



**AGENDA  
YORK CITY COUNCIL  
WORK SESSION MEETING  
MONDAY, FEBRUARY 20, 2023  
5:00 PM**

**1. Welcome and Call to Order**

**Mayor Mike Fuesser**

**2. Prayer**

**3. Pledge of Allegiance**

**4. Presentations:**

4.1 Ratliff Heights – Eastwood Homes

**5. Discussions:**

5.1 Redistricting – NAACP and RFA

5.2 Procurement Ordinance – Update/Amendment

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**AGENDA  
YORK CITY COUNCIL  
SPECIAL CALLED MEETING  
MONDAY, FEBRUARY 20, 2023  
Immediately Following the Council Work Session**

**1. Call to Order**

**Mayor Mike Fuesser**

**2. Discussions:**

2.1 Moratorium Ordinance:

- Zoning Ordinance Update
- Comprehensive Plan Update
- Land Use Map Update

**3. New Business:**

3.1 Ordinances:

Ordinance 23-687, Moratorium Extension

**4. Adjourn**

# City of York

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## Memo

**TO:** Mayor and Council

**FROM:** City Manager, Dalton Pierce, MPA

**MEETING DATE:** February 20, 2023

**SUBJECT:** Presentation – Ratliff Heights/Eastwood Homes

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### **GENERAL INFORMATION**

Eastwood Homes will provide Council with a presentation of the proposed residential project, Ratliff Heights. The new residential development is set to be located at Kings Mountain Street and Carroll Avenue upon Council's approval. Planning staff has given the following updated recommendations to Eastwood Homes for Ratliff Heights residential development:

- The community mailbox location must be defined;
- Removing the word "may" in amenity wording and defining Phase 1 to include the amenities;
- Revising the elevations to include 1½ story homes;
- Including a minimum of 10% of single-story homes;
- Pushing homes back to help with aesthetics and parking; and
- Addressing all previously-noted City staff concerns. After reviewing your previous response, the following items remain:
  1. Add the following to Common Area, Note 1 on RZ-2: smaller "pocket park"/bench areas, design feature(s) along Kings Mountain Street frontage to reflect the historic nature of the area and potential decorative fencing around the stormwater pond(s).
  2. Verify with the City of York Utilities Department that the project can be served by the City utility system.
  3. Add to note 19 (remove from 18): The applicant will provide written verification of York County approval with the preliminary plat submittal.

### **ATTACHMENT(S):**

- A. Ratliff Heights Updated Rezoning Plan

### **REQUESTED ACTION**

Requesting Council's Approval for a First Reading

# **RATLIFF PROPERTY RESIDENTIAL DEVELOPMENT**

February 20, 2023 | City Council Workshop

Another Quality Community By:



**built with care.**

# Who is Eastwood Homes?



**built with care.**

## *Building homes with care since 1977*

Eastwood Homes is a family-owned, locally-based home building Company born in Gaston County and now headquartered in Charlotte. Joe Stewart, a life-long resident of Bessemer City, started Eastwood homes forty-five years ago in 1977. Through providing the customer with exceptional value, outstanding craftsmanship and unparalleled customer service, Eastwood Homes has grown to eight divisions throughout North Carolina, South Carolina, Virginia and Georgia and has been named one of the Nation's "Top 100 Builders". While Joe is still actively involved in the day-to-day at Eastwood, Clark Stewart, Joe's son, has now succeeded Joe as owner. Clark grew up in Bessemer City, spent his formative years there and still resides in Gaston County. Eastwood Homes is proud of its Gaston County heritage and our deep commitment to building the best communities in the industry.

## *Our Trophy Case*

In the last 45 years, Eastwood Homes has become one of the top home builders in the Southeast. Most recently, Eastwood Homes was awarded the prestigious award of Online Sales Team of the Year. The company was honored with this recognition at the 2020 MAME Awards presented by the Charlotte Home Builders Association during their MAME awards for the third year in a row!



## Our Mission

Driven by integrity and our core values, we build homes of exceptional value and outstanding craftsmanship while delivering unparalleled customer service. Our purpose is to ensure our Customers, Employees, and Trade Partners will recommend us with confidence, inspiring every homeowner to say,

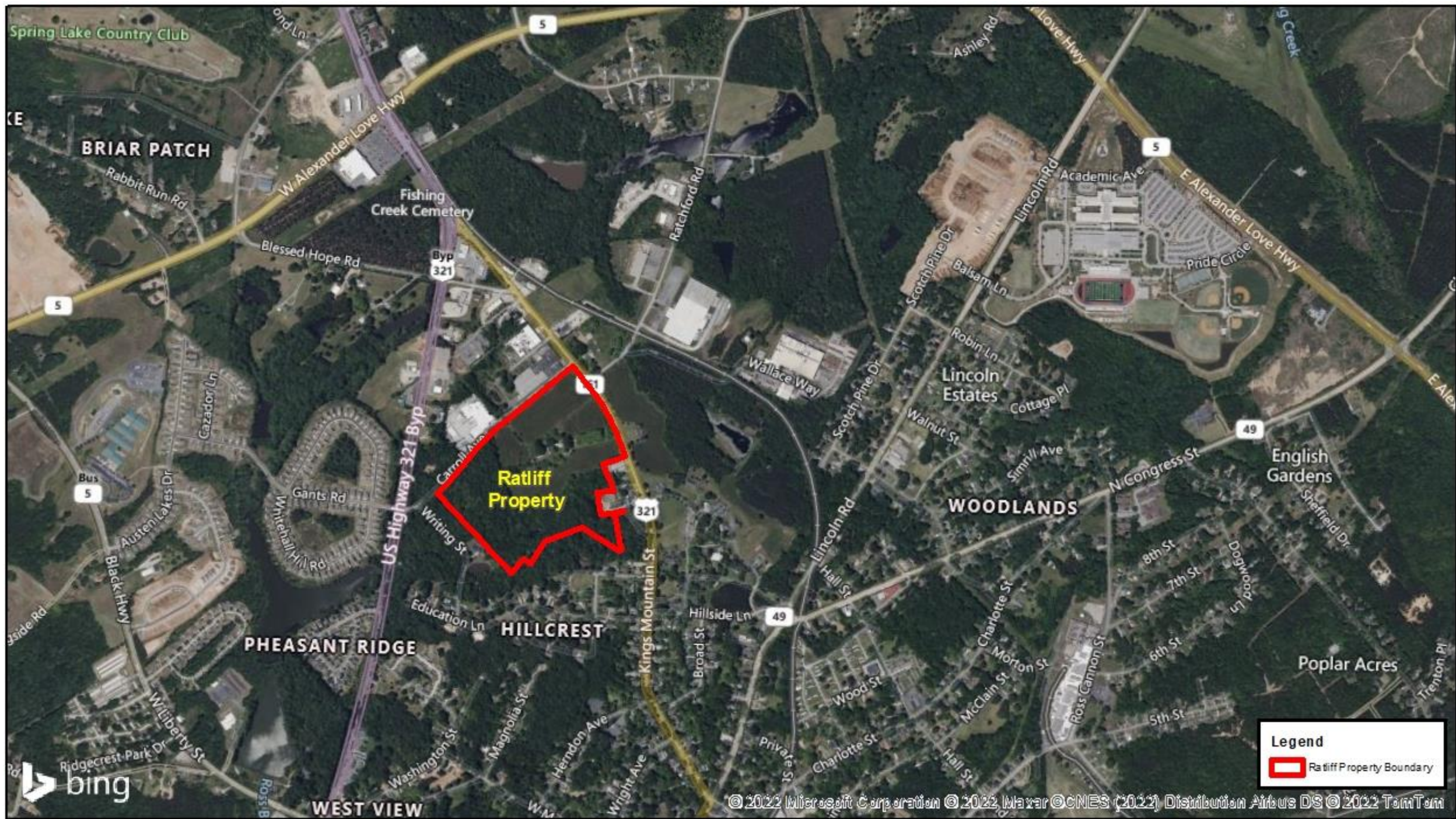
*"Eastwood Homes, That's My Builder."*



Joe Stewart – Founder

Clark Stewart – Owner

Mike Conley – Charlotte Division President



Spring Lake Country Club

BRIAR PATCH

Rabbit Run Rd

W Alexander Love Hwy

Blessed Hope Rd

5

Cazador Ln

Bus 5

Austen Lakes Dr

Blackhawk

Side Rd

Whitehall Hill Rd

Gants Rd

Ridgecrest Park Dr

Liberty St

West View

5

Fishing Creek Cemetery

US Highway 321 Byp

321

Writing St

Education Ln

Hillcrest

321

Kings Mountain St

49

Wright Ave

Washington St

Magnolia St

Herndon Ave

Private St

Wood St

Charlotte St

Ratchford Rd

Wallace Way

Scotch Pine Dr

Lincoln Rd

Hillside Ln

Broad St

49

Wood St

Charlotte St

Hall St

Private St

Wood St

Charlotte St

Hall St

McClain St

Morton St

Ross Cannon St

Lincoln Rd

Academic Ave

5

E Alexander Love Hwy

Pride Circle

Scotch Pine Dr

Balsam Ln

Robin Ln

Lincoln Estates

Cottage Pl

Walnut St

Simrill Ave

WOODLANDS

N Congress St

8th St

7th St

6th St

English Gardens

Sheffield Dr

Poplar Acres

Trenton Pl

5th St

6th St

7th St

8th St

9th St

10th St

11th St

12th St

13th St

14th St

15th St

16th St

17th St

18th St

19th St

20th St

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22nd St

23rd St

24th St

25th St

26th St

27th St

28th St

29th St

30th St

31st St

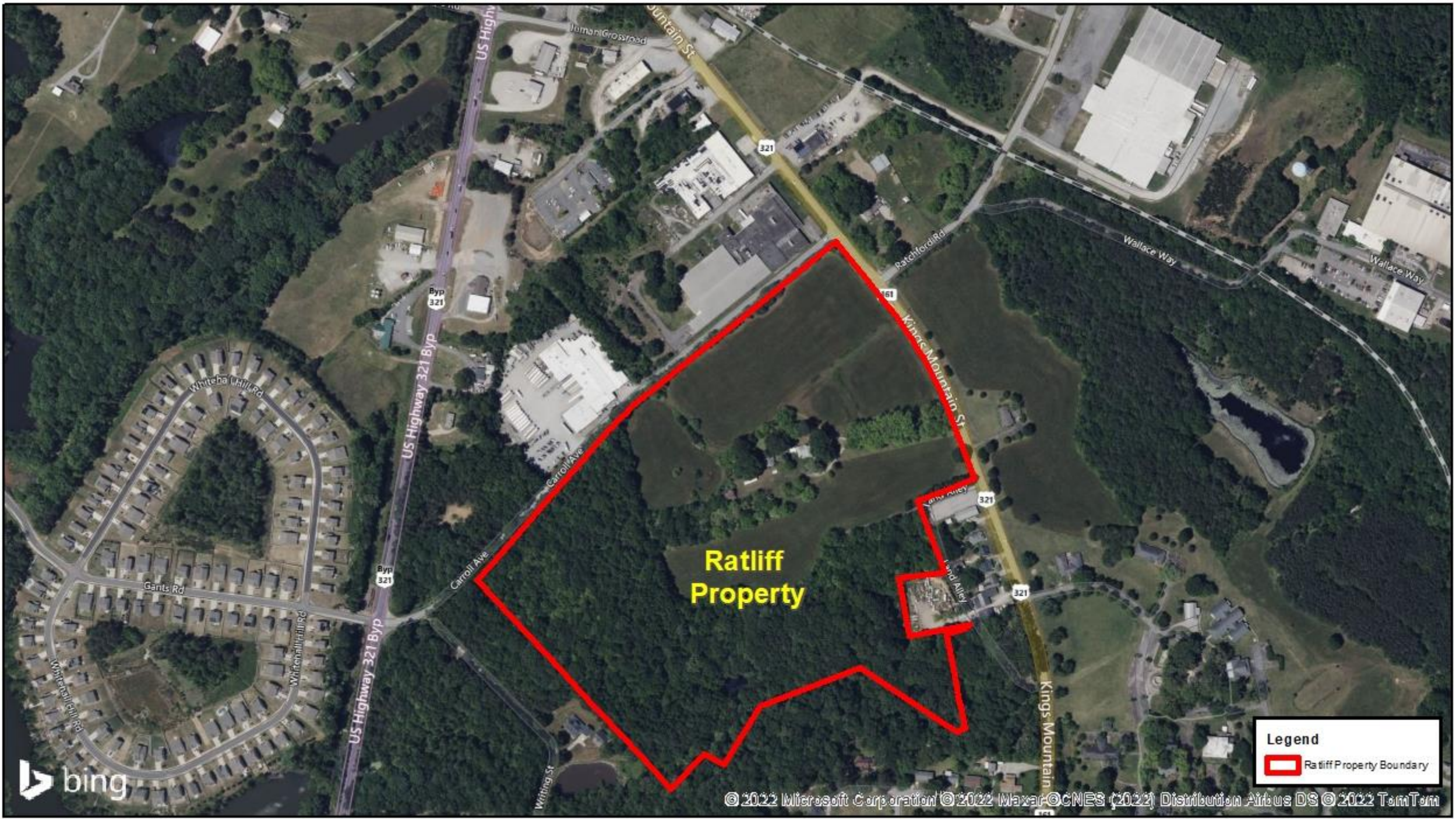
32nd St

33rd St

34th St

**Legend**

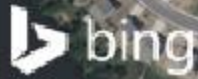
 Ratliff Property Boundary



**Ratliff  
Property**

**Legend**

 Ratliff Property Boundary



# Existing Conditions



Existing Conditions  
Existing Conditions



# Existing Conditions



# Existing Conditions



# Existing Conditions



# Existing Conditions



# Existing Conditions





# Existing Conditions



about 1 cm) were used. Effluents were collected in a 200-ml sample bottle and filtered through a 0.45-µm pore size membrane filter (Whatman GF/F) and preserved in 10% formalin solution. All samples were stored at 4 °C until analyzed.



MINIMUM LOT DIMENSIONS			
SINGLE FAMILY HOMES DETACHED		54'x125'	
SINGLE FAMILY HOMES DETACHED		44'x125'	5,250
PROPOSED STREETS:		AS SHOWN ON PLAN	
LINKS/NODES	13 / 8	1.6	
<u>OPEN SPACE</u>			
BUFFER OPEN SPACE PROVIDED	2.78%	ACRE	
COMMON OPEN SPACE PROVIDED	8.07%	ACRE	
ACTIVE OPEN SPACE PROVIDED	4.56%	ACRE	
TOTAL OPEN SPACE PROVIDED	15.39%	ACRE	

<u>STREET LENGTHS</u>		
STREET A	3,291 #	LF
STREET B	1,547 #	LF
STREET C	517 #	LF
STREET D	582 #	LF
STREET E	592 #	LF
TOTAL STREET LENGTHS	6,529 #	LF



# Revised Rezoning Plan Revised Rezoning Plan



REPRESENTATIVE PICTURES OF PROPOSED AMENITIES FOR ACTIVE OPEN SPACE



**The Cypress**  
4 Bed / 3 Bath  
2 Car Front Entry Garage on Slab Foundation



**The Raleigh**  
3 Bed / 2.5 Bath  
2 Car Front Entry Garage on Crawl



**The Wilmington**  
4 Bed / 2.5 Bath  
2 Car Front Entry Garage on Slab

REPRESENTATIVE PICTURES OF PROPOSED HOME ELEVATIONS

## CITY OF YORK STANDARDS AND REQUIREMENTS

- ALL PERTINENT REQUIREMENTS OF THE CITY OF YORK ZONING AND SUBDIVISION ORDINANCES (APPENDICES A & B OF THE YORK CITY CODE) MUST BE MET
- THE STREETSCAPING OF INTERIOR STREETS SHALL BE PER STANDARD CITY OF YORK REQUIREMENTS:  
STREET TREES (THREE DIFFERENT SPECIES IN A PATTERN)  
STREET LIGHTING  
SIDEWALKS  
ETC.
- SCREENING/LANDSCAPING IS TO BE PROVIDED WHERE LOTS BACK DIRECTLY ADJACENT TO ANOTHER LOT. AT A MINIMUM DEVELOPER TO PROVIDE A MIX OF EVERGREEN TREES AND SMALL MATURING TREES SPACED AT 30' ON-CENTER.
- EVERGREEN TREES SHALL BE A MINIMUM OF 6' IN HEIGHT AT THE TIME OF PLANTING. SMALL CANOPY TREES SHALL BE A MINIMUM OF 1.5" CALIPER. TREES MAY BE PLANTED ALONG THE SHARED PROPERTY LINES OR STAGGERED ON EACH SIDE OF THE PROPERTY LINE.
- STREET TREES AND SIDEWALKS SHALL BE INSTALLED ALONG THE ENTIRETY OF THE FRONTAGE OF KINGS MOUNTAIN STREET AND CARROLL AVENUE IN ACCORDANCE WITH THE ADOPTED REQUIREMENTS FOR THE GATEWAY CORRIDOR OVERLAY DISTRICT. NOTE: DEVELOPMENT IS NOT LOCATED WITHIN THE GATEWAY CORRIDOR OVERLAY STANDARDS, BUT FRONTAGE ROAD STANDARDS ARE TO BE APPLIED ON THE DEVELOPMENT SIDE ONLY.
- STREET/SIDEWALK LIGHTING TO BE ALONG THE ENTIRE FRONTAGE OF KINGS MOUNTAIN STREET ON THE DEVELOPMENT SIDE ONLY.
- WHEN APPROPRIATE LANDSCAPE SCREENING IS TO BE PROVIDED FOR LOTS WITH DOUBLE STREET FRONTAGE.
- IDENTIFICATION MARKERS SHALL BE PROVIDED FOR ACCESS POINTS TO COMMON OPEN SPACE.
- ANY PROPOSED SUBDIVISION SIGNAGE, HOME OCCUPATION OR ACCESSORY STRUCTURE SHALL BE HANDLED IN ACCORDANCE WITH THE STANDARD CITY OF YORK REQUIREMENTS. SIGNAGE EASEMENTS SHALL BE NOTED ON THE PRELIMINARY AND FINAL PLAT SUBMITTALS.
- COMMUNITY MAILBOXES SHALL BE INSTALLED PER USPS REQUIREMENTS. AN APPROPRIATE NUMBER OF PARKING SPACES FOR THE COMMUNITY MAILBOXES AS WELL AS LANDSCAPING AND BUFFERING SHALL BE PROVIDED.
- OFF-STREET PARKING WHEN REQUIRED, SHALL BE DESIGNED PER THE CITY OF YORK REQUIREMENTS EXCEPT AS OTHERWISE APPROVED BY THE BOARD OF ZONING APPEALS (BZA).
- OVERALL LANDSCAPING/BUFFERS SHALL BE DESIGNED PER THE CITY OF YORKS REQUIREMENTS.
- DEDICATED STREET, UTILITY, AND OTHER RIGHTS-OF-WAY FOR SUB STREETS SHALL BE PROVIDED TO ADJACENT PROPERTY LINES. THE BUILD OF PHYSICAL IMPROVEMENTS IS NOT REQUIRED FOR THIS PLAN. AT THE FINAL PLAT STAGE, THE METHOD MUST BE IDENTIFIED FOR ENSURING THAT ALL REQUIRED IMPROVEMENTS ARE INSTALLED AND MAINTAINED. (DEED RESTRICTIONS, ETC. MUST BE SUBMITTED FOR THE CITY REVIEW AT THE FINAL PLAT STAGE TO ULTIMATELY BE RECORDED).
- VESTED RIGHTS TO THE PROJECT SHALL EXPIRE IF ANY OF THE FOLLOWING OCCUR:  
IF A PRELIMINARY PLAT IS NOT APPROVED WITHIN 2 YEARS OF SPECIAL EXCEPTION APPROVAL, OR  
IF THE TIME PERIOD BETWEEN THE PRELIMINARY AND FINAL PLAT APPROVALS EXCEEDS 2 YEARS, OR  
IF ANY PORTION OF THE APPROVED CONCEPTUAL SITE PLAN IS NOT GIVEN FINAL PLAT APPROVAL WITHIN 5 YEARS OF SPECIAL EXCEPTION APPROVAL.
- ALL SCHEC REQUIREMENTS MUST BE MET REGARDING STORMWATER. THE STORMWATER AREAS SHALL BE FENCED, LANDSCAPED, MAINTAINED, ETC. PER THE CITY AND SCHEC REQUIREMENTS.
- ALL SCDOT REQUIREMENTS FOR THE PROJECT MUST BE MET INCLUDING CROSSWALKS, SIGNAGE, ETC.
- ALL REQUIREMENTS OF THE CITY OF YORK UTILITIES DEPARTMENT, FIRE, AND PUBLIC WORKS DEPARTMENT SHALL BE MET AT THE PRELIMINARY AND FINAL PLAT STAGES.
- A PHASING PLAN MUST BE PRESENTED AT THE PRELIMINARY PLAT STAGE. THE APPLICANT WILL PROVIDE WRITTEN VERIFICATION OF YORK COUNTY APPROVAL WITH THE PRELIMINARY PLAT SUBMITTAL.
- THE SUBDIVISION NAME AND STREET NAMES MUST BE APPROVED BY THE YORK COUNTY PREPAREDNESS 911 DIVISION AS PART OF THE PRELIMINARY PLAT.

## CONDITIONAL NOTES

### ARCHITECTURAL:

- FRONT-FACING GARAGE DOORS SHALL BE PROVIDED WITH WINDOWS, CARRIAGE STYLE HARDWARE, OR SEPARATED INTO 1-BAY GARAGE DOORS (NOT A SINGLE 2-CAR GARAGE DOOR).
- EXTERIOR BUILDING MATERIALS MAY INCLUDE GLASS, CEMENTITIOUS SIDING, BRICK OR BRICK VENEER, STONE OR STONE VENEER, STUCCO, WOOD, OR A COMBINATION THEREOF. A MINIMUM OF 30% OF THE EXTERIOR FRONT FACADE SHALL BE COVERED WITH EITHER BRICK OR STONE. VINYL SHALL ONLY BE USED FOR WINDOWS, DOORS, AND TRIM.
- NO SAME TWO MODELS OF HOME SHALL BE DIRECTLY ADJACENT TO EACH OTHER OR LOCATED DIRECTLY ACROSS THE STREET FROM EACH OTHER UNLESS MODEL ELEVATIONS ARE SUBSTANTIALLY DIFFERENT FROM EACH OTHER VISUALLY.
- A VARIETY OF COLOR PATTERNS SHALL BE PROVIDED SUCH THAT NO TWO HOMES DIRECTLY ADJACENT TO EACH OTHER ARE OF THE SAME COLOR.
- MINIMUM HEATED SQUARE FOOTAGE FOR EACH HOME SHALL BE NO LESS THAN 1,800 SQ. FT. FOR 1-STORY HOMES AND NO LESS THAN 2,000 SQ. FT. FOR 2-STORY HOMES.
- MINIMUM PERMITTED ROOF PITCH SHALL BE NO FLATTER THAN 5/12 PITCH (22.6 DEGREES).
- PERIMETER BUFFERS:  
PERIMETER BUFFERS SHALL GENERALLY BE LEFT UNDISTURBED EXCEPT FOR ROADS, STORM, UTILITIES, AND OTHER REQUIRED PUBLIC IMPROVEMENTS (TRAILS/SIDEWALKS).
- DEVELOPER MAY TEMPORARILY ENCRoACH INTO PERIMETER BUFFER YARDS DURING CONSTRUCTION UNDER THE FOLLOWING CONDITIONS - NO LESS THAN 15- FEET REMAINS UNDISTURBED FOR ALL OTHER PERIMETER BUFFERS SHOWN - ALL DISTURBED AREAS ARE RE-ESTABLISHED WITH VEGETATIVE COVER

### STREETS:

- ALL ROADS WILL BE PUBLICLY DEDICATED FOR MAINTENANCE AND ACCEPTANCE BY THE CITY OF YORK, SUBJECT TO THE CITY WARRANTY AND ACCEPTANCE POLICIES.
- THE MINIMUM REQUIREMENTS AS SPECIFIED WITHIN THIS CONDITIONAL PLAN FOR SPECIAL EXCEPTION DEVELOPMENT.
- ALL LOTS SHALL CONTAIN AT LEAST ONE (1) STREET TREE.

### COMMON AREAS:

- ACTIVE OPEN SPACE AREAS SHALL BE IMPROVED AND MAY CONTAIN TRAILS, BENCHES, GARDENS, GAZEBOs, PAVILIONS, PICNIC AREAS, AND/OR PLAYGROUNDS. A DETAILED PRESENTATION REGARDING THE SPECIFICATION FOR AND TIMING OF AMENITY INSTALLATION WILL BE PROVIDED FOR CONSIDERATION / APPROVAL AT THE TIME OF PRELIMINARY PLAT REVIEW BY THE PLANNING COMMISSION.
- PASSIVE COMMON AREAS SHALL BE LEFT UNDISTURBED TO THE MAXIMUM EXTENT PRACTICAL.
- ALL COMMON OPEN SPACES (PASSIVE AND ACTIVE) SHALL BE MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
- COMMUNITY MAILBOXES FOR THE RESIDENTIAL DEVELOPMENT SHALL BE LOCATED ON THE CENTRAL AMENITY SITE. THE FINAL LOCATION AND PARKING WILL BE DETERMINED WITH AMENITY SITE DESIGN.

### BUILDING HEIGHTS:

- MAX BUILDING HEIGHT FOR RESIDENTIAL SHALL BE 35 FEET AND IF BUILDINGS EXCEED 30 FEET IN HEIGHT, ROADS SHALL INCREASE TO 26 FEET CLEAR WIDTH PER INTERNATIONAL FIRE CODE.

### FENCING:

- ALL FENCING SHALL COMPLY WITH THE CITY OF YORK ZONING ORDINANCE SECTION 13.1.9

## CONCEPTUAL SITE PLAN

### RATLIFF HEIGHTS

### EASTWOOD HOMES

### YORK, YORK COUNTY SOUTH CAROLINA



DATE	06/22/2022
DRAWN	PC
DESIGNED	PC
CHECKED	DC
PROJECT #	22103
SHEET NUMBER	

RZ-2



# Elevations



Elevation H

## *The Cypress*

4 Bed/ 3 Bath

2 Car Front Entry Garage on Slab Foundation



Elevation C



Elevation D

# Elevations



*The Raleigh*  
3 Bed / 2.5 Bath  
2 Car Front Entry Garage on Crawl



# Elevations



Elevation F

## *The Wilmington*

4 Bed / 2.5 Bath  
2 Car Front Entry Garage on Slab



Elevation D



Elevation E

# Amenities



Community bocce ball court and corn hole

# Amenities



Community park with swings and seating

# Amenities



Community fireplace with outdoor seating

# Amenities



Community pavilion with fireplace, seating, and outdoor dining



built with **care.**

**\$450K - \$500K**

- Overall Craftmanship Of homes
- Award-Winning Design Center
- Interior Upgrades Available
- Preservation of existing specimen trees
- Multiple Outdoor Living Spaces Available

"They build a very beautiful home with amazing top of the line quality! I love that you can choose all your choices at their [design center](#) instead of picking them out in a garage at a model home."

**-Yelp review from an actual customer**

# Benefits of Development

- \*Provides move-up housing for existing and new residents
- \*Preservation of existing mature specimen trees to include in amenity area along with pavilion, fire pit and swings scattered between the trees
- \*17.89 acres of common open space, which will also include walking trails and benches
- \* Site is located next to an industrial area and makes a good transition between that area and the historic district
- \*A variety of color patterns and elevations will be provided such that no two homes directly adjacent to each other are of the same color or design
- \*Brings new residents with more disposable income to benefit local businesses
- \*Increased tax base for the City of York
- \*Homes Priced from Mid-\$400s to \$500K
- \*Eastwood Homes will be Developer & Builder

# City of York

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## Memo

**TO:** Mayor & Council

**FROM:** Dalton Pierce, City Manager

**MEETING DATE:** February 20, 2023

**SUBJECT:** February 20<sup>th</sup>, 2023, Workshop

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### **GENERAL INFORMATION**

The City Council provided feedback in response to the redistricting proposals provided by the SC Revenue and Fiscal Affairs and NAACP representative Dr. Ruoff regarding the Census 2020 Benchmark & Redistricting data at the City Council Workshop on January 17, 2023.

### **DISCUSSION(S)**

Discussion of responses from SC Revenue and Fiscal Affairs and Dr. Ruoff regarding the 2020 Benchmark & Redistricting data and map proposals.

### **ATTACHMENT(S):**

Attachment #1: City Council Feedback

Attachment #2: SC Revenue & Fiscal Affairs Feedback

Attachment #3: NAACP, Dr. Ruoff Feedback

### **REQUESTED ACTION**

General Information

## **Attachment #1: Feedback provided by City Council RFA & NAACP Redistricting Proposals**

### **Mayor Mike Fuesser**

Both presentations were informative. The RFA did not consider the communities of interest because they were not familiar with the complete demographics of our city. I would be in favor of either plan. The NAACP's recommendation is one that keeps communities of interest intact and, in my opinion, would be a viable option for redistricting. When can we get the public involved for their input? Should we hold meetings separate from regularly scheduled council meetings?

### **Matt Hickey District 1**

Concerned with both redistricting proposals as it relates to the California Street area that is not in one district, but is in more than one. Could Liberty St. be the district line to keep all of the California Street areas together? Also, does redistricting account for future growth with all of the approved developments within the city? If so, could District one be less than the 1,400 threshold, as there are three larger subdivisions that are underway?

### **Stephanie Jarrett District 4**

I am not opposed to the NAACP redistricting, with just some slight tweaking, and I believe that it would make this process much easier to lean toward what the NAACP and Dr. Ruoff are proposing for the City's redistricting map. The 8 homes along E Liberty St between Cemetery St & Garner St, which is a total of 15 adults, added to district 4.

### **Charles Brewer District 5**

I think the NAACP presented a decently solid redistricting plan with regard to community demographics and supporting the minorities in the City of York, which will be important, especially with the development coming. Whereas the RFA least change model didn't account as well, in my opinion, for the minority districts and current distribution of communities of interest.

My main concern with both plans is that they should not remove Ashcake in Hunter Park from District 5. There is plenty of population deviation allowable by redistricting not to have to split a portion of the same neighborhood between districts. I would like to see the Hunter Park neighborhood stay as a complete unit in District 5.

### **Ed Brown District 2**

In favor of the NAACP recommendation due to keeping communities within the city together.

### **Marion Ramsey District 3**

Good with the recommendations provided by both proposals.

### **Kellie Harrold District 6**

Concerned with both recommendations and the future growth of the currently approved subdivisions within the City with the disparity in total approved subdivisions in the NAACP plan. District 1 – 5 total subdivisions; District 2 -1 total subdivision; District 3 – 1 Total subdivision; District 4 – 0 Subdivisions, District 5 – 7 Total Subdivisions. (Refer to the map attached in the email)

## **Attachment #2: Response provided by Mr. DeMars of the SC Revenue & Fiscal Affairs Office**

Good morning Mr. Pierce and Members of Council,

Thank you for the questions and comments and I hope to answer or clarify a majority below.

Unfortunately, redistricting does not account for new growth but rather is based solely on the decennial population numbers. However, local governing entities are allowed a deviation from the one person, one vote, which can be used to offset some of the anticipated growth. Revenue and Fiscal Affairs recommends a total deviation range of 5% or lower. However, this is only our recommendation. A deviation range of 10%, or a deviation not to exceed 5% for each district, has generally been accepted.

Additionally, because your city has grown, it is possible to add additional census blocks within the municipal boundaries for purposes of redistricting. However, these additional blocks are also limited to the population numbers published by the census.

Based on the comments and feedback provided relative to RFA's initial draft, if Council wishes to provide additional input to improve upon RFA's initial draft, we will be happy to work with you.

If Council decides to use another method to conduct redistricting, we ask that you submit your final ordinance and boundary data to our agency as we work on behalf of the South Carolina Election Commission with respect to the voter registration records.

We look forward to your response.

Respectfully

Adam

### **Attachment #3: Response of the NAACP provided by Dr. Ruoff**

**The Ruoff Group**

6170 Crabtree Rd.

Columbia, SC 29206

Email: [JRuoff@TheRuoffGroup.com](mailto:JRuoff@TheRuoffGroup.com)

Telephone: 803-603-3224

February 14, 2023

Dalton Pierce, M.P.A.

City Manager

York, SC

Sent by Email

Mr. Pierce:

On behalf of the Western York Branch NAACP, I am submitting responses to the comments raised by a member of the City Council regarding our proposed redistricting plan:

1. Mayor Mike Fuesser

The Western York Branch NAACP strongly supports publication of a proposed plan and an opportunity for public comment, including both written comments and public hearings. The Branch stresses the importance of public involvement and transparency during the redistricting process.

Those hearings should be accessible and held outside normal working hours. There should be sufficient and accessible notice of hearings at least 7-10 business days in advance. The hearings should allow for remote participation.

2. Council Member Matt Hickey

The NAACP proposal divides California Street into two districts, compared to three in the RFA proposal. That division occurs along the significant boundary of US Highway 321. To extend District 2 across that highway in the western California Street area below W. Liberty Street would require substantial redrawing of the remainder of the map and implicate Voting Rights Act concerns by diluting the opportunity of Black voters to elect a candidate of choice in District 3.

In redistricting, while it may be helpful to think through the implications of population change, we are not able to adjust target populations or deviations to account for future development in districts. We must instead take the population as reported by the Decennial Census.

3. Council Member Stephanie Jarrett and Council Member Charles Brewer

Adding the block along E. Liberty Street between Cemetery Street and Garner Street to District 4 is an easy fix, especially when balanced against moving Ashcake to District 5. It expands the Total Deviation to 8.6 %, within the presumptively constitutional limit.

4. Council Member Kellie Harrold

Development has been planned in certain communities. That development is consistent with those communities. As a result, those developments are going to be more concentrated in certain

districts. Changing those districts to spread the developments more evenly among the districts would undermine the goal of compactness as well, requiring odd fingers.

We would recommend that Council adopt the NAACP proposal with the tweaks requested by Council Members Jarrett and Brewer and draft an ordinance incorporating that plan. Council should publish that plan, invite comments, and hold a separate public hearing on it. Council could make any further refinements, if needed, after the public hearing, and then proceed with adoption of the ordinance.

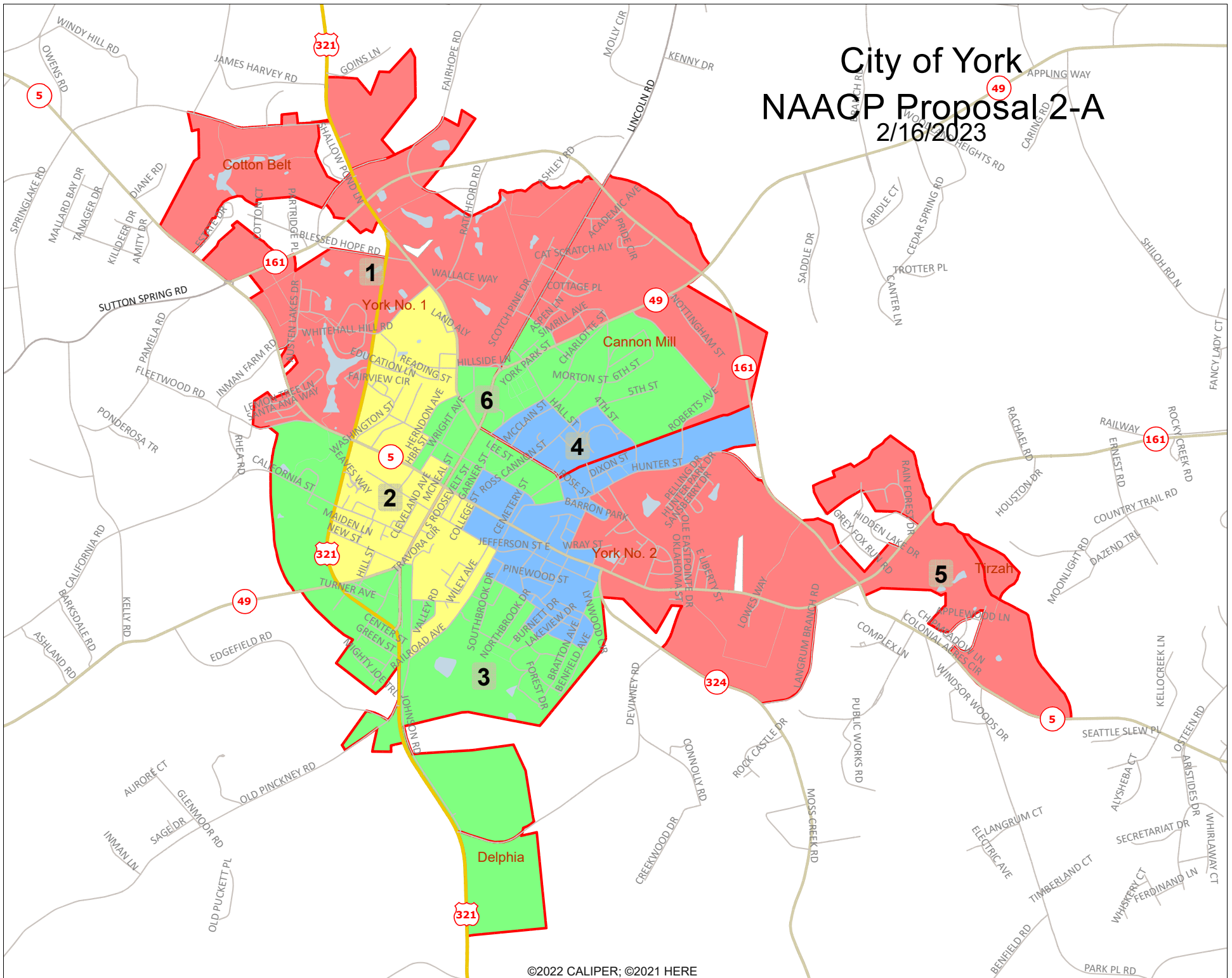
I look forward to meeting with you this coming Monday and to working with Council as it completes redistricting.

Sincerely yours,

/s/ John C. Ruoff

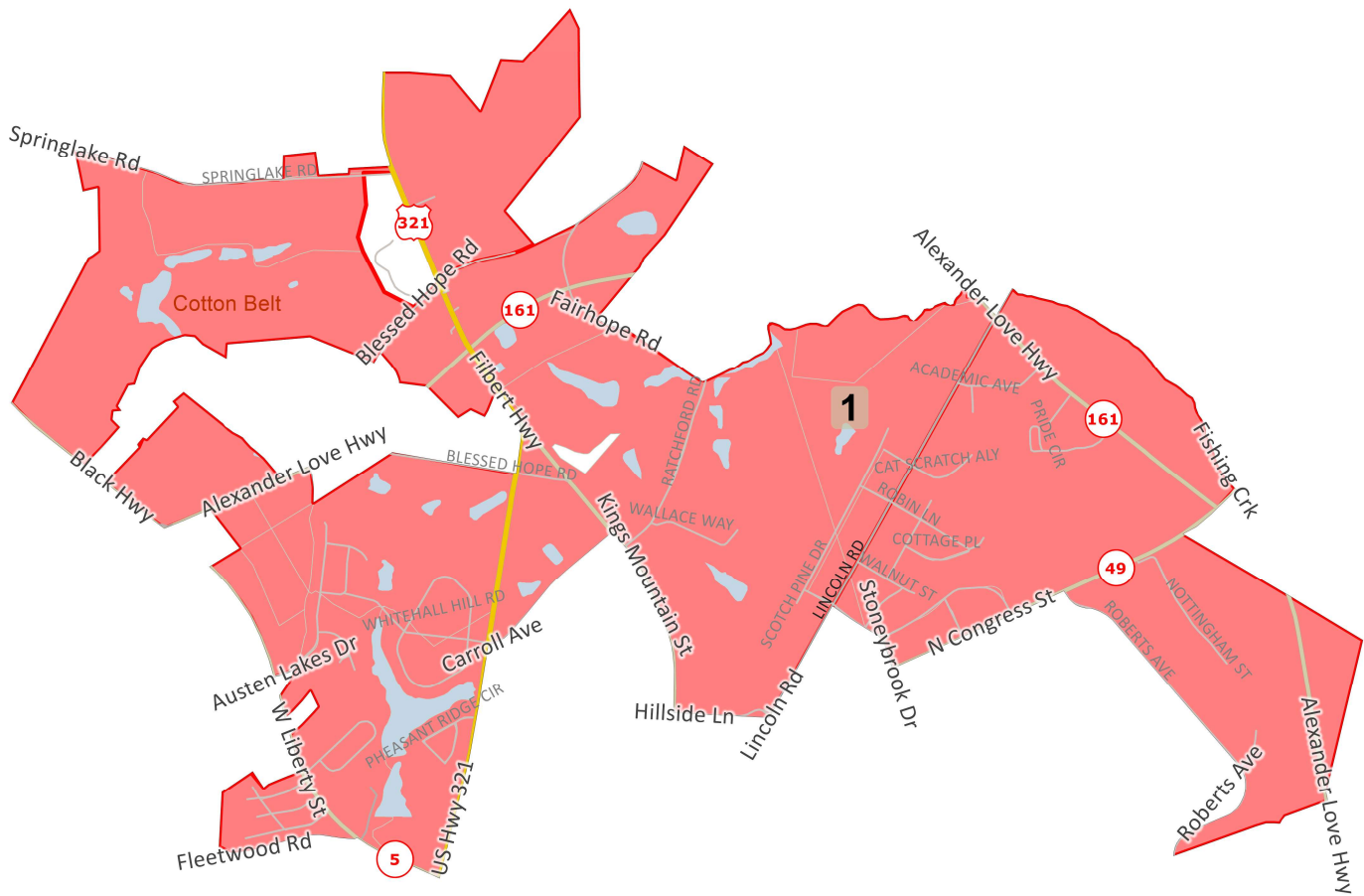
John C. Ruoff, Ph.D.

# City of York NAACP Proposal 2-A 2/16/2023

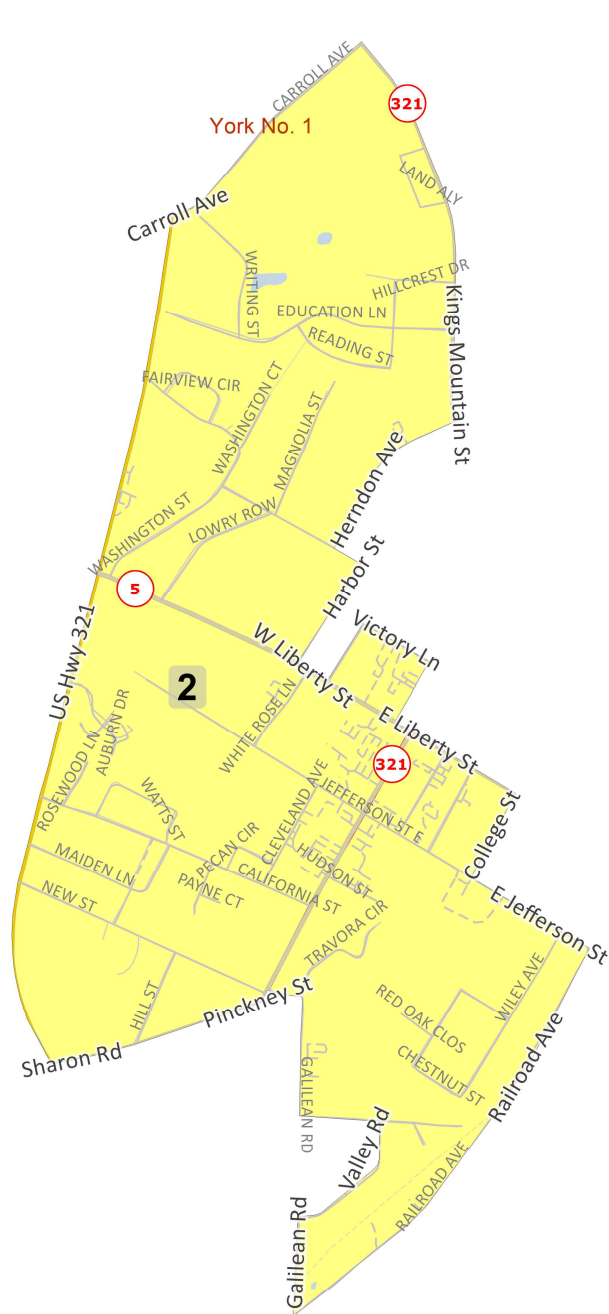


District: 1

Field	Value
District	1
Population	1457
Deviation	5
% Deviation	0.34%
NH_DOJ_BlK	334
% NH_DOJ_BlK	22.92%
NH_Wht	932
% NH_Wht	63.97%
Hispanic Origin	123
% Hispanic Origin	8.44%
18+_Pop	1069
NH18+_DOJ_BlK	221
% NH18+_DOJ_BlK	20.67%
NH18+_Wht	723
% NH18+_Wht	67.63%
H18+_Pop	71
% H18+_Pop	6.64%



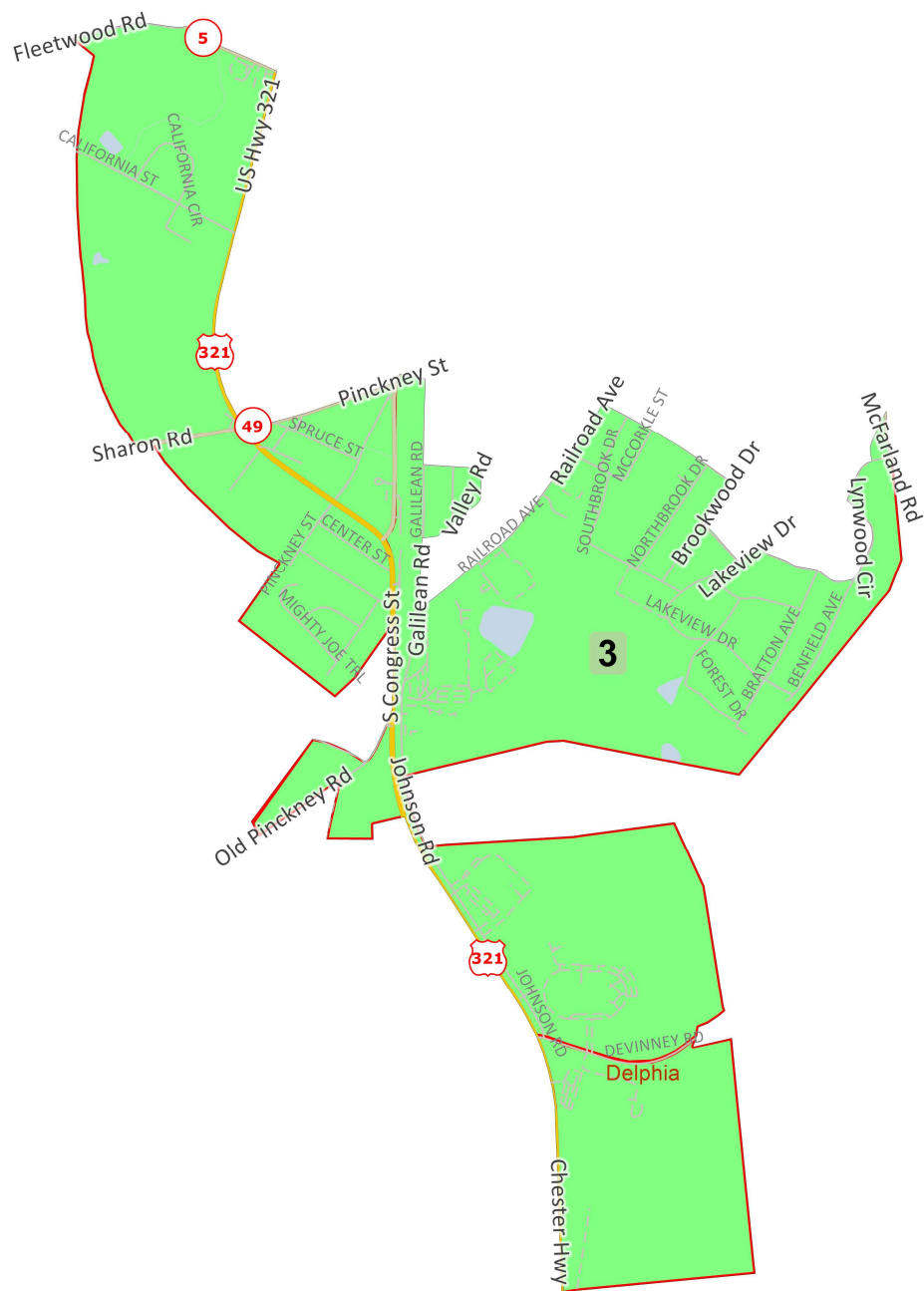
District: 2



©2022 CALIPER; ©2021 HERE

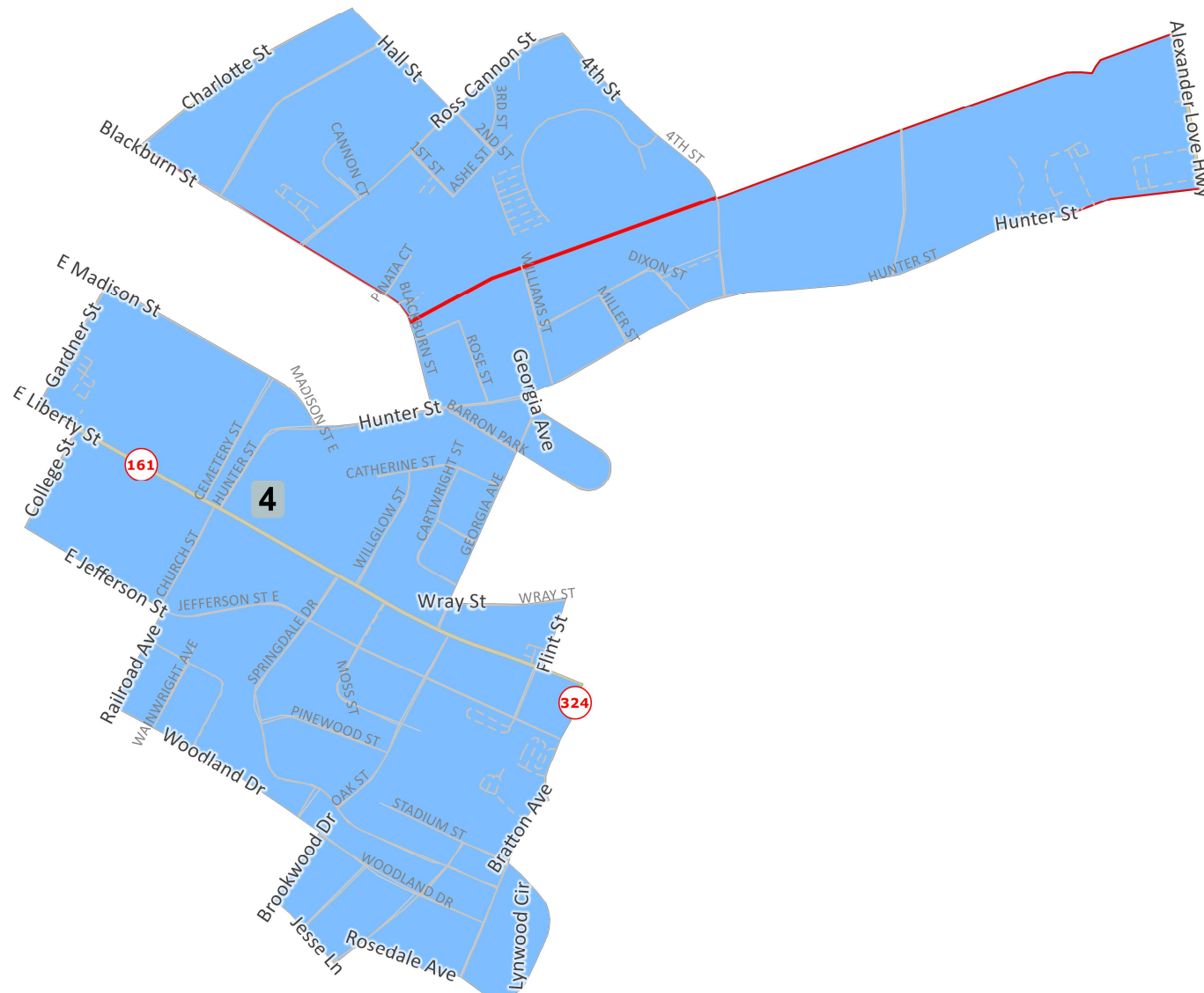
Field	Value
District	2
Population	1426
Deviation	-26
% Deviation	-1.79%
NH_DOJ_Blk	837
% NH_DOJ_Blk	58.7%
NH_Wht	500
% NH_Wht	35.06%
Hispanic Origin	55
% Hispanic Origin	3.86%
18+_Pop	1084
NH18+_DOJ_Blk	596
% NH18+_DOJ_Blk	54.98%
NH18+_Wht	429
% NH18+_Wht	39.58%
H18+_Pop	39
% H18+_Pop	3.6%

District: 3



Field	Value
District	3
Population	1432
Deviation	-20
% Deviation	-1.38%
NH_DOJ_Blk	850
% NH_DOJ_Blk	59.36%
NH_Wht	471
% NH_Wht	32.89%
Hispanic Origin	61
% Hispanic Origin	4.26%
18+_Pop	1020
NH18+_DOJ_Blk	600
% NH18+_DOJ_Blk	58.82%
NH18+_Wht	348
% NH18+_Wht	34.12%
H18+_Pop	40
% H18+_Pop	3.92%

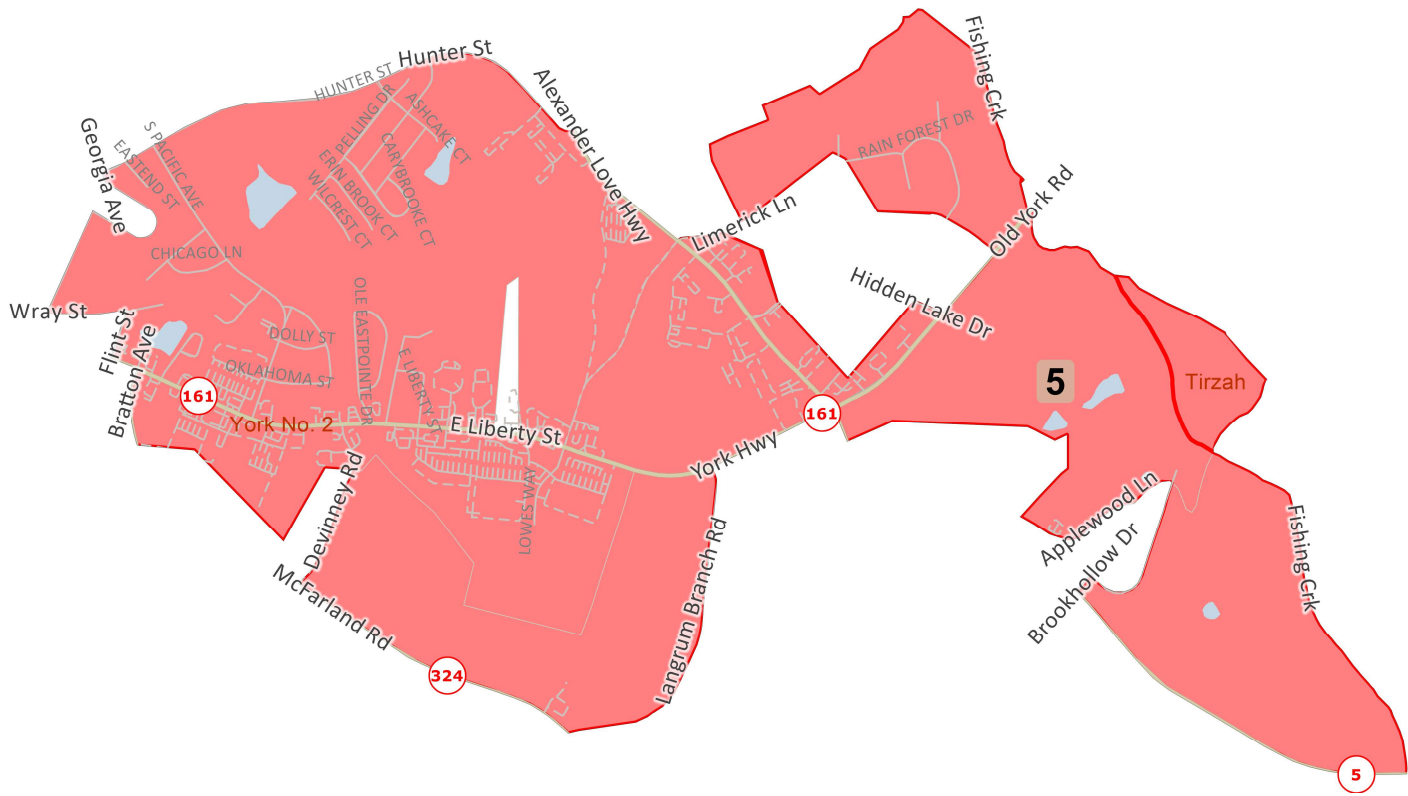
**District: 4**



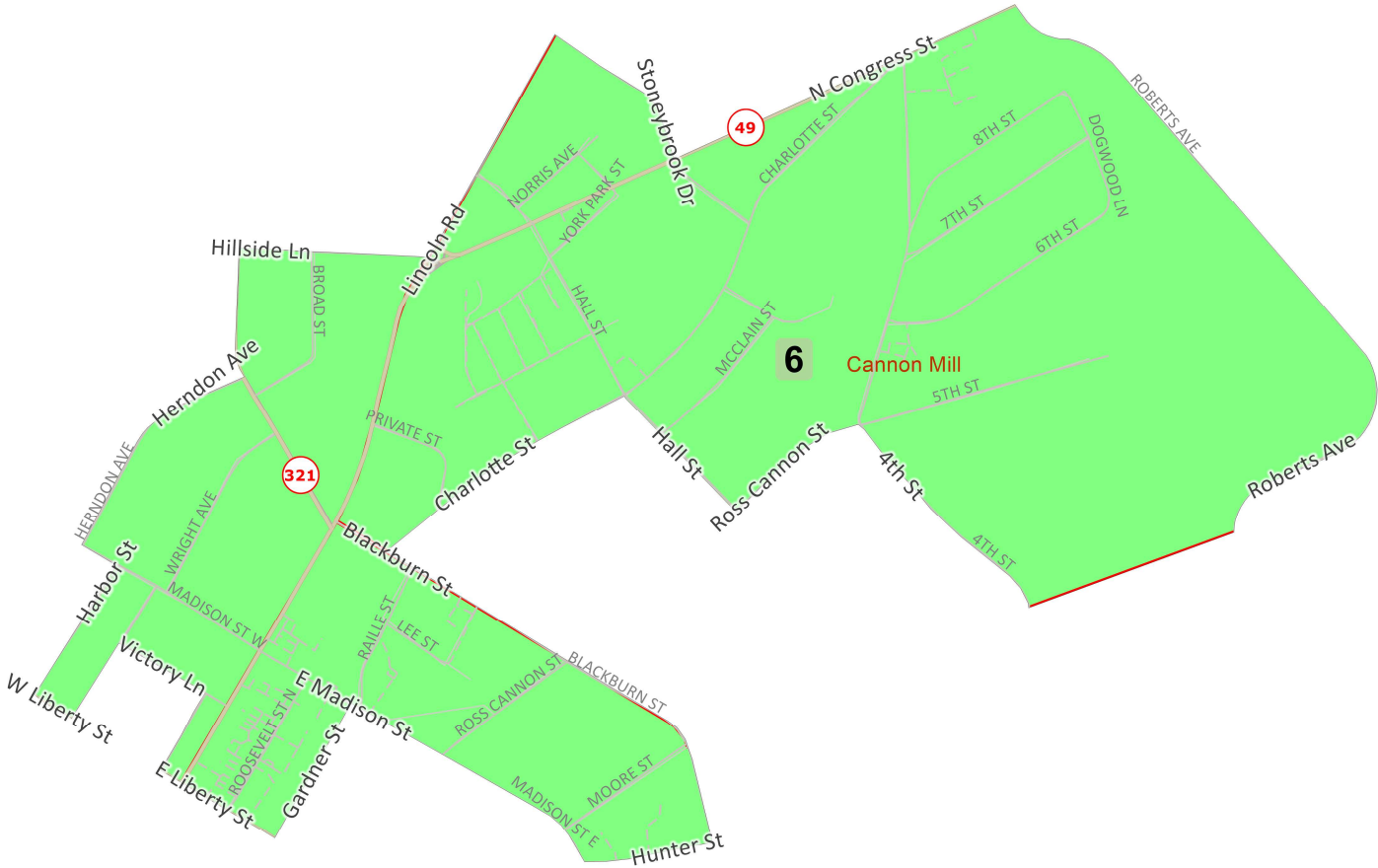
Field	Value
District	4
Population	1406
Deviation	-46
% Deviation	-3.17%
NH_DOJ_BlK	380
% NH_DOJ_BlK	27.03%
NH_Wht	766
% NH_Wht	54.48%
Hispanic Origin	190
% Hispanic Origin	13.51%
18+_Pop	1025
NH18+_DOJ_BlK	274
% NH18+_DOJ_BlK	26.73%
NH18+_Wht	613
% NH18+_Wht	59.8%
H18+_Pop	96
% H18+_Pop	9.37%

District: 5

Field	Value
District	5
Population	1531
Deviation	79
% Deviation	5.44%
NH_DOJ_BlK	523
% NH_DOJ_BlK	34.16%
NH_Wht	888
% NH_Wht	58%
Hispanic Origin	83
% Hispanic Origin	5.42%
18+_Pop	1074
NH18+_DOJ_BlK	342
% NH18+_DOJ_BlK	31.84%
NH18+_Wht	664
% NH18+_Wht	61.82%
H18+_Pop	43
% H18+_Pop	4%



District: 6



Field	Value
District	6
Population	1457
Deviation	5
% Deviation	0.34%
NH_DOJ_BlK	297
% NH_DOJ_BlK	20.38%
NH_Wht	855
% NH_Wht	58.68%
Hispanic Origin	222
% Hispanic Origin	15.24%
18+_Pop	1081
NH18+_DOJ_BlK	199
% NH18+_DOJ_BlK	18.41%
NH18+_Wht	694
% NH18+_Wht	64.2%
H18+_Pop	130
% H18+_Pop	12.03%

**York City Council**  
**NAACP Proposal 2-A 02/16/2023**

Population											
	Deviation			NH DOJ Black		NH White		Hispanic		NH Other	
District	Population	#	%	#	%	#	%	#	%	#	%
1	1,457	5	0.3%	334	22.9%	932	64.0%	123	8.4%	68	4.7%
2	1,426	(26)	-1.8%	837	58.7%	500	35.1%	55	3.9%	34	2.4%
3	1,432	(20)	-1.4%	850	59.4%	471	32.9%	61	4.3%	50	3.5%
4	1,406	(46)	-3.2%	380	27.0%	766	54.5%	190	13.5%	70	5.0%
5	1,531	79	5.4%	523	34.2%	888	58.0%	83	5.4%	37	2.4%
6	1,457	5	0.3%	297	20.4%	855	58.7%	222	15.2%	83	5.7%
Total	8,709	(3)		3,221	37.0%	4,412	50.7%	734	8.4%	342	3.9%

Target Population = 1,452  
Total Deviation = 8.6%

Voting Age Population										
		NH DOJ Black		NH White		Hispanic		NH Other		
District	Population	#	%	#	%	#	%	#	%	
1	1,069	221	20.7%	723	67.6%	71	6.6%	54	5.1%	
2	1,084	596	55.0%	429	39.6%	39	3.6%	20	1.8%	
3	1,020	600	58.8%	348	34.1%	40	3.9%	32	3.1%	
4	1,025	274	26.7%	613	59.8%	96	9.4%	42	4.1%	
5	1,074	342	31.8%	664	61.8%	43	4.0%	25	2.3%	
6	1,081	199	18.4%	694	64.2%	130	12.0%	58	5.4%	
Total	6,353	2,232	35.1%	3,471	54.6%	419	6.6%	231	3.6%	-

# City of York

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## Memo

**TO:** Mayor & City Council

**FROM:** Dalton Pierce, MPA, City Manager

**MEETING DATE:** February 20<sup>th</sup>, 2023

**SUBJECT:** City of York Procurement Ordinance Update/Amendment

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### **GENERAL INFORMATION**

The City needs to consider updating the procurement ordinance and its associated thresholds every so often due to the continual cost increases associated with purchases over time (i.e., inflation) to continue to do business in a timely manner for the benefit of the organization and community. The current procurement thresholds are substantially lower compared to municipalities with similar budget totals and populations. I am requesting City Council consider amending the current dollar amount thresholds for Article V. Purchasing Sec. 2-356 to 359 & 361.

### **STAFF RECOMMENDATIONS**

Sec. 2-356 Not to Exceed \$1,500

Sec. 2-357 Exceeding \$1,501 but less than \$5,500

Sec. 2-358 Exceeding \$5,501 but less than \$25,000

Sec. 2-359 Single Purchase Orders Exceeding \$25,001 required competitive sealed bid

Sec. 2-361 Add Sole Source Procurement

Any request by an agency or department head that procurement be restricted to one potential source shall be accompanied by a letter from the using department signed by the department head stating why no other source will be suitable or acceptable to meet the needs. A contract may be aware for a property, supply, service, or construction item without competition when the City Manager or designee determines in writing that there is only one source for the required property, supply, service, or construction item or that the proposed award to a single source is a permitted, non-competitive procurement as established herein. After verification of a sole source vendor or the justification of a sole source purchase is warranted, the City Manager, or designee, has the authority to negotiate the price, terms, and conditions of the procurement.

Examples of permissible, non-competitive procurement include, but are not limited to:

- When the City Manager and the Department Head has deemed the compatibility of equipment, accessories, services, systems, software or replacement of parts is to be of paramount importance.
- When public utility services are to be procured

### **ATTACHMENT(S):**

Attachment #1: Current Procurement Ordinance

Attachment #2: Procurement Comparison

### **ACTION REQUESTED**

General Information

## **Article V. Purchasing**

### **Division 1. Generally**

#### **Sec. 2-356. Single purchase orders not exceeding \$200.00.**

Single purchase orders not exceeding \$200.00 may be awarded by the city manager, or some other person designated by the city manager without bids.

(Code 1977, § 2-121)

Editor's note(s)—At the direction of the city, the above section has been amended to read as set out herein. The former section pertained to similar subject matter.

#### **Sec. 2-357. Single purchase orders exceeding \$200.00 but less than \$2,000.00.**

Single purchase orders exceeding \$200.00, but less than \$2,000.00, may be awarded by the city manager, the municipal clerk, or some other person designated by the city manager, to the vendor or supplier of such goods or services whose quotation is most advantageous to the city after the city has received telephone, oral or written quotations from at least two vendors or suppliers of such goods or services, when practicable and feasible.

(Code 1977, § 2-122)

#### **Sec. 2-358. Single purchase orders exceeding \$2,000.00 but less than \$3,000.00.**

Single purchase orders exceeding \$2,000.00, but less than \$3,000.00 may be awarded by the city manager, the municipal clerk, or some other person designated by the city manager, after telephone, oral or written quotations have been received from at least three vendors or suppliers of such goods and services, when practicable and feasible, and the purchase order has been approved by the city manager or municipal clerk.

(Code 1977, § 2-123)

#### **Sec. 2-359. Single purchase orders exceeding \$3,000.00.**

Single purchase orders which exceed the sum of \$3,000.00 shall be publicly advertised for bids at least once in a newspaper having a general circulation in the city, at least seven days prior to the date set for formal opening of written bids. Bids in writing, based on written specifications, shall be received by the municipal clerk until the advertised deadline. Upon receipt, the municipal clerk will maintain a record of the date received and forward bid packages to the treasurer. Bids will be secured in a lock box within the vault until the stated time of the bid opening. Bids shall be publicly opened at the date and hour specified in the advertisement soliciting bids by at least two members of the city's management staff, to be defined as follows: city manager, treasurer, public works director, fire chief, police chief, parks and recreation director, and planning director. At the bid opening, a form will be completed which includes the following information: item/project being bid, date and time of bid opening, contractors or firm bidding, amount of each bid and alternate bids where applicable. The city council shall award the contract for the furnishing of such goods and services to the vendor or supplier of such goods and services, submitting the bid most advantageous to the city. The council shall receive a copy of the bid form and the bid package price pages prior to the council meeting at which the bid is to be awarded. Nothing contained in this article shall be construed to require the city manager, the treasurer or city council to accept the apparent low bid when it shall appear that the acceptance of some other bid shall be most advantageous to and in the best interests of the city government. If the bid selected as most advantageous to the city is not the apparent low bid, the city manager shall prepare a full and complete statement of the reasons for accepting the bid of, or awarding the contract to, the vendor or supplier of goods and services other than the apparent low bidder.

**City of York (population 8,615; FY Budget \$23.7)**

- Purchase orders **not exceeding \$200.00** may be awarded by the city manager, or some other person designated by the city manager without bids.
- Single purchase orders **exceeding \$200.00, but less than \$2,000.00**, may be awarded by the city manager, after the city has received a telephone, oral or written quotation from at least two vendors or suppliers of such goods or services, when practicable and feasible.
- Purchase orders exceeding **\$2,000.00 but less than \$3,000.00** may be awarded by the city manager, the municipal clerk, or some other person designated by the city manager after telephone, oral or written quotations have been received from at least three vendors or suppliers of such goods and services.
- Purchase orders which **exceed the sum of \$3,000.00** shall be publicly advertised for bids.

**City of Fountain Inn (population 10,416; FY Budget \$20.1M)**

- Small purchases under \$1,500 do not require securing competitive quotations.
- Purchases between \$1,500 and \$5,500 require a minimum of two verbal or written quotes.
- Purchases over \$5,500 but not exceeding \$25,000 require a minimum of three verbal or written quotes.
- Competitive Sealed proposals are required for purchases of \$25,000 or more.

**City of Newberry (population 10,691; FY Budget \$55.1M)**

- \$0-999.99 - Purchase may be made by the department head or warehouse inventory agent on his own authority. Competition is encouraged to ensure fair and reasonable pricing.
- \$1,000 - \$9,999.99 - Purchase may be made by the department head or warehouse inventory agent using an informal bid procedure, with the award subject to the approval of the purchasing agent.
- \$10,000 and Above - Purchase must be made by purchasing agent or his designee with the award subject to the approval of the city manager. The written informal bid procedure will normally be used; however, the formal bid procedure may be ordered at the discretion of the city manager.

**City of Beaufort (population 13,607; FY Budget \$23.7M)**

Procurement procedures are governed by City's Ordinance (sub-section 9). In summary:

Purchases below \$15,000 are at the City's discretion and are handled by the departments.

- The City solicits a minimum of two (2) quotes by telephone or email for purchases between \$15,000 and \$50,000.
- The City solicits three (3) written quotes for purchases less than \$100,000 but greater than \$50,000.
- Competitive sealed proposals are required for purchases of \$100,000 or more.

**City of Cayce (population 13,781; FY Budget \$34.6M)**

- Provided that for procurements of more than \$25,000.00, except for emergency services or emergency replacement of essential equipment or except as further provided or allowed herein, the manager shall be required to receive formal, written bids or proposals after due notice inviting bids or proposals.

- For procurements of more than \$25,000.00 and for all contracts for new construction, he/she shall present such bids or proposals to the council for approval or rejection.

**City of Clemson (population 17,681; FY Budget \$32.6M)**

- *Expenditures of \$1,000 to \$2,500.* A purchase order is required to be approved by the department head and the purchasing agent (or designee) prior to the order being placed with the vendor. Written quotes should be obtained from at least two vendors.
- *Expenditures over \$2,500 up to \$5,000.* A purchase order is required to be approved by the department head, the purchasing agent (or designee), and the finance director prior to the order being placed with the vendor. Bids are not required, but written quotes should be obtained from at least two vendors
- *Expenditures over \$5,000.00.* A purchase order is required to be approved by the department head, the purchasing agent (or designee), the finance director, and the city administrator prior to the order being placed with the vendor. Three written bids are required to be obtained by the department head. Bids may be obtained by advertising, invitation, use of catalogs, brochures, proposals or other written materials. Less than three bids will be accepted only where the bid request has been advertised or if [state](#) purchasing is used.
- *Construction projects or custom ordered vehicles or equipment over \$50,000.* Sealed bids shall be used for these types of expenditures over \$50,000. A bid tabulation form must be attached to the purchase order.
- *Sole-source purchasing.* "Sole-source purchasing" is defined as purchases from a single vendor without competitive bidding. It is permitted where there has been a determination to standardize with that product or there is only one vendor of the product. The department head shall document the need for sole-source procurement and attach such documentation to the purchase order.

# City of York

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## Memo

**TO:** Mayor and Council

**FROM:** City Manager Dalton Pierce, MPA

**MEETING DATE:** February 20, 2023

**SUBJECT:** New Business – Moratorium Extension

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### **GENERAL INFORMATION**

#### **Moratorium Ordinance**

On September 6, 2022, Ordinance 22-681, Temporary Moratorium, was imposed for certain types of residential subdivision/development and invoking the application of the pending ordinance doctrine. On March 5, 2023, the Ordinance 22-681 will expire. The Planning Department has prepared Ordinance 23-687, Moratorium Extension, that will allow the moratorium to continue through either June 6, 2023, or August 1, 2023.

#### **Staff Recommendations**

The Planning Commission recommends that Ordinance 23-687, Moratorium Extension, be imposed to allow necessary changes to be implemented to the zoning ordinance, comprehensive plan, and land use map. In addition, the moratorium extension will provide the public additional time for feedback through the public hearing process.

#### **Attachments**

- A. Ordinance 23-687

#### **Requested Action**

Council's Approval

STATE OF SOUTH CAROLINA  
COUNTY OF YORK

)  
)  
)

CITY OF YORK

ORDINANCE 23-687

EXTENDING A TEMPORARY MORATORIUM ON CERTAIN TYPES OF  
RESIDENTIAL SUBDIVISION /DEVELOPMENT AND INVOKING THE  
APPLICATION OF THE PENDING ORDINANCE DOCTRINE.

- WHEREAS, York City Council and Planning Commission find that a moratorium is necessary to allow the City the opportunity to research and implement needed changes to the zoning ordinance and comprehensive plan to facilitate desired growth moving forward;
- WHEREAS, York City Council and Planning Commission find that such revised ordinances/ standards would ultimately streamline and make the overall application process more understandable for all involved; and
- WHEREAS, York City Council and Planning Commission find that such a moratorium should be limited in duration and that action should be taken promptly to research and implement needed changes.
- WHEREAS, York City Council and Planning Commission find that a limited extension of the moratorium is necessary to complete the comprehensive action items prescribed by the moratorium and to allow ample time for public feedback through the public hearing process.

NOW, THEREFORE, BE IT ORDAINED in Council assembled on the dates hereafter set forth that York City Council does herewith extend a moratorium on the subdivision of a residentially-zoned and/or –used property into more than 5 lots as well as the usage of the R5 special exception and PUD processes and also invokes the application of the pending ordinance doctrine; furthermore, the number of lots in subdivision will be determined by the number of lots in the entire planned subdivision development (including all phases of the proposed development).

The moratorium is hereby extended to allow the City the opportunity to address the following with the assistance of professional consultant(s) as necessary:

1. Update pertinent sections of the 2019 Comprehensive Plan to provide better direction and benchmarking regarding growth management in the City.
2. Update the City’s future land-use map to provide better guidance regarding the proper zoning/usage of property in the City as well as around the perimeter of the City.

3. Conduct a housing survey as prescribed in the 2019 Comprehensive Plan to determine the proper number and mix of residential housing types in York as well as the desired population growth rate for the City.
4. Create or revise distinct residential and mixed-use zoning districts with by-right zoning standards to include density, parking, housing variety, and other specifications with emphasis on single-family detached, single-family attached, multi-family, residential projects.

The provisions of this ordinance shall be effective immediately upon adoption and shall remain in effect until: **Option 1: June 6, 2023, or option 2: August 1, 2023. See commentary regarding options in attached email.**

York City Council reserves the authority to extend the moratorium for a limited period upon finding that the City is making reasonable, prompt progress in carrying out needed action items set forth in this ordinance and that additional time is needed to adequately complete the action plan.

York City Council hereby invokes the pending ordinance doctrine recognized under South Carolina law, effective immediately upon first reading approval. Applications for the type of subdivision/development specified in this ordinance shall not be accepted by the City of York while York City Council considers whether to extend a moratorium and during the duration of a moratorium.

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MICHAEL D. FUESSER, MAYOR

ATTEST:

\_\_\_\_\_  
Municipal Clerk

First Reading:

\_\_\_\_\_

Public Hearing:

\_\_\_\_\_

Second Reading:

\_\_\_\_\_