



**YORK COUNTY
COUNTY COUNCIL**

MINUTES • DECEMBER 5, 2022

FINAL



County Council Meeting

**York County Government Center
6 South Congress Street
York, SC 29745**

6:00 PM

District 1 Tom Audette: Present, District 2 Allison Love: Present, Vice-Chairman Robert Winkler: Present, District 4 William "Bump" Roddey: Present, Chairwoman Christi Cox: Present, District 7 Joel Hamilton: Present.

Notice of Meeting

Notice of the meeting was forwarded to members of Council, the news media, to staff, to the York County Library and all branches, to citizens requesting notification and posted to the county's web page.

Oath of Office for newly appointed Board and Commission Members

Britt Blackwell, Pennies for Progress 5 Commission

Zachary Zapack, Pennies for Progress 5 Commission ABSENT

Chris Leonard, Pennies for Progress 5 Commission

Appearances

(6:03pm) Council and Sheriff Tolson recognized Donna Blevins(absent), Corporal Michael Melton, Corporal Willie Adams, Jimmy Ramsey, Corporal Mike Ramsey, Lieutenant Heath Clevenger, Corporal James Ware on their service and retirement with the York County Sheriff's Department.

Public Forum Session (limited to thirty (30) minutes, two (2) minutes per person)

(6:23pm) Michael Pruner, 841 Hollis Lakes Road, Rock Hill, South Carolina addressed Council regarding his concerns with the proposed Fort Mill School District impact fee.

(6:25pm) Emily Brown, 926 Oakland Avenue, Rock Hill, South Carolina addressed Council regarding her support for rezoning 22-22.

Consent Agenda

(6:26pm) Council removed item #23(mid-year salary increases) out of consent and moved it to #2 in New Business.

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Robert Winkler

AYES: Audette, Love, Winkler, Roddey, Cox, Hamilton

1. Approval of November 21, 2022 Finance & Operations Committee Minutes

ACCEPTED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Robert Winkler

2. Approval of November 21, 2022 County Council Meeting Minutes

ACCEPTED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Robert Winkler

3. Approval of November 28, 2022 Special Called Meeting Minutes

ACCEPTED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Robert Winkler

4. Rezoning Action: Consider Third Reading

Case #	22-18
Tax Map #	561-00-00-037
Zoning Request:	To rezone from GC to RUD
Acres:	5.30 +/- acres
Council District:	Two (2) - Love
Applicant:	Kenneth Alexander
Owner:	Kenneth Alexander
Location:	5485 Highway 557, Clover
Planning Commission Date:	October 10, 2022
Staff Recommendation:	Approve
PC Recommendation:	Approve

APPROVED [Unanimous]

MOVANT: Joel Hamilton
SECOND: Robert Winkler

5. Rezoning Action: Consider Third Reading

Case # 22-31
Tax Map # 726-00-00-076
Zoning Request: To rezone from UD to RMX-20
Acres: 1.30 +/- acres
Council District: One (1) - Audette
Applicant: Stephen and Jennifer Hawkensen
Owner: Stephen and Jennifer Hawkensen
Location: 304 Mark Trail Lane, Fort Mill
Planning Commission Date: October 10, 2022
Staff Recommendation: Approve
PC Recommendation: Approve

APPROVED [Unanimous]

MOVANT: Joel Hamilton
SECOND: Robert Winkler

6. Rezoning Action: Consider Third Reading

Case # 22-34
Tax Map # 624-00-00-137
Zoning Request: To rezone from UD to RMX-10
Acres: 0.23 +/- acres
Council District: Four (4) - Roddey
Applicant: Christopher Steven Gunter
Owner: Christopher Steven Gunter
Location: 1063 Archer Drive, Rock Hill
Planning Commission Date: October 10, 2022
Staff Recommendation: Approve
PC Recommendation: Approve

APPROVED [Unanimous]

MOVANT: Joel Hamilton
SECOND: Robert Winkler

7. Rezoning Action: Consider Third Reading

Case # 22-35
Tax Map # 448-01-01-042 (Portion)
Zoning Request: To rezone from RSF-40 to AGC-I
Acres: 1.25 +/- acres
Council District: Three (3) - Winkler
Applicant: Randy Suddreth
Owner: Randy Suddreth
Location: Lot 6 Carolina Crossing Drive, York
Planning Commission Date: October 10, 2022
Staff Recommendation: Approve
PC Recommendation: Approve

APPROVED [Unanimous]

MOVANT: Joel Hamilton
SECOND: Robert Winkler

8. Rezoning Action: Consider Third Reading

Case # 22-37
Tax Map # 659-00-00-007
Zoning Request: To rezone from OI to GC
Acres: 0.50 +/- acres
Council District: One (1) - Audette
Applicant: Jonathan Vigier
Owner: Sedgefield Properties
Location: 274 S. Sutton Road, Fort Mill
Planning Commission Date: October 10, 2022
Staff Recommendation: Deny
PC Recommendation: Deny (8-0)

APPROVED [Unanimous]

MOVANT: Joel Hamilton
SECOND: Robert Winkler

9. Rezoning Action: Consider Third Reading

Case # 22-38
Tax Map # 565-00-00-172
Zoning Request: To rezone from RMX-10 to RUD-I
Acres: 14.45 +/- acres
Council District: Two (2) - Love

Applicant: Daniel Appleyard
Owner: Daniel and April Appleyard
Location: 215 Akinbac Road, Clover
Planning Commission Date: October 10, 2022
Staff Recommendation: Approve
PC Recommendation: Approve

APPROVED [Unanimous]

MOVANT: Joel Hamilton
SECOND: Robert Winkler

10. Council to Provide Second Reading of an Ordinance TO AMEND THE EXISTING AGREEMENT GOVERNING THE YORK-CHESTER INDUSTRIAL PARK TO ADD PARCELS WITHIN THE GEOGRAPHICAL BOUNDARIES OF YORK COUNTY TO THE MULTICOUNTY PARK; TO PROVIDE CORRESPONDING TAX MAP NUMBERS, COMPANY NAMES, OR PROPERTY OWNERS ASSOCIATED WITH THE ADDED PARCELS; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

APPROVED [Unanimous]

MOVANT: Joel Hamilton
SECOND: Robert Winkler

11. Council to consider Third Reading of AN ORDINANCE AMENDING CHAPTER 90: PARKS AND RECREATION, OF THE YORK COUNTY CODE OF ORDINANCES BY ADDING SECTION 90.03, EXCEPTION ALLOWING FOR ALCOHOL USE IN CONJUNCTION WITH CERTAIN APPROVED EVENTS OCCURRING AT COUNTY-OWNED PARKS; TO PERMIT THE SERVING AND CONSUMPTION OF ALCOHOL AT CERTAIN EVENTS OCCURRING AT PUBLIC PARKS IF EXPRESS APPROVAL IS FIRST GRANTED BY THE COUNTY MANAGER AND COUNTY ATTORNEY UPON DEMONSTRATION BY AN EVENT ORGANIZER THAT SPECIFIC REQUIREMENTS ARE MET TO ENSURE COMPLIANCE WITH APPLICABLE STATE LAWS AND TO ENSURE PRECAUTIONS ARE IN PLACE TO PROMOTE THE SAFETY OF ATTENDEES AS WELL AS THE PUBLIC AT LARGE; TO AUTHORIZE REVOCATION OF ANY GRANTED APPROVAL IF AN EVENT ORGANIZER FAILS TO PROPERLY DEMONSTRATE ADHERENCE TO THE REQUIREMENTS; TO AMEND SECTION 90.99, PENALTY, BY EXEMPTING SECTION 90.03 FROM THE EXISTING PENALTIES THEREIN; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

APPROVED [Unanimous]

MOVANT: Joel Hamilton
SECOND: Robert Winkler

12. Council to approve the nominated applicants for service for Boards & Commissions from the Finance & Operations Committee meeting on November 21, 2022: Raymond Webber (Lake Wylie Marine Commission), Brittney Brown (Keep York County Beautiful-District 6), Anne Witte (York County Library Board, District 3), Mike Peek (Catawba Regional Workforce Investment Board), Brian Bresg (Building Board of Appeals-Architect), Connie Cain (Building Board of Appeals-Engineer), Kate Kraxberger (Planning Commission-District 1), Aubrie Parham (Planning Commission-District 3), and John Segura (Planning Commission-At Large).

APPROVED [Unanimous]

MOVANT: Joel Hamilton
SECOND: Robert Winkler

13. Council to approve the 2023 County Council meeting dates calendar.

APPROVED [Unanimous]

MOVANT: Joel Hamilton
SECOND: Robert Winkler

14. Council to provide first reading by title only of AN ORDINANCE TO AMEND CHAPTER 33 OF THE YORK COUNTY CODE OF ORDINANCES TO CLARIFY DEFINITIONS RELATED TO PROBATIONARY PERIOD EXTENSIONS, TO REFINE POLICIES AND PROCEDURES RELATED TO RECRUITMENT, EQUAL OPPORTUNITY STANDING, HIRING PRACTICES, PERFORMANCE APPRAISALS, TERMINATION OF EMPLOYMENT AND RESIGNATION PRACTICES, TELECOMMUTING, ACCIDENT TESTING REQUIREMENTS, INCLEMENT WEATHER POLICY, AND WORKERS' COMPENSATION REQUIREMENTS, AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Robert Winkler

15. Council to give authorization to apply for and accept if awarded a MERC System Grant in the amount of \$34,000 for the Coroner's Office.

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Robert Winkler

16. Council to give authorization to apply for and accept if awarded, a grant in the amount of \$20,000 for the expanded infrastructure support for the Coroner's Office.

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Robert Winkler

17. Council to authorize annual payment for the Microsoft Enterprise Agreement to Software One of Waukesha WI, in the amount of \$122,141.40.

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Robert Winkler

18. Council to approve a one year renewal to contractual agreement regarding RFP #2645 for a talent development portal hosted by Bullseye Engagement LLC, of Stafford TX, in the amount of \$43,208.55.

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Robert Winkler

19. Council to approve a Mitigation Agreement with Overlook at Gold Hill, LLC for road improvements identified within the TIA for the development of a multi-tenant space consisting of office, retail, and restaurant uses located on Gold Hill Road in Fort Mill, referred as Tax Map number 651-00-00-084, 651-00-00-121, 651-00-00-107, and 651-00-00-101.

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Robert Winkler

20. Council to authorize contract renewal and to further authorize the County Manager to approve negotiations regarding Bid #2646 for landscaping and grounds care services for York County Government Properties, York County Library Properties, and Culture & Heritage Museum Properties, with the following lawn service providers: Caretaker Management Services Inc. of Rock Hill, SC; EarthClean LLC of Clover, SC; R&J of the Carolinas LLC, of Rock Hill, SC; Bethel Lawn & Landscaping of Clover, SC; and Premier Lawns LLC of Rock Hill, SC.

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Robert Winkler

21. Council to approve change order #3 subject to final review and approval of the County Attorney, regarding professional engineering services by Bennett Preservation Engineering of Charleston, SC, for repair work to stabilize the McCelvey Center's Historic Auditorium roof framing system, for a total cost not to exceed \$206,243.00.

APPROVED [Unanimous]

MOVANT: Joel Hamilton
SECOND: Robert Winkler

22. Council to approve First Reading by Title Only of AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF YORK, SOUTH CAROLINA, CHAPTER 51.05, WATER AND SEWER RATES AND CHARGES, TERMS AND CONDITIONS OF SERVICE, IN ORDER TO ADD SUBSECTION (17) TO IMPOSE A SURCHARGE FOR CERTAIN WATER AND SEWER CUSTOMERS LOCATED IN THE CLOVER/RIVER HILLS/LAKE WYLIE AREA OF THE COUNTY AS DELINEATED BY THE GEOGRAPHIC AREA CONSTITUTING THE BLUE GRANITE FRANCHISE TERRITORY AND TO PROVIDE FOR MATTERS RELATED THERETO.

APPROVED [Unanimous]

MOVANT: Joel Hamilton
SECOND: Robert Winkler

Public Hearing(s)

1. Public Hearing

(6:27pm) Jonathan Buono, Planning & Development Director provided an overview of the proposed rezoning.

(6:28pm) There being no one interested in speaking for or against the proposed rezoning a motion was made by Council member Robert Winkler and seconded by Council member Tom Audette to close the public hearing.

ALLOWED [Unanimous]

MOVANT: Robert Winkler
SECOND: Tom Audette
AYES: Audette, Love, Winkler, Roddey, Cox, Hamilton

Rezoning Action: Hold a Public Hearing and Consider First Reading

Case #	22-41
Tax Map #	153-00-00-001(Portion)
Zoning Request:	To rezone from AGC to AGC-I
Acres:	8.0 +/- acres
Council District:	Three (3) - Winkler

Applicant: Mike McGill
Owner: Mike McGill
Location: McGill Road, York
Planning Commission Date: November 14, 2022
Staff Recommendation: Approve
PC Recommendation: Approve

(6:28pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler
SECOND: Tom Audette
AYES: Audette, Love, Winkler, Roddey, Cox, Hamilton

2. Public Hearing

The following individuals spoke in favor of the proposed ordinance:

(6:29pm) A representative from Stiwa US Inc., addressed Council regarding his support for the proposed ordinance and provided an overview of what the company does.

(6:31pm) There being no one else interested in speaking for or against the proposed ordinance a motion was made by Council member Robert Winkler and seconded by Council member Joel Hamilton to close the public hearing.

ALLOWED [Unanimous]

MOVANT: Robert Winkler
SECOND: Joel Hamilton
AYES: Audette, Love, Winkler, Roddey, Cox, Hamilton

COUNCIL TO HOLD A PUBLIC HEARING AND APPROVE THIRD READING OF AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A FEE IN LIEU OF TAX AGREEMENT AND INCENTIVE AGREEMENT BY AND BETWEEN YORK COUNTY, SOUTH CAROLINA AND STIWA US INC. (A COMPANY FORMERLY IDENTIFIED AS “PROJECT AUTOMATION”) WITH RESPECT TO CERTAIN ECONOMIC DEVELOPMENT PROPERTY IN THE COUNTY, WHEREBY SUCH PROPERTY WILL BE SUBJECT TO CERTAIN PAYMENTS IN LIEU OF TAXES, INCLUDING THE PROVISION OF CERTAIN SPECIAL SOURCE CREDITS; AND OTHER MATTERS RELATED THERETO.

(6:30pm)

APPROVED [Unanimous]

MOVANT: Joel Hamilton
SECOND: Tom Audette
AYES: Audette, Love, Winkler, Roddey, Cox, Hamilton

Old Business

1. Rezoning Action: Consider Third Reading

Case # 22-22
Tax Map # 286-00-00-072
Zoning Request: To rezone from RSF-40 to ID
Acres: 5.93 +/- acres
Council District: Three (3) - Winkler
Applicant: William Simmons
Owner: WM Land, LLC
Location: 2001 and 2009 Filbert Highway, York
Planning Commission Date: October 10, 2022
Staff Recommendation: Deny
PC Recommendation: Deny (7-1)

(6:32pm)

APPROVED [5 to 1]

MOVANT: Robert Winkler
SECOND: Tom Audette
AYES: Audette, Winkler, Roddey, Cox, Hamilton
NAYS: Allison Love

2. Council to Amend and Provide Second Reading of AN ORDINANCE TO AMEND SECTION 153.59 (B) APPROPRIATION OF IMPACT FEE FUNDS, SUBSECTIONS (B)(1), (B)(2)(a) and (B)(2)(b), SO AS TO ACCOUNT FOR AMENDED CAPITAL IMPROVEMENT PLANS; AND TO PROVIDE FOR OTHER MATTERS RELATED THERETO.

(6:33pm)

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Tom Audette

AYES: Audette, Love, Winkler, Roddey, Cox, Hamilton

3. COUNCIL TO CONSIDER THIRD READING OF AN ORDINANCE TO AMEND THE YORK COUNTY CODE OF ORDINANCES, CHAPTER 92, FIRE PREVENTION CODE, TO UPDATE SECTIONS 92.28 (RESPONSIBILITY FOR ENFORCEMENT), 92.29 (FIRE PREVENTION BUREAU), AND 92.30 (STANDARD FIRE PREVENTION CODE, PORTIONS ADOPTED), TO DESIGNATE THE DIRECTOR OF FIRE SAFETY AS THE FIRE OFFICIAL AND TO ADOPT THE MOST RECENT FIRE CODE BY REFERENCE; TO AMEND THE YORK COUNTY CODE OF ORDINANCES, CHAPTER 150, BUILDING REGULATIONS, TO UPDATE SECTIONS 150.04 (BUILDING CODE), 150.05 (ELECTRIC CODE), 150.07 (GAS CODE), 150.08 (PLUMBING CODE), 150.09 (MECHANICAL CODE), AND 150.11 (INTERNATIONAL EXISTING BUILDING CODE), TO ADOPT THE MOST RECENT CODES BY REFERENCE, AS MODIFIED AND ADOPTED BY THE SOUTH CAROLINA BUILDING CODES COUNCIL FOR MANDATORY ENFORCEMENT BY ALL JURISDICTIONS WITHIN THE STATE OF SOUTH CAROLINA; TO PROVIDE FOR A PUBLIC HEARING; AND TO PROVIDE FOR OTHER MATTERS RELATING THERETO.

(6:33pm)

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Tom Audette

AYES: Audette, Love, Winkler, Roddey, Cox, Hamilton

New Business

1. COUNCIL TO APPROVE A RESOLUTION RATIFYING AN ASSIGNMENT OF INTEREST UNDER A FEE IN LIEU OF TAX AGREEMENT WITH YORK COUNTY, SOUTH CAROLINA, BY CIP CHARLOTTE PORTFOLIO LLC, A DELAWARE LIMITED LIABILITY COMPANY, AND OTHER MATTERS RELATED THERETO.

(6:36pm)

APPROVED [Unanimous]

MOVANT: Joel Hamilton

SECOND: Tom Audette

AYES: Audette, Love, Winkler, Roddey, Cox, Hamilton

2. Council to approve the recommendation from the Finance & Operations Committee to implement mid-year salary increases for all employees in the amount of 6.5% to take effect on the first pay period after Council's approval.

(6:36pm)

APPROVED [Unanimous]

MOVANT: Robert Winkler

SECOND: William "Bump" Roddey

AYES: Audette, Love, Winkler, Roddey, Cox, Hamilton

Committee and Other Reports

(6:41pm) Planning and Zoning Committee Meeting, November 22, 2022, 4:30pm Chairwoman Allison Love

Council Member New/Non-agenda Comments

(6:44pm) Council member Tom Audette reported that Access Bus transportation to/from Fort Mill, Tega Cay and Lake Wylie has been approved and will begin January 2023. Citizens can call 803-327-6694 ext. 2 for assistance.

(6:46pm) Council member Robert Winkler apologized for missing the last Council meeting.

(6:47pm) Council member William "Bump" Roddey wished everyone a happy holiday season.

(6:47pm) Council member Joel Hamilton explained that Council whole-heartedly supports local law enforcement and will continue to do whatever is necessary to help with recruitment.

(6:48pm) Chairwoman Christi Cox requested that staff review the council initiated rezonings and not have the items placed in consent agenda.

Citizen Concerns

Executive Session

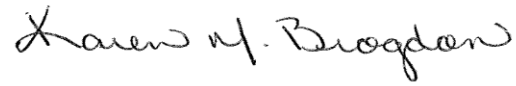
Personnel Matter/Contractual Matter: County Manager and County Attorney Review

Receipt of Legal Advice: Litigation Update

Matters for consideration following Executive Session

Adjourn

There being no further business, the meeting adjourned at 9:39pm.

A handwritten signature in black ink, reading "Karen M. Brogdon". The signature is written in a cursive, flowing style.

Karen M. Brogdon, Clerk to Council