

Council Chambers  
Regular Session  
Monday, June 14, 2010

**CITIZENS' HEARING 5:30 P.M**

Mr. Lonnie Sims, 467 Green Street, addressed the City Council regarding the Whitgreen Apartments on Green Street and asked that the City remove these apartments. He asked that the City look into the use of federal funds to solve the problem. He stated that the City code needs to be revised to bring these apartments up to code. He also stated that the street crew needed to do a better job of cleaning the curbs after debris has been removed from the street. He also asked if the City had an office related to federal grants to renovate homes. He stated that he had not seen an environmental code inspector on Green Street in over a year. He also asked that the City look into the drainage problems.

Mr. Jethro DeVane, a landlord from Raleigh, N.C., addressed the City Council regarding the fact that the City had demolished his houses but had not demolished similar houses in the community. He also asked City Council to look into a drainage problem at 727 Douglas. He stated that the ditch needs to be improved. He also stated that he observed a City Police Officer from 729 Crawford Road make an illegal u-turn. He also stated that City Police drive too fast on Crawford Road. He also stated that a City Inspector was taking pictures in his yard. He also stated that at his home on 729 Crawford Road there is an overgrown fence in the back yard. He also stated there was a paving problem on Tims Street and a pothole on the street beside Emmett Scott. 237 Barber Street has an overgrown lot problem.

Ms. Winona Henderson, 268 Lucky Lane, addressed the City Council regarding a stream that needs to be cleaned out.

Ms. Patricia Gaillard, 732 Clarendon Street, addressed the City Council regarding drainage issues at her father's house.

**REGULAR SESSION 6:00 P.M.**

Council met in special session with Mayor Echols, Mayor Pro Tem Hinton, and Councilmembers Black, Pender, Reno and 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 Chaplin Spencer. Herald reporter Matt Garfield was also in attendance.

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

**HELD PUBLIC HEARING ON THE 2010/2011 BUDGET**

Pursuant to state law Section 6-1-80, the City Council held a Public Hearing on the 2010/2011 Budget. City Manager Carey F. Smith presented the budget to the City Council. He presented the total proposed budget of \$168,498,801 to the City Council and reviewed the proposed rate increases. There is no tax increase included in the proposed budget.

There was no one present to speak in favor of the budget.

Mr. Chad Simpson, 1324 E. Black Street, spoke in opposition to the rate increase included in the City budget. He asked the City Council to eliminate or defer these rate increases.

Mr. Dean Archer, representing Stafford Park, stated that the City needs to eliminate all rate increases in the City budget.

**APPROVED THE MINUTES OF SPECIAL SESSION OF MAY 24, 2010**

Upon a motion by Councilmember Sutton which was duly seconded and unanimously approved, the City Council approved the minutes of the Special Session of May 24, 2010.

**ORDINANCE TO PROVIDE FOR THE DISPOSITION BY SALE OF PROPERTY LOCATED AT 1239 AMELIA AVE. ROCK HILL, SOUTH CAROLINA BY THE CITY OF ROCK HILL TO FAMILY PROMISE OF YORK COUNTY** - Adopted

An ordinance entitled AN ORDINANCE TO PROVIDE FOR THE DISPOSITION BY SALE OF PROPERTY LOCATED AT 1239 AMELIA AVE. ROCK HILL, SOUTH CAROLINA BY THE CITY OF ROCK HILL TO FAMILY PROMISE OF YORK COUNTY 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 BY MAKING CERTAIN CHANGES IN THE OFFICIAL ZONING MAP AFFECTING APPROXIMATELY 0.52 ACRES LOCATED AT 106 HIGHLAND ST. AND 905 E. MAIN ST. FROM INDUSTRY GENERAL (IG) TO OFFICE & INSTITUTIONAL (OI). (CASE #M-2010-05)** - Adopted

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 0.52 ACRES LOCATED AT 106 HIGHLAND ST. AND 905 E. MAIN ST. FROM INDUSTRY GENERAL (IG) TO OFFICE & INSTITUTIONAL (OI). (CASE #M-2010-05) was given second reading and adopted upon a motion by Councilmember Sutton which was duly seconded and unanimously approved.

**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 HERLONG/HECKLE IV AREA LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C. (CASE #M-2010-04) - Adopted**

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 HERLONG/HECKLE IV AREA LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C. (CASE #M-2010-04) was given second reading and adopted upon a motion by Councilmember Black 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 0.67 ACRES LOCATED AT 445 S. HERLONG AVE. FROM BUSINESS DEVELOPMENT-III (BD-III) IN YORK COUNTY TO LIMITED COMMERCIAL (LC). (CASE #M-2010-04) -**

Adopted

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 0.67 ACRES LOCATED AT 445 S. HERLONG AVE. FROM BUSINESS DEVELOPMENT-III (BD-III) IN YORK COUNTY TO LIMITED COMMERCIAL (LC). (CASE #M-2010-04) was given second reading and adopted upon a motion by Councilmember Hinton which was duly seconded and unanimously approved.

**ORDINANCE TO RAISE REVENUE, ADOPT A BUDGET AND WORK PROGRAM FOR THE CITY OF ROCK HILL, SC FOR THE FISCAL YEAR ENDING JUNE 30, 2011, AND TO AUTHORIZE THE ISSUANCE OF TAX ANTICIPATION NOTES FROM TIME TO TIME DURING THE FISCAL YEAR 2010/2011 – First Reading**

An ordinance entitled AN ORDINANCE TO RAISE REVENUE, ADOPT A BUDGET AND WORK PROGRAM FOR THE CITY OF ROCK HILL, SC FOR THE FISCAL YEAR ENDING JUNE 30, 2011, AND TO AUTHORIZE THE ISSUANCE OF TAX ANTICIPATION NOTES FROM TIME TO TIME DURING THE FISCAL YEAR 2010/2011 was given first reading upon a motion by Councilmember Pender which was duly seconded by Councilmember Roddey and approved on a 5-2 vote with Councilmembers Black and Sutton dissenting. This ordinance will provide for the adoption of the City Budget for Fiscal Year 2011 (July 1, 2010 through June 30, 2011) in the amount of \$168,498,801. City Manager Carey Smith presented the item to the City Council.

**ORDINANCE TO AMEND CHAPTER 29, UTILITIES, OF THE CODE OF THE CITY OF ROCK HILL CONCERNING ELECTRIC RATES – First Reading**

An ordinance entitled AN ORDINANCE TO AMEND CHAPTER 29, UTILITIES, OF THE CODE OF THE CITY OF ROCK HILL CONCERNING ELECTRIC RATES was given first reading upon a motion by Councilmember Pender which was duly seconded by Councilmember Hinton and approved on a 5-2 vote with Councilmembers Black and Sutton dissenting. This ordinance will provide for a 5.3% across the board electric rate increase to cover the City's 5.3% PMPA rate increase. Administrative Services Director Steven Gibson presented the item to the City Council. Councilmember Reno stated that increased uranium costs, increased cost of distribution lines, and increased distribution maintenance costs were driving these rate increases. He also stated that these rate increases are less than our competitors in the area. Councilmember Sutton stated that Duke Power residents were still paying less than the City's customers. Mayor Echols stated that this rate increase was solely to cover the cost of the City's rate increase from PMPA and none of this rate increase will go into the City's operating budget. Councilmember Pender stated that this rate increase will keep us ranked in the middle of the benchmark cities that we benchmark ourselves against. Councilmember Reno asked if the Council wanted to direct the staff to look into ways to reduce the City's budgeted transfer before second reading. Mayor Echols stated that he believed that it was best to adjust during the year and consider this issue during the City Council retreat to include service reductions that might reduce the City budget. Councilmember Reno stated that the staff try to address the issue of the supplemental utility transfer subsidy (\$511,000) and the fire impact fee subsidy (\$400,000) prior to second reading.

**ORDINANCE TO AMEND CHAPTER 29, UTILITIES, OF THE CODE OF THE CITY OF ROCK HILL CONCERNING WATER RATES** – First Reading

An ordinance entitled AN ORDINANCE TO AMEND CHAPTER 29, UTILITIES, OF THE CODE OF THE CITY OF ROCK HILL CONCERNING WATER RATES was given first reading upon a motion by Councilmember Hinton which was duly seconded by Councilmember Roddey and approved on a 5-2 vote with Councilmembers Black and Sutton dissenting. This ordinance will provide for a 5% across the board water rate increase to fund the water utility's system capital projects. Administrative Services Director Steven Gibson presented the item to the City Council. Mayor Echols stated that the enterprise funds are on a trend not to meet costs to serve in future years and these rate increases are important.

**ORDINANCE TO AMEND CHAPTER 29, UTILITIES, OF THE CODE OF THE CITY OF ROCK HILL CONCERNING SEWER RATES** – First Reading

An ordinance entitled AN ORDINANCE TO AMEND CHAPTER 29, UTILITIES, OF THE CODE OF THE CITY OF ROCK HILL CONCERNING SEWER RATES was given first reading upon a motion by Councilmember Hinton which was duly seconded by Councilmember Pender and approved on a 5-2 vote with Councilmembers Black and Sutton dissenting. This ordinance will provide for a 10% across the board wastewater rate increase to fund the wastewater utility's system capital

projects. Administrative Services Director Steven Gibson presented the item to the City Council.

**APPROVED A RESOLUTION ADOPTING THE CITY OF ROCK HILL PERSONNEL RESOLUTION**

Upon a motion by Councilmember Hinton which was duly seconded and unanimously approved, the City Council approved a resolution adopting the City of Rock Hill Personnel Resolution. The Personnel Resolution has been amended to clarify and revise the personnel policy. Ms. Phyllis Fautleroy, Human Resources Director, presented the item to the City Council. Councilmember Sutton asked that the staff look into the use of annual leave and allowing employees to build that up. He asked that the staff look into the financial impact of allowing employees to accrue this annual leave.

**APPROVED GROWTH MANAGEMENT INCENTIVE FOR COTTON MILL VILLAGE, LLC.**

Upon a motion by Councilmember Hinton which was duly seconded and approved on a 5-2 vote with Councilmembers Reno and Sutton dissenting, the City Council approved a growth management incentive for the Cotton Mill Village, Inc. project. The Growth Management Incentive Review Committee is recommending that the City Council approve a Growth Management Incentive award to Cotton Mill Village, LLC in the approximate amount of \$79,476 as a reimbursement of impact and permit fees related to this project.

Mr. Stephen Turner, Economic Development Director, presented the item to the City Council. Councilmember Black asked for information on the amount of taxes that would be generated by this project. Councilmember Sutton stated that he did not understand why staff had allowed this project to move forward since there were only limited property taxes associated with this tax-credit project.

**APPROVED GLENCAIRN GARDEN WEDDING POLICY AND RESERVATION FEES**

Upon a motion by Councilmember Hinton which was duly seconded and unanimously approved, the City Council approved a wedding policy and reservation fees for Glencairn Garden. A fee of \$250.00 - \$350.00, depending on venue, will be charged for all weddings. Out-of-county residents pay an additional \$100. A \$100 deposit will be required.

Mr. Mark Sexton, Administrative/Tourism Supervisor, presented the item to the City Council. Councilmember Pender asked for information on the number of weddings at Glencairn and Mr. Sexton stated that there have been 13 weddings this year. Councilmember Hinton asked for staff to consider the need for police security during these weddings.

**APPROVED RECREATION CENTER RENTAL FEES**

Upon a motion by Councilmember Pender which was duly seconded and unanimously approved, the City Council approved changes to the recreation center rental fees. The per hour rental fee increase will help offset the increased operating and maintenance cost. The increase would range from \$9.00 to \$20.00 per hour.

Ms. Kathy Covington, Recreation Division Supervisor, presented the following fee increases to the City Council. She stated that the last increase was imposed in 2005.

<b>Facility</b>	<b>Current Hourly Rate</b>	<b>Recommended Hourly Rate</b>	<b>Fee Increase</b>
<u>Boyd Hill</u>			
Conference Room	\$21	\$30	\$9
Activity Room	\$26	\$35	\$9
Gym with Kitchen	\$76	\$90	\$14
Gym athletic use	\$40	\$50	\$10
Entire Center	\$125	\$145	\$20
<u>Emmett Scott</u>			
McGirt Auditorium	\$85	\$100	\$15
Community Room	\$63	\$75	\$12
Gym athletic use	\$40	\$50	\$10
<u>Fewell Park</u>			
Williams Room	\$36	\$45	\$9
Conference Room	\$25	\$35	\$10
Williams Rm/Conference Rm	\$43	\$55	\$12
<u>Northside</u>			
Community Room	\$63	\$75	\$12
Gym athletic use	\$40	\$50	\$10

**APPROVED YOUTH SPORTS FEES**

Upon a motion by Councilmember Hinton which was duly seconded and unanimously approved, the City Council approved certain changes to Youth Sports fees. PRT staff and the Public Parks and Recreation Commission recommend increasing youth sports fees to \$35 for youth baseball, recreational soccer, softball and football and to \$75 for competitive soccer in Fiscal Year 2011 with the condition to anticipate additional fee increases to youth baseball and competitive soccer in Fiscal Year 2012.

Mr. John Taylor, Parks Division Supervisor, presented the item to the City Council. Councilmember Reno expressed interest in knowing that the scholarship program is marketed to the families that might be in need.

**APPROVED THE CONCEPT OF APPOINTING A RAILROAD STUDY GROUP**

Upon a motion by Councilmember Roddey which was duly seconded by Councilmember Hinton and approved on a 6-1 vote with Councilmember Pender dissenting, the City Council approved the concept of appointing a railroad study group to look into the issues surrounding the railroad crossings in and around the downtown area. The members of the committee would include representatives from the following:

- Business property owner interested in economic development
- York County government/Pennies for Progress, ex-officio
- Aragon Neighborhood Association President
- Industrial Mill Neighborhood Association
- Norfolk Southern Railroad – Station Master or designee
- City Council representative, ex-officio
- Business property owner future investor/developer
- Rock Hill Neighborhood Council
- Rock Hill Planning Commission, non-voting Chairperson
- Neighborhood Churches

City Manager Carey Smith presented the item to the City Council. He stated that it was important to get the process underway due to the Pennies for Progress project and the impending demolition of the Bleachery. Councilmember Black stated that he felt that a broader representation was important on the study group and that the group need to be evenly balanced among all interests. Councilmember Reno stated that the neighborhood representative would have trouble representing the groups outside of the residents such as the businesses, churches as schools – so he believed that the size of the group should be expanded. The City Manager stated that these groups could be invited to speak to the study group without necessarily increasing the size of the study group. Councilmember Reno stated that the time periods of blockages need to be documented. The City Manager stated that a representative from Norfolk Southern should be able to provide this information to the study group. Councilmember Reno also asked the staff to look into the standards associated with railroad crossings and how this could impact the establishment of quiet zones. Councilmember Sutton stated that he believed that the study group was only being assembled to move the trains out of downtown and put the trains in the neighborhoods. He stated that the Community Street crossing problem could be solved immediately by installing signalization without affecting the downtown area. The City Manager stated that this study needed to look into the issue of improving safety, eliminating intersection blockages, and studying crossings for ways to establish a railroad quiet zone. Councilmember Roddey stated that he believed that the purpose of the study group was to bring this to a decision level. Councilmember Pender stated that the only reason to do this was to discuss the problem and try to come up with a solution – and at this time no one really knew what the answer was. The City Manager stated that he has not decided who the City’s staff representative will be.

Ms. Leslie Moma, President of the Aragon Neighborhood Association, addressed the City Council and stated she was concerned with the purpose of the study group and the representation of the group.

**ANNOUNCED SMARTSWITCH WINNER**

This month's SmartSwitch winner, chosen at random by computer, is Jeffrey A. Brown. 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: Re City Employees**

Councilmember Reno stated that he attended the City retirement dinner and was impressed with the quality of the retirees and he praised the current and retired City employees who do a good job every day for the City.

### **EXECUTIVE SESSION**

Upon a motion by Councilmember Sutton which was duly seconded and unanimously approved, the City Council moved into Executive Session for consideration of the following items: for discussion of a potential agreement involving the purchase of property by the City on or near Cherry Road and the extension of City services related thereto and to receive attorney client privileged legal advice related thereto; and for discussion of Council appointments to City Boards and Commissions.

### **RETURNED TO OPEN SESSION**

The City Council returned to Open Session and the Mayor reported that no action was taken during Executive Session.

### **APPOINTMENTS TO CITY BOARDS AND COMMISSIONS**

Upon a motion by Councilmember Sutton which was duly seconded and unanimously approved, the City Council made the following appointments to City Boards and Commissions:

#### **Cemetery Committee**

Mr. Michael Thornwell, 1520 Cureton Road, for a term to expire on August 11, 2012.

#### **Committee on Human Relations**

Ms. Chisa Putnam, 810 Arklow Drive Apt 103, for a term to expire on January 26, 2012.

#### **Construction Board of Adjustment and Appeals**

Mr. Carl Janicke, 1161 Evergreen Circle, for a term to expire on July 14, 2013.

Mr. John King, 304 Warrington Place, for a term to expire on July 14, 2013.

James Ransom, 3108 Shandon Road, for a term to expire on July 14, 2013.

Planning Commission

Mr. Jeff Greene, 1699 Hunting Ct., for a term to expire on May 1, 2013.

Plumbing Board

Mr. Mark Kettlewell, 2139 James Ct., for a term to expire on April 25, 2013.

Rock Hill Board of Historic Review

Mr. Michael James, 2200 Lookout Pt., for a term to expire on July 1, 2013.

Mr. Phillip Jerauld, 2005 Rosehaven Lane, for a term to expire on July 1, 2013.

Mr. Martin Goode, 131 E. Main Street, for a term to expire on July 1, 2013.

Cycling Center of the Carolinas Association (CCCS) Board

Ms. Donna Richter, 1621 Huntmoor Dr., for a term to expire on march 1, 2012.

The City Council also agreed to change the name of the Mayor's Committee on Employment of People with Disabilities to a name that would broaden the focus to issues beyond employment. For this reason, the City Council agreed to change the name of the committee to the Mayor's Committee on People with Disabilities.