which was duly seconded and unanimously approved. This ordinance provides for an amendment to the 2009 General Bond Ordinance that authorized TIF bonds for the River Walk development. The purpose of the amendment is to allow the City to offer property tax incentives, as are offered elsewhere in the City, at South Cross Corporate Center, at Waterford Business Park and the new River Falls Business Park, all located within the Red River TIF District. Without this amendment, the City Council would not be able to offer discretionary property tax incentives in these parks. In addition, this ordinance will permit City Council to fund pay-as-you-go capital improvements using Red River TIF funds.

Mr. Stephen Turner, Economic and Urban Development Director, presented the item to the City Council.

ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INFRASTRUCTURE REIMBURSEMENT AGREEMENT BY AND BETWEEN THE CITY OF ROCK HILL, SOUTH CAROLINA AND ACTION STAINLESS & ALLOYS, 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 – First Reading

An ordinance entitled AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN INFRASTRUCTURE REIMBURSEMENT AGREEMENT BY AND BETWEEN THE CITY OF ROCK HILL, SOUTH CAROLINA AND ACTION STAINLESS & ALLOYS, 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 first reading upon a motion by Councilmember Hinton which was duly seconded and unanimously approved.

City Council approved an Infrastructure Reimbursement Agreement with Action Stainless and Alloys on October 26, 2009. Although this action was done by resolution at the time - staff has learned that this action requires approval by ordinance. The purpose of this action is to approve the Infrastructure Reimbursement Agreement with Action Stainless and Alloys by ordinance.

The original agreement with the City allowed for reimbursement of certain costs incurred by the company in constructing the new facility. The reimbursements will be made annually from property tax payments made by the company to the City. The reimbursements are limited to no more than five years of City taxes to be paid by the company. Action Stainless & Alloys, Inc. opened their business on Hollis Lake Road in the spring of 2009 with an investment of nearly \$2.6 million and brought 17 new jobs to Rock Hill paying at or above the average wage in York County.

Mr. Rick Norwood, Business Development Coordinator, presented the item to the City Council.

ORDINANCE TO PROVIDE FOR THE DISPOSITION BY SALE OF PROPERTY LOCATED IN TECHPARK, ROCK HILL, SOUTH CAROLINA BY THE CITY OF ROCK HILL TO WORKSPACE RESOURCES, LLC. – First

Reading

An ordinance entitled AN ORDINANCE TO PROVIDE FOR THE DISPOSITION BY SALE OF PROPERTY LOCATED IN TECHPARK, ROCK HILL, SOUTH CAROLINA BY THE CITY OF ROCK HILL TO WORKSPACE RESOURCES, LLC. was given first reading upon a motion by Councilmember Pender which was duly seconded and unanimously approved.

This ordinance approves the sale of approximately 4.81 acres located in TechPark to Composite Resources (Workspace Resources, LLC). The total price is \$158,200 (\$40,000 per acre for the 3.67 developable acreage and \$10,000 per acre for the 1.14 acres located with in the floodplain). Composite Resources is a specialized manufacturing company located in TechPark at 485 Lakeshore Parkway. They produce parts for a variety of applications including industrial, military, medical and aerospace. The company recently completed a 30,000 square foot expansion and redesign of its manufacturing facility. With the completion of the \$5 million expansion project, the total size of the facility is 52,000 square feet. Composite Resources was established in 1993 and now has over 75 employees

The Company plans to begin construction on a two story 60,000 square foot warehouse in February, 2010. At completion, this expansion will represent an investment of \$3.5 million and create approximately 50 new jobs paying at or above the County average. The SC Carolina Coordinating Council has committed to provide a \$200,000 Economic Development Grant (administered by the City of Rock Hill) and Comporium Communications has earmarked \$50,000 of its License Fee Infrastructure incentive for this project.

Proceeds from the sale of the land will be allocated to the Economic Development Fund for future economic development incentives to be awarded by City Council. Mayor Echols asked that the staff provide a status of the economic development fund.

Mr. Rick Norwood, Business Development Coordinator, presented the item to the City Council.

ORDINANCE TO PROVIDE FOR THE DISPOSITION BY SALE OF PROPERTY LOCATED IN TECHPARK, ROCK HILL, SOUTH CAROLINA BY THE CITY OF ROCK HILL TO THE HUTTON COMPANY, LLC. – First

Reading

An ordinance entitled AN ORDINANCE TO PROVIDE FOR THE DISPOSITION BY SALE OF PROPERTY LOCATED IN TECHPARK, ROCK HILL, SOUTH CAROLINA BY THE CITY OF ROCK HILL TO THE HUTTON COMPANY, LLC. was given first reading upon a motion by Councilmember Hinton which was duly seconded and unanimously approved.

This ordinance provides for the sale of approximately 1.5 acres on Lakeshore Parkway located in TechPark to The Hutton Company, LLC. The total price is \$75,000 (\$50,000 per acre). The Hutton Company will construct and lease a new facility to the U.S. General Services Administration (GSA) for a new Social Security Administration

(SSA) office in TechPark. The new facility will be a LEEDs certified building approximately 12,000 square feet and represents approximately \$2 million in new investment. The Hutton Company intends to use as many local sub contractors as possible to help stimulate the local economy. The current SSA office, which is also located in TechPark, employs approximately 28 individuals.

Proceeds from the sale of the land will be allocated to the Economic Development Fund for future economic development incentives to be awarded by City Council.

Mr. Rick Norwood, Business Development Coordinator, presented the item to the City Council.

CONSIDERED PLANNING COMMISSION RECOMMENDATION

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

M-2010-01 A petition by Rambo Associates to rezone approximately 66.69 acres located at 560 Rambo Road from Agriculture Conservation District (AGC) in York County to Single Family -4 (SF-4). The subject property is proposed to be annexed into the City of Rock Hill. Tax parcel 603-00-00-025. The Planning Commission unanimously recommended approval of the item. Upon a motion by Councilmember Hinton which was duly seconded and unanimously approved, the City Council agreed to the Planning Commission recommendation. Councilmember Sutton asked if it might be possible to require some kind of disclosure that informs future landowners that a construction and demolition landfill is located close to the development. The City Attorney stated that he would look into the possibility of requiring this as a condition of approval.

APPROVED A PETITION FOR ANNEXATION TO THE CITY OF ROCK HILL OF RAMBO ROAD AREA I LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C. AS SHOWN ON MAP DATED JANUARY 7, 2010. (CASE #M-2010-01)

Upon a motion by Councilmember Hinton which was duly seconded and unanimously approved, the City Council approved a petition for annexation to the City of the Rambo Road Area I lying adjacent to the City.

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 RAMBO ROAD AREA I LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C. (CASE #2010-01) – 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 RAMBO ROAD AREA LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C. (CASE #2010-01) was given first reading upon a motion by Councilmember Roddey 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 66.69 ACRES LOCATED AT 560 RAMBO ROAD FROM AGRICULTURE CONSERVATION DISTRICT (AGC) TO SINGLE FAMILY RESIDENTIAL-4 (SF-4). (CASE #M-2010-01) –

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 66.69 ACRES LOCATED AT 560 RAMBO ROAD FROM AGRICULTURE CONSERVATION DISTRICT (AGC) TO SINGLE FAMILY RESIDENTIAL-4 (SF-4). (CASE #M-2010-01) was given first reading upon a motion by Councilmember Roddey which was duly seconded and unanimously approved.

APPROVED WATER AND SEWER UTILITY SERVICE REQUEST FOR YORK PREPARATORY ACADEMY SITE ON EASTVIEW ROAD.

Upon a motion by Councilmember Pender which was duly seconded and unanimously approved, the City Council approved a water and sewer utility service request for York Preparatory Academy site on Eastview Road. This request will serve a new charter school. The school is planned to be constructed in four phases over a ten year period. The initial construction will be permitted through York County and will consist of temporary modular buildings. The modular buildings will help the school meet its timeline of opening in August, 2010.

Mr. Eric Hawkins, Planner, presented the item to the City Council. Councilmember Sutton asked about future plans for a turn lane at a proposed second interest. Mr. Hawkins stated that the staff would review this as part of the process.

APPROVED LICENSE AGREEMENT BETWEEN PIEDMONT REGIONAL MLS, INC. AND THE CITY OF ROCK HILL FOR STORAGE UNITS

Upon a motion by Councilmember Reno which was duly seconded and unanimously approved, the City Council approved a license agreement between Piedmont Regional MLS, Inc. and the City of Rock Hill for storage units.

In 2008, the Piedmont Regional MLS, Inc. (PRMLS) approached the City of Rock Hill staff regarding the potential lease or purchase of real property located immediately behind the Palmetto Room at Historic Old Town (PRHOT). The PRHOT is

located in the rear portion of the former McCrory's Building. Over portions of the last two years, PRMLS has leased PODS (Portable On Demand Storage) units to store chairs, tables, and other equipment associated with the PRHOT. The PODS were placed in the White Street Parking Lot. The PODS were not permitted and the PODS were not visually attractive. PRMLS asked for additional time to identify a storage solution when objections were made regarding the PODS.

To eliminate the PODS, PRMLS asked the City of Rock Hill to sell or lease a small portion of the White Street Parking Lot. The land would allow PRMLS to build a storage room addition at the rear of the PRHOT. The PRMLS would use the acquired land (via sale or lease) to replace the sidewalk that would be eliminated with the construction of the storage room. The storage room has been determined to be necessary by PRMLS to store ballroom tables, chairs, and other equipment used at the PRHOT.

In summer 2009, City staff asked PRMLS staff if the City's service center could be used for storage. The City owns and operates a service center for solid waste equipment and services located behind the former People's Bank Building. PRMLS indicated that the service center would be an acceptable location to situate storage units (PODS or similarly fabricated, lockable storage units). Mr. David Young, Solid Waste Service Superintendent, reviewed the plan and indicated that no adverse impacts on solid waste services would occur with the placement of the storage units within the service center.

The License Agreement provides for the following:

- The license is revocable; it can be terminated by either party at any time for any reason.

- The lessee shall remove the storage units with 180 days of termination of the Agreement.

- There shall be no more than four (4) storage units; the units shall not be larger than 8 ft. by 16 ft. (512 sq. ft. maximum area; the whole service center measures over 2,300 sq. ft.).

- The storage units shall be situated along the wall closest to Dave Lyle Blvd.

- The City of Rock Hill is indemnified and held harmless in this Agreement.

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

ANNOUNCED SMARTSWITCH WINNER

This month's SmartSwitch winner, chosen at random by computer, is Joyce Fowler. 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 Sutton Re: Purchasing Policies

Councilmember Sutton asked about the status of revisions to the City's purchasing policies. He stated that he would talk with the City Manager.

ELECTED MAYOR PRO TEM

Upon a motion by Councilmember Roddey which was duly seconded and unanimously approved, the City Council elected Councilmember Hinton as Mayor Pro Tem.

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 a potential agreement involving the purchase of property by the City near the City's urban core and to receive attorney client privileged legal advice related to this matter; for discussion of a potential legal document involving the creation of jobs and economic development within the City and to receive attorney client privileged legal advice related to this matter; and to receive attorney client privileged legal advice related to a City utility litigation matter.

RETURNED TO OPEN SESSION

Mayor Echols reported that no action was taken in Executive Session

Adjourn.