

Council Chambers  
Special Session  
Monday, May 24, 2010

**SPECIAL 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 Paul Dillingham. After Mayor Echols called the meeting into session the entire assembly recited the Pledge of Allegiance.

**PROCLAIMED THE WEEK OF JUNE 21-JUNE 26, 2010 AS WORLD CHANGERS COMMUNITY PARTNERSHIP WEEK-UNHINDERED**

Upon a motion by Councilmember Sutton which was duly seconded and unanimously approved, the City Council proclaimed the week of June 21-June 26, 2010 as World Changers Community Week.

Mr. Mike Wallace with the York Baptist Association was present to accept the proclamation.

**PROCLAIMED THE MONTH OF JUNE, 2010 AS NATIONAL HOME OWNERSHIP MONTH**

Upon a motion by Councilmember Hinton which was duly seconded and unanimously approved, the City Council proclaimed the month of June 2010 as National Home Ownership Month.

Mr. David LeGrande, Co- Chair Housing Development Corp. of Rock Hill Executive Committee was present to accept the proclamation.

**RECOGNIZED INSIDE ROCK HILL GRADUATES TO CITY COUNCIL**

The City Council recognized the graduates of Inside Rock Hill. To graduate from Inside Rock Hill, participants must accumulate 100 points (each class equals 10). To graduate with honors, one must accumulate 140 points. Additional points are accumulated by attending extra curricula meetings, i.e.: City Council, Planning Commission, Zoning Board of Appeals, any Board & Commission Meeting, Rock Hill Council of Neighborhoods, or a recognized Neighborhood Meeting (each meeting equals 20 points). Graduates for the spring session are as follows: Jose Brito, William Collier, Laurie Helms, Stefanie Jenkins, Jeff Johnson, Stephen Loney, Lucas McFadden, Michael Murnane, Claude Nesbitt Sr. and Juan Petrovich. Honor Graduates are: Tom DeBoard, Kenneth Evans, Mary Hemleb and Carolyn Wallace.

Mr. Ray Koterba, Housing & Neighborhood Services Director, presented the graduates.

**PRESENTATION FROM ROCK HILL YOUTH COUNCIL**

The City Council received a presentation from the Rock Hill Youth Council on the projects and programs which have been completed during the 2009/2010 school year. Mr. Devin Gordon, Chair and Mr. Sam Andersen, Vice-Chair, made a presentation to the City Council.

**RECOGNIZED THE YOUTH SERVICE LEAGUE**

The City Council recognized approximately 70 middle school youth who will be volunteering for the City of Rock Hill and area non-profit agencies over the coming months. This is the 20<sup>th</sup> summer that the program will serve in the community.

Ms. Patti Panetti with the Parks, Recreation and Tourism Department addressed the City Council.

**APPROVED THE MINUTES OF SPECIAL SESSION OF APRIL 29, 2010 AND REGULAR SESSION OF MAY 10, 2010**

Upon a motion by Councilmember Hinton which was duly seconded and unanimously approved, the City Council approved the minutes of Special Session of April 29, 2010 and Regular Session of May 10, 2010.

**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** - Adopted

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 second reading and adopted upon a motion by Councilmember Hinton which was duly seconded and unanimously approved.

**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** - Adopted

An ordinance entitled AN 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 second reading and adopted upon a motion by Councilmember Hinton which was duly seconded and approved on 6-1 vote with Councilmember Sutton dissenting.

**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** – First Reading

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 first reading upon a motion by Councilmember Hinton which was duly seconded and unanimously approved.

This location, a former police sub-station, will be restored to a duplex configuration then sold to Family Promise of York County (Interfaith Hospitality Network) for \$1.00. FPYC has agreed to expand their mission to include homeless husbands and wives and will have the opportunity to house two families simultaneously in the Amelia Ave property. Housing and Neighborhood Services will be responsible for the rehabilitation of the property, estimated cost at \$20,000. The sales contract will allow for the property to be returned to the City of Rock Hill within 10 years if the project should be abandoned or terms of the contract are not followed, at the selling price. Councilmember Sutton asked for the City Attorney to make sure that the transfer of property is allowed since the property was purchased with CDBG funds.

Mr. Ray Koterba, Housing & Neighborhood Services Director, presented the item to the City Council.

Ms. Jennifer Coy, the Executive Director of Family Promise, addressed the City Council regarding this item. She stated that families would be served on a case by case

basis – and some families may have to stay in the residence for up to a year – but that there was an emphasis on the family working toward becoming self sufficient. She stated that Family Promise will take full responsibility for the house.

**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-2010-05 A petition by Phillip Warren to rezone approximately 0.52 acres at 106 Highland St. and 905 E. Main St. from Industry General (IG) To Office & Institutional (OI). Tax Parcels 626-02-02-017 & -018. The Planning Commission unanimously recommended approval of the item. The City Council agreed to the Planning Commission recommendation 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 0.52 ACRES LOCATED AT 106 HIGHLAND ST. AND 905 E. MAIN ST. FROM INDUSTRY GENERAL (IG) TO OFFICE & INSTITUTIONAL (OI). (CASE #M-2010-05)** – 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 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 first reading upon a motion by Councilmember Sutton 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-2010-04 A petition by John Bergin to rezone approximately 0.67 acres at 445 S. Herlong from Business Development-III (BD-III) in York County to Limited Commercial (LC). Tax Parcel 593-00-00-002. 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 HERLONG/HECKLE IV AREA LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C. AS SHOWN ON MAP DATED FEBRUARY 4, 2010. (CASE #M-2010-04)**

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 Rock Hill of the Herlong/Heckle IV Area laying adjacent to the City limits of the City of Rock Hill.

**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) – 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 HERLONG/HECKLE IV AREA LYING ADJACENT TO THE CITY LIMITS OF THE CITY OF ROCK HILL, S.C. (CASE #M-2010-04) was given first reading 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) – 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 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 first reading upon a motion by Councilmember Hinton which was duly seconded and unanimously approved.

**APPROVED A RESOLUTION NAMING THE "WINSTON SEARLES MEMORIAL TRAIL"**

Upon a motion by Councilmember Roddey which was duly seconded and unanimously approved, the City Council approved a resolution naming the "Winston Searles Memorial Trail".

### **APPROVED THE PLAYFUL CITY USA APPLICATION**

Upon a motion by Councilmember Pender which was duly seconded and approved on a 6-1 vote with Councilmember Sutton dissenting, the City Council approved submittal of the Playful City USA application. The Playful City USA endorsement promotes play for the physical, emotional and educational development of our children and for the health and well-being of our community. This endorsement also supports the City of Rock Hill's Number One Question: 'Is it good for the children'; the Eat Smart Move More initiative; and the 100 Best Cities endorsement. To receive this endorsement, the City of Rock Hill must complete five commitments:

Commitment one: Create a play advisory committee.

Commitment two: Design an action plan for play that includes actions in the area of quantity, quality and access.

Commitment three: Create a play space audit and link our play spaces to the KaBoom website.

Commitment four: Outline a financial and civic investment in play spaces.

Commitment five: Proclaim and celebrate an annual play day.

The mayor must sign the application in support of this endorsement after City Council approval and the application must be submitted by June 1, 2010. The application has been approved by the City of Rock Hill Parks and Recreation Commission.

Ms. Kiersten Rugg, Environmental Education Program Coordinator, Parks, Recreation & Tourism Dept, presented the item to the City Council. Councilmember Reno asked for information on who supports the KaBoom organization. Councilmember Sutton asked if a City staff member would need to be in attendance at every meeting of the Committee and the City Manager stated that they probably would not although staff could support them with requests for information. Councilmember Black asked about the goal of the Committee and if the ultimate goal was to include all play spaces in the community under this program and Ms. Rugg stated that it was. Councilmember Pender stated that this was a goal that supports quality of life for the community in enhancing local parks. The Mayor stated that he agreed that this was also an excellent opportunity to support sports tourism and economic development in the community.

### **APPROVED THE SERVICE AND MARKETING PLANS FOR NEW PEAK PERIOD DEMAND RESPONSE TRANSPORTATION SERVICE**

Upon a motion by Councilmember Hinton which was duly seconded and unanimously approved, the City Council approved the service and marketing plans for the new Peak Period Demand Response Transportation Service.

Mr. David Hooper, Transportation Planner, presented the Service Plan and Lyn Garris, Public Affairs Coordinator, presented the Marketing Plan. Mr. Hooper provided an update on the progress of the program. Councilmember Pender asked that staff provide information on where the major demand service areas are located and what they are.

### **ANNOUNCED SMARTSWITCH WINNER.**

This month's SmartSwitch winner, chosen at random by computer, is Tamisha J. Knox. 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: Dave Lyle Traffic Improvements**

Councilmember Sutton asked for an update on the proposed traffic improvements on Dave Lyle Blvd and information on the reimbursement opportunities. The City Manager stated that he had looked into ways to expedite the project and held discussions with SCDOT to look for funding options. He stated that he believed that staff and SCDOT could support a hybrid option whereby the City would fund the engineering and design of the project and then use CMAQ funds to construct the project. This would cost about \$75,000 and would accelerate the project by about 6 months. The City would have to work closely with SCDOT to make sure that the project did not fall behind on the list of SCDOT priorities. The engineering would be completed within 3 months and the CMAQ work could begin at that time. Ms. Frances Thomas stated that the RFATS process through the Federal Highway Administration would take about 6 months to complete. It would probably be the summer of 2011 before the construction could begin.

#### **Councilmember Sutton Re: Railroad Study Group**

Councilmember Sutton stated that City Council was in agreement that a solution needs to be found regarding the railroad situation downtown. He stated that the solution needs to satisfy both the downtown businesses and the neighborhoods affected by the railroad. He stated that he was concerned that the meetings proposed in the City Manager's recommendation to City Council seemed to imply that a side track was the only solution to the issue. The City Manager stated that everyone needs to understand all of the work that has been done up to this point and that the businesses and the neighbors could meet to discuss the issue and come up with a solution that may or may not involve the use of sidetracks. Councilmember Black stated that he believed that there needed to be a broader focus of the committee that would allow them to come up with a solution. He also stated that this needed to include a broader representation of members of the community. The City Manager stated that he was concerned about the ability of the process to move forward in a positive way with such a broad focus. Councilmember Sutton stated that he felt like the Committee needed to consider all of the options. The City Manager stated that he would like to receive feedback from the Council over the next two weeks due to the Pennies for Progress issue and due to the White Street Improvements proposed in the Textile Corridor.

### **EXECUTIVE SESSION**

Upon a motion by Councilmember Roddey 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 concerning Downtown property and the City Manager's office and to receive attorney client privileged legal advice related to this matter; for discussion of a potential agreement concerning the Parks, Recreation and Tourism Department and to receive attorney client privileged legal advice related thereto; and to consider three items concerning the sale and purchase of real property involving the Utilities Department, the Cemetery, and the Parks, Recreation and Tourism Department 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.

Adjourn.