

Council Chambers
Regular Session
Monday, May 10, 2010

CITIZENS' HEARING 5:30 P.M

Mr. Tony Perrini, 4758 Cascade and Principal of Saint Anne's School, addressed the City Council regarding the issue of the new Charter School and mentioned safety concerns regarding the site.

Ms. Michelle Hatchett, 844 Myrtle Drive, addressed the City Council regarding the issue of the new Charter School and mentioned safety concerns regarding the site.

Ms. Lisa Collins, 1868 Timberstone Court, addressed the City Council regarding the issue of the new Charter School and requested that the City Council ask the Planning Commission to reconsider their action on the Charter School. The Mayor asked that the City Manager look into this matter and provide a report to the Council.

Mr. Rob Youngblood, President of the York County Regional Chamber, addressed the City Council requesting that the City Council address the issue of the railroad crossing at Main Street and White Street and develop a long term plan to address the problem of the train blocking intersections in the downtown area. Councilmember Sutton asked if this was a unanimous vote by the Rock Hill regional council and the full Chamber Board and Mr. Youngblood stated that it was. The Mayor asked if the Council was comfortable with the City Manager recommending some committee or process to continue discussions on the issue of railroad crossings. The City Council expressed a consensus on the matter and agreed that the City Manager would recommend a process for further dialogue.

REGULAR SESSION 6:00 P.M.

Council met in regular 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 Vebaun, and City Attorney Paul Dillingham.

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

**PROCLAIMED THE YEAR 2010 AS ROCK HILL TOASTMASTERS
50TH ANNIVERSARY CELEBRATION**

Upon a motion by Councilmember Hinton which was duly seconded and unanimously approved, the City Council proclaimed the Year 2010 as Rock Hill Toastmasters 50th Anniversary Celebration. Club President Bill King was present to accept the proclamation.

APPROVED THE MINUTES OF THE SPECIAL SESSION OF APRIL 26, 2010

Upon a motion by Councilmember Black which was duly seconded and unanimously approved, the City Council approved the minutes of the Special Session of April 26, 2010.

ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROCK HILL CODE, ARTICLE 7: SUBDIVISION STANDARDS AND ARTICLE 10: DEFINITIONS AND RULES FOR INTERPRETATION, REGARDING REQUIRED PUBLIC IMPROVEMENTS AND CONSTRUCTION STANDARDS (CASE #T-2010-01) - Adopted

An ordinance entitled AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF ROCK HILL CODE, ARTICLE 7: SUBDIVISION STANDARDS AND ARTICLE 10: DEFINITIONS AND RULES FOR INTERPRETATION, REGARDING REQUIRED PUBLIC IMPROVEMENTS AND CONSTRUCTION STANDARDS (CASE #T-2010-01) was given second reading and adopted upon a motion by Councilmember Pender which was duly seconded by Councilmember Hinton and approved on a 4-3 vote with Councilmembers Black, Reno and Sutton dissenting. Councilmember Reno expressed some concern regarding the staff memo and how the proposed changes might apply to a smaller development and how staff discretion will be exercised in a smaller development. Mr. Bill Meyer, Planning and Development Director, stated that a smaller development would have “Places” and “Lanes” and these type streets would not have the same requirements as the streets in a larger development. Mr. Black asked who would have the authority to grant these variances and Mr. Meyer stated that the staff would probably be able to work this out at the staff level – but that the Planning Commission would be able to hear both sides if an agreement could not be reached. Councilmember Pender asked if these standards would solve some of the problems of parking in neighborhoods. Mr. Meyer stated that he believed that it would. Councilmember Black expressed concern that there needs to be a process to ensure that developer comments can be heard. He also expressed concern regarding the requirements regarding bike trails in the neighborhoods and the need to install bike lanes that may or may not connect to another bike lane. Councilmember Sutton expressed concern that he was not sure how streets will look under the proposed standards.

ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF TAX INCREMENT BONDS (TEXTILE CORRIDOR REDEVELOPMENT PROJECTS) OF THE CITY OF ROCK HILL, SOUTH CAROLINA, PRESCRIBING THE FORM OF BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS FROM THE SOURCES PROVIDED HEREIN; CREATING CERTAIN FUNDS AND PROVIDING FOR PAYMENTS INTO SUCH FUNDS; AND MAKING OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH THE FOREGOING – First Reading

An ordinance entitled AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF TAX INCREMENT BONDS (TEXTILE CORRIDOR REDEVELOPMENT PROJECTS) OF THE CITY OF ROCK HILL, SOUTH CAROLINA, PRESCRIBING THE FORM OF BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS FROM THE SOURCES PROVIDED HEREIN; CREATING CERTAIN FUNDS AND PROVIDING FOR PAYMENTS INTO SUCH FUNDS; AND MAKING OTHER COVENANTS AND AGREEMENTS IN CONNECTION WITH THE FOREGOING was given first reading upon a motion by Councilmember Reno which was duly seconded and unanimously approved. This ordinance provides authorization for the issuance of Tax Increment Bonds in the Textile Corridor. The general bond ordinance is a master ordinance that outlines the use of proceeds and sources of funds for repayment of the debt.

Anne Bunton, Customer Services Director, presented the item to the City Council.

FIRST SUPPLEMENTAL ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT EXCEEDING \$6,500,000 TAX INCREMENT BONDS (TEXTILE CORRIDOR REDEVELOPMENT PROJECTS) OF THE CITY OF ROCK HILL, SOUTH CAROLINA, IN ONE OR MORE SERIES; PRESCRIBING THE FORM AND DETAILS OF SUCH BONDS; AUTHORIZING THE MAYOR AND THE CITY MANAGER OF THE CITY TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PLEDGE OF COMBINED UTILITY SYSTEM REVENUES FOR THE PAYMENT OF THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO.

An ordinance entitled A FIRST SUPPLEMENTAL ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF NOT EXCEEDING \$6,500,000 TAX INCREMENT BONDS (TEXTILE CORRIDOR REDEVELOPMENT PROJECTS) OF THE CITY OF ROCK HILL, SOUTH CAROLINA, IN ONE OR MORE SERIES; PRESCRIBING THE FORM AND DETAILS OF SUCH BONDS; AUTHORIZING THE MAYOR AND THE CITY MANAGER OF THE CITY TO DETERMINE CERTAIN MATTERS RELATING TO THE BONDS; PROVIDING FOR THE PLEDGE OF COMBINED UTILITY SYSTEM REVENUES FOR THE PAYMENT OF THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS THEREOF; AND OTHER MATTERS RELATING THERETO was given first reading upon a motion by Councilmember Hinton which was duly seconded and approved on a 6-1 vote with Councilmember Sutton dissenting.

This ordinance is the First Supplemental Bond Ordinance, which is specific to this particular financing. It provides for financing up to \$6.5 million, which includes \$2.75 million to refinance a 2008 Textile Corridor bond and a new project fund up to \$2.75 million for the Bleachery demolition and abatement, issuance costs, and one year debt payment for a debt service reserve. This ordinance authorizes the Mayor and City

Manager to determine the financing structure that is in the best interest of the City within these parameters and to award the bid for interest rate on the bonds.

**AWARDED A CONSTRUCTION CONTRACT FOR THE
INSTALLATION OF PHASE II LANDSCAPE IMPROVEMENTS AT THE
DAVE LYLE BLVD./I-77 INTERCHANGE (EXIT 79) TO BLYTHE
DEVELOPMENT IN THE AMOUNT OF \$466,945.70**

The City Council considered a construction contract for the installation of Phase II Landscape Improvements at the Dave Lyle Blvd/I-77 interchange (Exit 79) to Blythe Development in the amount of \$466,945.70. The streetscape improvements along Dave Lyle Blvd. from the exit/entrance ramps westward to John Ross Parkway will include curb and gutter, storm sewer improvements, sidewalks and traffic improvements. This project was competitively bid according to City, State and Federal guidelines. The low bid of \$466,945.70 was submitted by Blythe Development of Charlotte, NC. This bid is considerably less than the engineering estimate due primarily to a storm sewer redesign and cost compression. Work is planned to begin in May with substantial completion within 120 days. Funding for the project will come from SCDOT (\$250,000) and the Red River TIF (\$216,945.70).

Mr. Carey Smith, City Manager, presented the item to the City Council. The City Manager stated the City and SCDOT will agree to collaborate on the project to eliminate any potential problems between the CMAQ project and the Dave Lyle construction and eliminate the potential conflict related to landscaping or infrastructure. The City will not allow the contractor to complete any work where areas of conflict may occur until an agreement is reached on the final design of both projects. The SCDOT will allow for a change order to accommodate the design and implementation of both projects. Councilmember Sutton stated that the staff should be addressing the needs of the CMAQ project instead of focusing on landscaping. The City Manager stated that the City could fund the CMAQ project but that it would not be reimbursed. Councilmember Sutton stated that he had discussed this with the State and that the City could be reimbursed if RFATS approved it. The Mayor stated that this project was more than just landscaping and that it would certainly allow for some relief to the traffic on Dave Lyle. He also noted that the City had received an excellent bid on the project. Councilmember Pender stated that she agreed that the turn lanes were important but that she did not believe that it should hold up this project. She also stated that if the City could use money from the City's fund balance and be reimbursed for the work – then the City should do that. Councilmember Black expressed concern for the sequencing of the projects and suggested that the City should look into the installation of two turn lanes immediately.

After a period of discussion, Councilmember Sutton made a motion which was duly seconded by Councilmember Reno to defer action on the item and withhold consideration until the first meeting in June to allow staff to contact SCDOT and allow RFATS to act on the project. This would allow the Council to have more information on the item before making a final decision. Council rejected the motion on a 4-3 vote with Councilmembers Hinton, Pender, and Roddey and Mayor Echols dissenting. Subsequently, upon a motion by Councilmember Pender which was duly seconded and approved on a 4-3 vote with Councilmembers Black, Reno, and Sutton dissenting, the

City Council agreed to award the bid to Blythe Development in the amount of \$466,945.70 and that the City would also look into the potential of using City funds to move forward with the CMAQ project if the City can be reimbursed upon completion of the project.

APPROVED THE 2010-2015 CONSOLIDATED PLAN FOR HOUSING AND COMMUNITY DEVELOPMENT.

Upon a motion by Councilmember Reno which was duly seconded and unanimously approved, the City Council approved the 2010-2015 Consolidated Plan for Housing and Community Development.

Ms. Tracy Smith, Grants Specialist, presented the item to the City Council.

APPROVED THE ROCK HILL ACCOMMODATIONS TAX AND TOURISM COMMISSION RECOMMENDATIONS FOR FUNDING THE 2010-2011 APPLICANTS

Upon a motion by Councilmember Hinton which was duly seconded and unanimously approved, the City Council approved the Rock Hill Accommodations Tax and Tourism Commission recommendations for funding the 2010-2011 applicants.

Mr. Kinch Edwards, Commission Chair, presented the item to the City Council. He stated that the Rock Hill Accommodations Tax/Tourism Commission was presenting their recommendations for funding of the 2010-2011 applications. The commission met on March 16, 2010 and April 20, 2010 to review each application and make their recommendations. The City received \$327,191 from the South Carolina Accommodations Tax Program from the collections of January through December 2009. These monies are distributed in the City of Rock Hill's 2010-2011 funding cycle. The following is the breakdown of the allocation of the funds according to the state plan:

City of Rock Hill General Fund	\$ 25,000
5% of the balance to General Fund	\$ 15,110
30% of the balance to Rock Hill PRT (Tourism/Marketing Promotion)	\$ 90,657
65% of balance-Tourism Related Fund	<u>\$196,424</u>
Total	\$327,191

Councilmember Sutton asked that the previous year allocations be provided to the City Council in the future when considering the recommendation. The City Council asked Mr. Kinch several questions regarding the funding decisions of the Committee.

ANNOUNCED SMARTSWITCH WINNER

This month's SmartSwitch winner, chosen at random by computer, is Donnie Watson. 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 Sutton which was duly seconded and unanimously approved, the City Council moved into Executive Session for consideration of the following items: for consideration of potential agreements involving the purchase of property by the City near the City's urban core and the extension of City services related thereto and to receive attorney client privileged legal advice related to this matter; for consideration of potential agreements involving the purchase of property by the City near Cherry Road and the extension of City services related thereto and to receive attorney client privileged legal advice related thereto; and for consideration of potential agreements related to a potential annexation of property in the northern area of the City limits and to receive attorney client privileged legal advice related thereto.

RETURNED TO OPEN SESSION

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