

MAYOR
Michael D. Fuesser

MAYOR PRO TEM
Edward Brown

CITY MANAGER
Dalton Pierce, MPA



CITY COUNCIL
Matt Hickey
Marion Ramsey
Stephanie Jarrett
Charles Brewer
Kellie Harrold

CITY CLERK
Amy Craig

York City Council
Meeting Agenda
Tuesday, March 7, 2023
Meeting at 6:00 PM

1. WELCOME AND CALL TO ORDER

MAYOR MIKE FUESSER

2. PRAYER

MAYOR PRO TEM ED BROWN

3. PLEDGE OF ALLEGIANCE

MAYOR MIKE FUESSER

4. PRESENTATIONS

- 4.1. 2023 MEO Institute Honor Roll Recipient
- 4.2. New Employee – Evan Schmitt
- 4.3. New Employees – Bryan Johnson and Jeff Wilkins

CHARLIE BARRINEAU
CHIEF BRIAN TRAIL
CITY MANAGER DALTON PIERCE

5. PUBLIC HEARING

- 5.1 Second Reading Ordinance 23-687, Moratorium Extension

6. COMMENTS FROM THE PUBLIC ON AGENDA ITEMS

7. CITY MANAGER'S REPORT

CITY MANAGER DALTON PIERCE

- 7.1 Budget Schedule FY 23-24*
- 7.2 Wayfinding Historic District*
- 7.3 Redistricting Formal Adoption Timeline*

8. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

- 8.1. Council Meeting, February 6, 2023, Council Work Session, February 20, 2023, and Special Called Meeting, February 20, 2023*

9. MONTHLY FINANCIAL REPORT

FINANCE DIRECTOR JEFF WILKINS

10. OLD BUSINESS

10.1. ORDINANCES:

- Second Reading Ordinance 23-687, Moratorium Extension*

**** Denotes Vote Required***

10 N. ROOSEVELT STREET
PO BOX 500
YORK, SOUTH CAROLINA 29745

(803) 684-2341
WWW.YORKSC.GOV

11. NEW BUSINESS

11.1. ACCOMMODATIONS TAX GRANT APPLICATIONS*

- York County Memorial Day Service
- York County Veterans Day Service
- Silver in the City Saturday Night Concerts
- Downtown Concert Series 2023
- York Summerfest 2023
- York Summerfest 5k & Afterparty

11.2. ORDINANCES*

- First Reading Ordinance 23-688, Procurement/Purchasing Amendment
- First Reading Ordinance 23-689, Amendment, B-1 Central Business District Revisions
- First Reading Ordinance 23-690, Rezoning Ratliff Heights
- First Reading Ordinance 23-691, Equivalent Residential Unit Amendment

12. MAYOR'S REPORT

MAYOR MIKE FUESSER

13. EXECUTIVE SESSION

- Discussion of Personal Matters Related to a Municipal Judge

14. UPON RETURNING TO OPEN SESSION, COUNCIL MAY TAKE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION

15. ADJOURN

**** Denotes Vote Required***

City of York

Memo

TO: Mayor and City Council

FROM: Dalton Pierce, MPA, City Manager

MEETING DATE: March 7, 2023

SUBJECT: Presentations – MEO Institute Honor Roll and New Employees



GENERAL INFORMATION

MEO Institute Honor Roll Recipient

Mr. Charlie Barrineau with MASC will present York City Council as Honor Roll recipients for the MEO Institute.

New Employee – Evan Schmitt

Chief Brian Trail will present Officer Evan Schmitt as a new police officer for York Police Department that recently finished South Carolina Criminal Justice Academy.

New Employee – Bryan Johnson

Bryan Johnson joined the City of York as a Utilities Maintenance Worker. He comes to us from the Town of Indian Trail in North Carolina. Three years ago, Bryan moved from his hometown in Ohio to the Lake Wylie/Clover area. He enjoys spending time with his wife and two daughters, ages 5 and 6 years old. Also, hunting and fishing are two of Bryan's favorite activities when he is not working.

New Employee – Jeff Wilkins

Jeff Wilkins is the City of York's new Finance Director that comes to us from the Town of Cramerton. He is a graduate of Clemson, where he received his MPA. Jeff lives in Blacksburg with his wife and two children, a boy and a girl, ages 12 and 9 years old. Also, Jeff enjoys traveling with his family, and his favorite pastime activity is coaching his daughter's softball team.

City of York

Memo

TO: Mayor & Council

FROM: Dalton Pierce, MPA, City Manager

MEETING DATE: March 7, 2023

SUBJECT: Public Hearing



Before enacting or amending certain ordinances, City Council shall hold a Public Hearing at which parties in interest and citizens shall have an opportunity to be heard. Speakers will be allowed five (5) minutes. City of York residents may be recognized by the Chair first.

GENERAL INFORMATION

Ordinance 23-687, Moratorium Extension

During Council's Work Session on February 20, 2023, the First Reading of Ordinance 23-687, Moratorium Extension was approved for a Second Reading of Ordinance 23-687, Moratorium Extension to extend until August 1, 2023. The moratorium extension is imposed for certain types of residential subdivision/development and invokes the application of the pending ordinance doctrine.

City of York

Memo

TO: Mayor & City Council

FROM: Dalton Pierce, MPA, City Manager

MEETING DATE: March 7, 2023

SUBJECT: City Manager Report Items



GENERAL INFORMATION

FY23-24 Budget Schedule – Proposed to Council to adopt the FY23-24 Budget Schedule to serve as a guide with phasing, tasks, and key dates for the adoption of the FY23-24 Budget.

Historic District Wayfinding – This project has funding allocated (\$150k Hospitality Tax) for this current fiscal year. I met with the designer used to produce the renderings, location maps, and estimates of the signs this past month for a lengthy discussion. SCDOT required a change on the historic district signs that required the transparent rose logo to be removed. The city has received an encroachment permit from SCDOT for these signs, but it will expire 12 months from the date of approval which the expiration date is approaching.

Redistricting Plan Adoption Timeline

1. Post the proposal on the City website at the beginning of March for the public to review (Verify the proposal and documents with Dr. Ruoff before posting).
2. Post a public hearing in the Herald newspaper for April 4, 2023, City Council meeting with 1st reading to take place (Dr. Ruoff will be in attendance to field questions or assist in any other concerns)
3. Wait six days prior to the second reading; Have a special meeting during the April 17, 2023, workshop for the 2nd reading OR wait until the May 2, 2023, meeting for the second reading (Council can choose)
4. Once adopted, a letter and copy of the plan will be sent to RFA & County Voter Registration

ATTACHMENT(S):

- A. FY23-24 Budget Schedule
- B. 1 - Historic District Wayfinding Map Location
2 - Historic District Wayfinding Exhibits

REQUESTED ACTION

Requesting Council's Approval for FY23-24 Budget Schedule

Requesting Council's Approval for a minor change of Historic District Wayfinding Signage

Requesting Council's Approval City of York Redistricting Plan Adoption Timeline with Second Reading Date Recommendation

Attachment A



FY 2023-2024 Budget Schedule

Dates & Phases

March 22, 2023

April 1 - 30, 2023

May 1, 2023

Phase 1: Budget Planning

May 2 - 14, 2023

May 15 - 28, 2023

May 29 - June 18, 2023

Phase 2: Budget Prioritization

June 19, 2023

June 13 - 18, 2023

June 19, 2023

June 20 - 30, 2023

Phase 3: Budget Formulation & Adoption Process

July 5 - 12, 2023

July 12 - 14, 2023

July 17, 2023

July 18 - 28, 2023

July 29 - August 12, 2023

August 14 - 18, 2023

August 15, 2023

August 21, 2023

August 22 - September 2, 2023

September 5, 2023

September 18, 2023

September 19, 2023

September 19, 2023

September 19, 2023

September 19, 2023

Phase 4: Budget Execution

October 1, 2023 - September 30, 2024

Task

Department Head's notified by City Manager of the start of FY 2024 Budget Preparation and Budget Requests due 5/1/2023

City Administration Preliminary Budget Discussions and Preparation

Department Head Budget Requests due to City Manager & Finance Director

City Administration Review Department Head Budget Requests

1st Individual Department Budget Meetings: Administration, Police, Fire, Planning & Zoning, Parks & Rec., Public Works, & Public Utilities

Budget Expense Review, Preliminary Revenue Projection Analysis, Rate & Fee Schedule Review

2nd Individual Department Budget Meetings: Administration, Police, Fire, Planning & Zoning, Parks & Rec., Public Works, & Public Utilities

Budget Expense Draft Final & Revenue Projection Analysis

Presentation of the Overview for the Proposed Budget for FY2023 - 2024 at Work Shop #1 *(At a City Council Workshop)*

Review feedback from City Council from the proposed Budget for FY2023 - 2024 Workshop #1

Final Individual Department Budget Meetings: Administration, Police, Fire, Planning & Zoning, Parks & Rec., Public Works, & Public Utilities

City Administration Preliminary Final Review Budget Expense & Revenue Projection

Presentation of the Overview for the Proposed Budget for FY2023 - 2024 at Work Shop #2 *(At a City Council Workshop)*

Review feedback from City Council from the proposed Budget for FY2023 - 2024 Workshop #2

City Administration Budget Expense & Revenue Projection Final Recommendation

Final FY2023 - 2024 Budget prepared and sent to City Council & Department Heads for Final Review

Publication date of Public Notice of Public Hearing for FY2023 - 2024 Budget *(Requires 15 Day Notice; Publish in Herald)*

Publication date of Public Notice of Public Hearing for FY2023 - 2024 Rate & Fee Schedule *(Requires 15 Day Notice; Publish in Herald)*

Presentation of the Final Proposed Budget for FY2023 - 2024 at Work Shop #3 *(At a City Council Workshop)*

City Administration Final Review Department Head Budget Requests & Budget Expense Draft Final & Revenue Projection Analysis

First Reading of FY2023 - 2024 Budget Ordinance *(At a Regular Scheduled City Council Meeting)*

Public Hearing for FY2023 - 2024 Budget Ordinance *(At a Regular Scheduled City Council Meeting)*

Public Hearing for FY2023 - 2024 Rate & Fee Schedule *(At a Regular Scheduled City Council Meeting)*

Second Reading and Adoption of FY2023 - 2024 Budget Ordinance *(At a Special Town Council Meeting)*

Second Reading and Adoption of FY2023 - 2024 Rate & Fee Schedule *(At a Special Town Council Meeting)*

Budget Sent to Printer & Uploaded into the Accounting System

Attachment B1

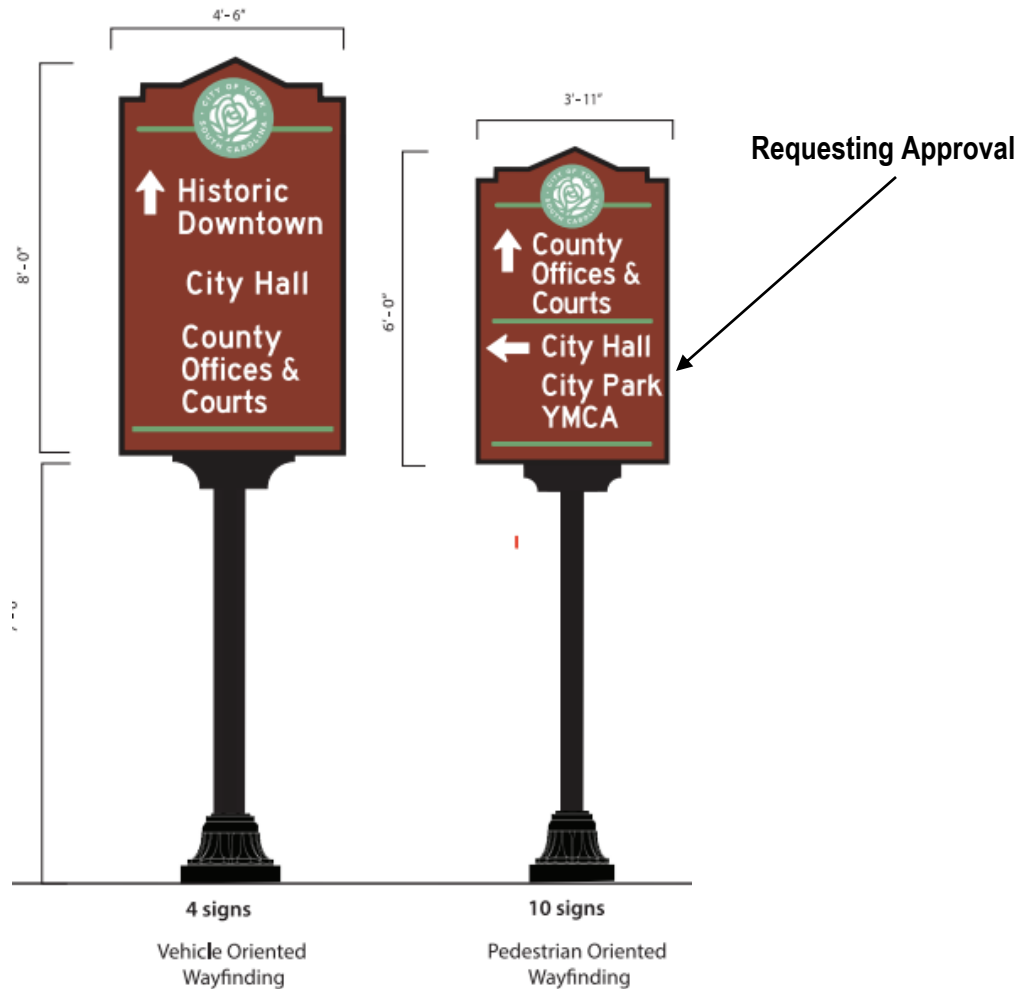
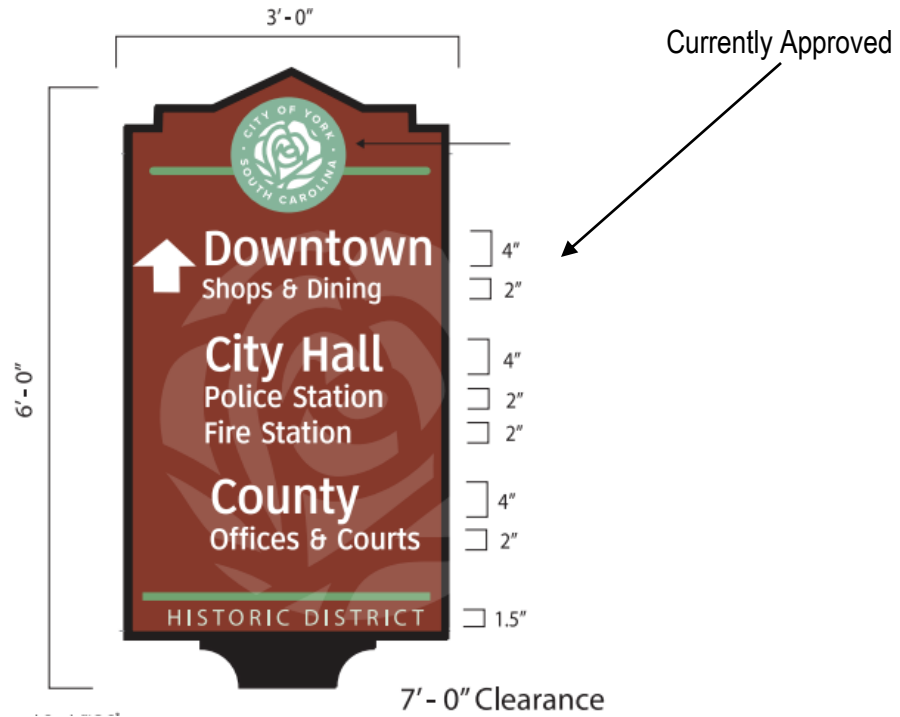


Key Downtown Area Destinations

- County Government
 - Voter Registration
 - Assessors Office
 - County Treasurer
 - Judge of Probate
 - County Courts
 - County Health Dept
- City Government (Roosevelt Street
 - York Library
 - City Offices (City Hall)
 - Police Station
 - Fire Station
- Recreation
 - City Park / Bike Trail
 - Magnolia Street Park
 - York Recreational Complex
 - Greenway Trail Head
 - Moore Park
 - McCelvey Field / McCelvey Center
 - Lincoln Park
- Schools
 - York Comprehensive High School
 - Cotton Belt Elementary
 - HC Johnson Elementary
- Destinations
 - Historic Neighborhoods
 - Historic Downtown / Parking
 - Downtown Shops & Restaurants



Attachment B2



City Council Meeting February 6, 2023

DATE AND TIME: Monday, February 6, 2023, 06:00 PM

Members Present:

Mayor Mike Fuesser
Mayor Pro Tem Ed Brown
Councilmember Matthew Hickey
Councilmember Marion Ramsey

Councilmember Stephanie Jarrett
Councilmember Charles Brewer
Councilmember Kellie Harrold

Staff Present:

City Manager Dalton Pierce
Municipal Clerk Amy Craig
Finance Director Barbara Denny
Fire Chief Mike Regal

Community Events Director Becky Mestas
Code Enforcement Officer Shane Linder
Planning Assistant Ashley Putnam

Participants:

Attorney Mac Brice

Others Present:

(See Sign-in Sheet)

1. WELCOME AND CALL TO ORDER

Mayor Mike Fuesser

- Mayor called the meeting to order at 6:00 pm

2. PRAYER

Mayor Pro Tem Ed Brown

3. PLEDGE OF ALLEGIANCE

Mayor Mike Fuesser

4. PRESENTATIONS

4.1. Retirement of Finance Director Barbara Denny

City Manager Pierce gave a brief presentation for Barbara Denny, as she will retire on Friday, February 10, 2023, from the City of York. Mr. Pierce reviewed Ms. Denny's job duties as Finance Director, her prestigious achievements throughout her career, and her plans for the future.

4.2. New Employees – Ashley Putnam and Shane Linder

City Manager Pierce introduced two new employees, Ashley Putnam and Shane Linder to the City of York. Ashley serves as the Business License/Assistant Planner and Shane Linder serves as the Code Enforcement Officer.

5. PUBLIC HEARINGS

5.1 Ordinance 23-686, Amending Appendix A, Wine Bars

No public comments were made

City Council Meeting February 6, 2023

6. COMMENTS FROM THE PUBLIC ON AGENDA ITEMS

No public comments were made

7. CITY MANAGER'S REPORT

7.1. YPD – Safety and Security/Access Equipment – ARPA Funds

City Manager Pierce stated that A3 Communications will provide York Police Department with safety and security access equipment through the state's contract. According to our procurement code, the City is not required to solicit three bids since it is on state contract. The quote came in at \$20,914.20. A3 Communications is the security provider at York school districts, so this will allow the School Resource Officers to have compatible security access.

7.2. MOU – Larson Road Industrial Park

City Manager Pierce stated that the City signed the MOU agreement last week. ESP Associates, the engineer of record for York Electric Cooperative, will manage and construct the road with new water and sewer. As work proceeds, ESP Associates will invoice York Electric Cooperative and, in turn, York Electric Cooperative will invoice the City of York. The City has received \$540,000 from York Electric Cooperative's RDA funds and \$28,000 from Central Electric Power Cooperative. The City's matching funds of \$300,000 will be paid with Capacity Fees. Once completed, the City will annex the road into their general maintenance. ESP Associates will be submitting preliminary site plans soon.

7.3. City Hall Public Restrooms

City Manager Pierce stated that the men's public restroom facilities at City Hall have not been functioning. Quotes have been collected to repair the toilets and bring them up to code and within ADA compliance, in addition to installing faucets. Doan Sun gave a quote of \$5,780, and with the repairs being necessary for public use, City Manager Pierce requested that Council invoke the waiver of Article 3 of Section 2-361, the policies, procedures, and guidelines may be waived in the case of emergency purchases. Councilmember Hickey made a Motion to use Section 2-361 to approve the budget for the City's public restroom repairs. Councilmember Ramsey Seconded the Motion, and with no Discussion, the Motion was approved unanimously.

8. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

8.1. Council Meeting, January 3, 2023, Council Work Session, January 17, 2023.

Councilmember Jarrett made a Motion to approve the Minutes as written, which was Seconded by Councilmember Ramsey. The Motion passed unanimously.

9. MONTHLY FINANCIAL REPORT

9.1. Finance Director Barbara Denny discussed the finances for the end of December. She explained that this time of year never looks good because the property taxes are not received until January. The negative balance in the General Fund will reverse itself in January once the property taxes are received. Ms. Denny stated that the auditors have arrived, and she presented a letter of engagement from the auditors for the Mayor and the City Manager to sign.

10. OLD BUSINESS

10.1. ORDINANCES:

Second Reading Ordinance 23-686, Amending Appendix A, Wine Bars

Councilmember Jarrett made a Motion to approve the Second Reading of Ordinance 23-686, Amending Appendix A, Wine Bars, which was Seconded by Councilmember Hickey. During

City Council Meeting February 6, 2023

Discussion, City Manager Pierce clarified that the restrictions were removed from the Ordinance after the First Reading of Ordinance 23-686, Amending Appendix A, Wine Bars. With no other Discussion, the Motion was approved 6-1, with Mayor Pro Tem Brown voting in opposition.

10.2 DISCUSSIONS:

- **Demolition Project – 5 and 9 Springdale Drive**
City Manager Pierce explained that property owner of the two derelict structures, Martin Foster, is waiting to collect money from a settlement and at that time, he will address what he plans to do with the two properties. Mr. Foster plans to have the settlement money this month. While decisions are being made regarding the two properties, Code Enforcement has placed caution tape around the two properties. Council stated that Mr. Foster has had more than enough time to handle these derelict structures. Also, there was Discussion about whether the City could deed the property, in which Attorney Mac Brice advised that the tax sale on the properties would void the deed. Council stressed that they are wanting to move forward with these properties because they feel Mr. Foster is only trying to buy time, which he has been doing for over a year. Council questioned if daily fees could be imposed to Mr. Foster while the City waits on him to make a decision. Also, Council further discussed that there is no way to recoup the money with the tax sale. In addition, if a new buyer takes possession after the tax sale, then the process would begin with whoever owns the properties at that time.
- **Ordinance 22-681, Moratorium**
City Manager Pierce stated that the Moratorium is in place until March, which is 180 days since it was enacted in September 2022, and it has a 90-day extension built into the Ordinance. Planning has already advertised for a Public Hearing, to take place on March 7, 2023, for whether Council chooses to extend or end the Moratorium. An update for the Moratorium was provided that stated the Planning Commission is in need of additional time and wishes to have the 3 months extension to facilitate its work and enable Council to have time to review the Planning Commission's recommendations. If desired, the Planning staff will provide an Ordinance to accomplish the necessary extension.

11. NEW BUSINESS

11.1 SPECIAL EVENTS:

- Events Coordinator Becky Mestas gave a summary of the following special events applications on the 2023 calendar:

March for the Heart 5k – This is a City hosted event that is run by Tender Hearts and raises awareness and funds for their organization. The event will take place on March 18, 2023, and a new route has been proposed. The new route will showcase the downtown area. York Police Department is onboard with the new route.

Silver in the City – The 6th annual Silver in the City will take place on April 20 through April 23, 2023. 65 airstreams will come in on Thursday evening and set up at York Place. They will parade into town Friday morning and park at Yorkville Marketplace and Dickerson Motors for the weekend. There will be celebration music, DJs, and entertainment on Saturday.

Will Frederick Memorial 5k Run for the Kids – On Saturday, April 29, 2023, Lifeway is hosting a 5k to raise funds for scholarships for children, students, and community enrichment efforts. The 5k is in honor of Will Frederick, who passed away in 2018 due to complications from surgery. The 5k is a way to continue the work that he started.

City Council Meeting February 6, 2023

Cinco de Mayo – This is the City’s 2nd annual Cinco de Mayo celebration, which will take place on Friday, May 5, 2023. The City will provide live music, and the focus will be on the downtown area. The City is expecting a fun time for the community.

Summer Concert Series – The City’s Summer Concert Series typically falls on the 2nd and 4th Thursday of June, July, and August, but Events Coordinator proposed a kickoff at City Market on May 25th and to potentially move to City Park.

York Summerfest – York Summerfest will have its 40th anniversary on August 26, 2023. The 5k will take place on Friday evening, August 25, 2023, instead of Saturday morning. This will require a special permit to be approved because it is a separate event.

Councilmember Hickey made a Motion to approve the Special Events as presented, which was Seconded by Councilmember Jarrett. In Discussion, Council inquired about the cease-and-desist order for “Summerfest.” City Attorney Mac Brice explained that York has a 5-year license that is being used and Events Coordinator Becky Mestas stated that the logo has been updated to say “York Summerfest.” With no other Discussion, the Motion was approved unanimously.

11.2 Discussions:

- **NAACP – RFA Redistricting**

City Manager Pierce requested comments or feedback from Council about RFA and NAACP’s redistricting proposal. The mayor would like to see this get to the public as soon as possible for their input. Council expressed that NAACP’s proposal was more comprehensive and suggested only minor revisions. Mr. Pierce stated that he will formalize the document and submit it back to NAACP and RFA with the minor suggestions from Council that were brought up during the meeting. Council and the City Manager would like to have NAACP and RFA return and address what can or cannot be accounted for, so a proposal can be prepared for the public.

11.3 Bids & Solicitations:

- **Complex Bathrooms**

The City solicited bids for two restrooms located at the York Recreation Complex (Main Tower). The work was budgeted in the Impact Fees for \$40,000. Pack Men Contracting bid \$17,999, which allowed for extra work to be done. The extra work would include installing sinks, baby changing station, and improvements. The contractor bid \$19,310, in addition to \$17,999, which totals \$37,309. The amount still comes under budget and includes a broader scope of work. The contract for the original for the original bid will be signed, and then process a change order for the contract total.

Brewer -Motion to approve and award the contract for the bathrooms at the Rec Complex to Pack Men Contracting, including the change order, for the total amount of \$37,309, which was Seconded by Ramsey. In Discussion, it was confirmed that all bids are costs not to exceed. With no other Discussion, the Motion was approved unanimously.

- **Planning Software**

The Planning Department solicited bids for new Planning Software. Two responses were received which are Evolve InfoVision for the first year at \$38,100, with recurring annual costs of \$18,100 and GeoCivics for the first year is \$127,000, with recurring annual costs of \$22,000. After reviewing the RFPs, the Planning staff recommends Evolve InfoVision.

City Council Meeting February 6, 2023

Councilmember Brewer made a Motion to accept the bid for Evolve InfoVision Software for the one-year cost of \$38,100, years 1-5 total of \$110,500, and recurring annual costs of \$18,100, which was Seconded by Mayor Pro Tem Brown. In Discussion, Councilmembers questioned if everything would be covered since there is a big price difference between the companies. Mr. Pierce confirmed that it had everything staff would need. He further explained that the software was capable of shortening turnaround time between staff members, plus, as a web-based program, it would be convenient for the staff to be in the field. With no other Discussion, the Motion was adopted unanimously.

12. MAYOR'S REPORT

Mayor Fuesser stated that Saturday, April 15, 2023, at 8:00am, The City will have a litter pick up day. The National Junior Reserve Officers Training Corps from York Comprehensive High School will be assisting with the City with this community project. The Mayor encouraged anyone that would like to join in cleaning up the area, to feel free to do so.

13. EXECUTIVE SESSION

13.1 To Discuss Personal Matter Related to Municipal Judge

Councilmember Ramsey made a Motion to go into Executive Session to Discuss Personal Matter Related to Municipal Judge, which was Seconded by Mayor Pro Tem Brown. The Motion was adopted unanimously.

Councilmember Ramsey made a Motion to exit Executive Session, which was Seconded by Mayor Pro Tem Brown. The Motion was adopted unanimously.

14. UPON RETURNING TO OPEN SESSION, COUNCIL MAY TAKE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION

No action taken

15. ADJOURN

Councilmember Hickey made a Motion to Adjourn, which was Seconded by Mayor Pro Tem Brown. The Motion was adopted unanimously. The meeting Adjourned at 7:06 pm.

Respectfully Submitted,



Amy Craig
Municipal Clerk

City Council Work Session February 20, 2023

DATE AND TIME: Monday, February 20, 2023, 05:00 PM

Members Present:

Mayor Mike Fuesser
Mayor Pro Tem Ed Brown
Councilmember Matthew Hickey
Councilmember Marion Ramsey

Councilmember Stephanie Jarrett
Councilmember Charles Brewer
Councilmember Kellie Harrold

Staff Present:

City Manager Dalton Pierce
Municipal Clerk Amy Craig
Fire Chief Mike Regal
Human Resources Director Sarah Ramirez

Participants:

Joe Lesch
Dr. John Ruoff (virtual)

Others Present:

(See Sign-in Sheet)

1. WELCOME AND CALL TO ORDER

Mayor Mike Fuesser

- Mayor called the meeting to order at 5:00 pm

2. PRAYER

Mayor Pro Tem Ed Brown

3. PLEDGE OF ALLEGIANCE

Mayor Mike Fuesser

4. PRESENTATIONS

- Ratliff Heights – Eastwood Homes
Joe Lesch with Eastwood Homes presented Council with a proposal to rezone the Ratliff property at Kings Mountain Street and Carroll Avenue. He stated that all the recommendations from the Planning Department have been completed. He further stated that no adjacent homes would look similar by providing a variety of color patterns and elevations. Also, trees that have been on the property for many years would be preserved throughout the property. Council agreed to add this item to the March agenda.

5. DISCUSSIONS

- York City Council Redistricting – NAACP Dr. John Ruoff
Mayor Fuesser summarized Council's recommendations for the redistricting map. Dr. John Ruoff presented to Council a redistricting map that consists of Council's recommendations and suggestions from the last meeting. Dr. Ruoff stressed the importance of Public Comments and a Public Hearing for this proposed redistricting. He recommended that Council adopt NAACP's proposal with the suggestions that Council made. City Manager Pierce stated that he will email a formalized proposal to Dr. Ruoff and prepare for Public Comments and a Public Hearing.
- Procurement Ordinance – Update/Amendment

City Council Work Session February 20, 2023

City Manager Dalton Pierce stated that the procurement ordinance is outdated and lower than other municipalities. He requests that Council consider updating the threshold amounts. This adjustment would allow the City to do business in a timelier manner and the thresholds would still be below state recommendations. The recommendations are as follows:

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 to exemption section

6. ADJOURN

Councilmember Hickey made a Motion to exit the Work Session and enter the Special Called Meeting, which was Seconded by Mayor Pro Tem Brown. The Motion was adopted unanimously. The meeting Adjourned at 5:42 pm.

Respectfully Submitted,

Amy W. Craig

Amy Craig
Municipal Clerk

City Council Special Called February 20, 2023

DATE AND TIME: Monday, February 20, 2023, Immediately Following the Work Session

Members Present:

Mayor Mike Fuesser
Mayor Pro Tem Ed Brown
Councilmember Matthew Hickey

Councilmember Charles Brewer
Councilmember Stephanie Jarrett
Councilmember Kellie Harrold

Staff Present:

City Manager Dalton Pierce
Municipal Clerk Amy Craig
Fire Chief Mike Regal
Planning Director David Breakfield
Human Resources Director Sarah Ramirez

Others Present:

(See Sign-in Sheet)

1. WELCOME AND CALL TO ORDER

Mayor Mike Fuesser

- Mayor called the meeting to order at 5:43 pm

2. DISCUSSIONS

2.1 Moratorium Ordinance:

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

City Manager Pierce provided an update regarding the completion status of each action item regarding the Moratorium. The Planning Commission has prepared partial revisions regarding the Zoning Ordinance for R-8 (single residence homes) and R9 (Townhomes) districts, Comprehensive Plan, and Land Use Map for the Moratorium. The R-8 revisions are at 90% completion status and R-9 revisions are at 80% completion status. The Comprehensive Plan and Land Use Map are both at 60% completion status.

Separate from the Moratorium, the Planning Commission has revised the B-1 Central Business District based on their recommendations and plan to provide an Ordinance for a First Reading during the March Council Meeting.

3. NEW BUSINESS:

3.1 Ordinances:

Ordinance 23-687, Moratorium Extension

Councilmember Charles Brewer made a Motion to approve Ordinance 23-687, Pending Ordinance Doctrine, to extend until August 1, 2023, which was Seconded by Councilmember Kellie Harrold. In Discussion, Council discussed Ordinance 22-681, Moratorium and the expiration deadline approaching on March 5, 2023, which is two days before the next Council meeting on March 7, 2023. Also, Council stated that more time would be necessary to review the Planning Commission's recommendations. Councilmember Brewer read from MASC's webpage regarding the length of

City Council Special Called February 20, 2023

time for Moratoriums. With no other Discussion, the Motion was adopted 5-1, with Councilmember Hickey in opposition.

4. ADJOURN

Mayor Pro Tem Brown made a Motion to Adjourn, which was Seconded by Councilmember Matt Hickey. The Motion was adopted unanimously. The meeting Adjourned at 5:56pm.

Respectfully Submitted,



Amy Craig
Municipal Clerk

City of York

Memo

TO: Mayor & Council

FROM: Dalton Pierce, MPA, City Manager

MEETING DATE: March 7, 2023

SUBJECT: Second Reading Ordinance 23-687, Moratorium Extension



GENERAL INFORMATION

Ordinance 23-687, Moratorium Extension

During Council's Work Session on February 20, 2023, the First Reading of Ordinance 23-687, Moratorium Extension was approved for a Second Reading of Ordinance 23-687, Moratorium Extension to extend until August 1, 2023. The moratorium extension is imposed for certain types of residential subdivision/development and invokes the application of the pending ordinance doctrine.

STAFF RECOMMENDATIONS

Staff and the Planning Commission recommends that the Ordinance 23-687, Moratorium Extension be imposed to allow necessary changes to be implemented to the zoning ordinance, comprehensive plan, and land use map. approved through August 1, 2023.

ATTACHMENT(S):

- A. Ordinance 23-687, Moratorium Extension

REQUESTED ACTION

Requesting Council's Approval of Second Reading Ordinance 23-687, Moratorium Extension to end on August 1, 2023.

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.

MICHAEL D. FUESSER, MAYOR

ATTEST:

Municipal Clerk

First Reading:

Public Hearing:

Second Reading:

City of York

Memo

TO: Mayor & City Council

FROM: Dalton Pierce, MPA, City Manager

MEETING DATE: March 7, 2023

SUBJECT: Accommodations Tax Grants



GENERAL INFORMATION

Accommodations Tax Grant Applications have been sent in, which have been approved by the Board. The grant applications are as follows:

Accommodations Tax Application #1 – York County Memorial Day Service

The York County Memorial Day Service event is hosted by American Legion Post 66 and will be held on May 29, 2023, in honor of the Veterans.

Approved Expenses:	Request	Approved
Portajons	\$300	\$300
Police (4 officers for 3 hours @ \$50/hour)	<u>\$600</u>	<u>\$480</u>
	\$900	\$780

Accommodations Tax Application #2 – York County Veterans Day Service

The York County Veterans Day Service event is hosted by American Legion Post 66 and will be held on November 11, 2023, in honor of the Veterans.

Approved Expenses:	Request	Approved
Portajons	\$300	\$300
Police (6 officers for 3 hours @ \$50/hour)	<u>\$900</u>	<u>\$720</u>
	\$1,200	\$1,020

Accommodations Tax Application #3 – Silver in the City Saturday Night Concerts

Silver in the City coordinators are requesting to provide two concerts on Saturday, April 22, 2023, during their annual Silver in the City event. The first concert will be held from 4-7pm and the second concert will be from 8-10pm. The applicant will spend \$2,275 to receive this grant match.

Approved Expenses:	Request	Approved
Stages	\$2,000	\$2,000
Police (3 officers for 5 hours @ \$50/hour)	\$750	\$600

Portajons	<u>\$500</u>	<u>\$500</u>
	\$3,250	\$3,100

Accommodations Tax Application #4 – Downtown Concert Series

The Downtown Concert series is a way for the City to provide entertainment for the local residents and out of town guests. The kickoff for the event will be on May 25, 2023 at 6pm.

Approved Expenses:	Request	Approved
Stages (\$917 x 6)	\$5,500	\$5,500
Police, Fire, Sanitation	\$7,600	\$6,080
Portajons (\$350 x 6)	\$1,500	\$1,500
Advertising:	\$3,000	\$2,400
<ul style="list-style-type: none"> • OTS media Group Radio Advertising • Social Media: Facebook push from S. Charlotte to Lancaster <ul style="list-style-type: none"> ○ (\$15/day x 90 days) 		
Entertainment	<u>\$17,000</u>	<u>\$0</u>
	\$34,600	\$15,480

Accommodations Tax Application #5 – York Summerfest 2023

York Summerfest's annual event will be held on Saturday, August 26, 2023.

Approved Expenses:	Request	Approved
Stages (3)	\$37,000	\$2,000
Police, Fire, Sanitation	\$71,000	\$35,500
Portajons	\$5,000	\$0
River Hills EMS	\$2,500	\$0
Advertising:	\$28,500	\$0
<ul style="list-style-type: none"> • TV ads • 32 banners to be placed at county boundaries • Social Media: Facebook push from S. Charlotte to Lancaster <ul style="list-style-type: none"> ○ (\$15/day x 30 days) • 803 South (Logos, flyers, brochures, and more) • OTS Group – Radio Advertising • Golf Tourney & Reserve 		
	<u>\$144,000</u>	<u>\$37,500</u>

Accommodations Tax Application #6 – York Summerfest 5k & Afterparty

York Summerfest's 5k will be held on Friday evening, August 25, 2023, at 6:30pm with the afterparty immediately following.

Approved Expenses:	Request	Approved
Portajon	\$750	\$300
Police (20 officers 3 hours @ \$50/hour)	\$3,000	\$2,400
Fire (1 fireman 4 hours @ \$50/hour)	\$200	\$160
Sanitation (1 worker 2 hours @ \$50/hour)	\$100	\$80
2 Portajons and 2 Wash Stations	<u>\$750</u>	<u>\$750</u>
	\$4,800	\$3,690

ATTACHMENT(S):

- A. Accommodations Tax Application #1 – York County Memorial Day Service
- B. Accommodations Tax Application #2 – York County Veterans Day Service
- C. Accommodations Tax Application #3 – Silver in the City Saturday Night Concerts
- D. Accommodations Tax Application #4 – Downtown Concert Series
- E. Accommodations Tax Application #5 – York Summerfest 2023
- F. Accommodations Tax Application #6 – York Summerfest 5k & Afterparty

REQUESTED ACTION

Requesting Council's Approval

ACCOMMODATIONS TAX APPLICATION #1

York County Memorial Day Service

Event Date: 5/29/2023

Approved expenses:

	Request	Approved	Rate
Portajon	\$ 300.00	\$ 300.00	100%
Police (4 officers for 3 hrs @ \$50/hr)	\$ 600.00	\$ 480.00	80%

\$ 900.00	\$ 780.00
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Note: This event is held to honor the Veterans

TOTAL AMMENDED AMOUNT OF THE GRANT:

\$ 780.00

ACCOMMODATIONS TAX APPLICATION #2

York County Veterans Day Service

Event Date: 11/11/2023

Approved expenses:

	Request	Approved	Rate
Portajon	\$ 300.00	\$ 300.00	100%
Police (6 officers for 3 hrs @ \$50/hr)	\$ 900.00	\$ 720.00	80%

\$ 1,200.00	\$ 1,020.00
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Note: This event is held to honor the Veterans

TOTAL AMMENDED AMOUNT OF THE GRANT:

\$ 1,020.00

ACCOMMODATIONS TAX APPLICATION #3

Silver in the City Saturday Night Concerts

2 concerts, 4-7pm and 8-10pm

Approved expenses:	Request	Approved	Rate
Stages	\$ 2,000.00	\$ 2,000.00	100%
Police (3 officers for 5 hrs @ \$50/hr)	\$ 750.00	\$ 600.00	80%
Portajons	\$ 500.00	\$ 500.00	100%

\$ 3,250.00	\$ 3,100.00
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Note: This concert is being done as a request of the Silver in the City coordinators

TOTAL AMMENDED AMOUNT OF THE GRANT:

\$ 3,100.00

Applicant will spend \$2,275 to receive this match

ACCOMMODATIONS TAX APPLICATION #4

Downtown Concert Series 2023

Approved expenses:	Request	Approved	Rate
Stages (\$917 x6)	\$ 5,500.00	\$ 5,500.00	100%
Police, Fire , Sanitation	\$ 7,600.00	\$ 6,080.00	80%
Portajohns (\$350 X 6)	\$ 1,500.00	\$ 1,500.00	100%
Advertising:			
OTS Media Group Radio advertising			
Social Media: Facebook push from S.Charlotte to Lancaster. \$15/day X 90 days	\$ 3,000.00	\$ 2,400.00	80%
Entertainment	\$ 17,000.00	\$ -	0%
	\$ 34,600.00	\$ 15,480.00	

Note: Based on attendance at last years series, most of these expenses fall under the 80% as requested, except the stages & social media that would warrant 100%

TOTAL AMMENDED AMOUNT OF THE GRANT:

\$ 15,480.00

Applicant will spend \$13,100 to receive this match

police (90 hrs x \$45 = \$4050)
 fire (36 hrs x \$45 = \$1620)
 Sani (24 hrs x \$45 = \$1080)
 TOTAL \$ 6,750.00

POLICE 3 officers for 5 hours x 6 events
 Fire 2 firemen for 3 hours x 6 events
 Sani 2 workers for 2 hours x 6 events

ACCOMMODATIONS TAX APPLICATION #5

Summerfest 2023

Approved expenses:	Request	Approved	Rate
Stages (3)	\$ 37,000.00	\$ 2,000.00	
Police, Fire , Sanitation	\$ 71,000.00	\$ 35,500.00	50%
Portajohns	\$ 5,000.00		
Riverhills EMS	\$ 2,500.00		
Advertising:			
TV ads	\$ 7,650.00		
3 Banners to be place at county boundaries	\$ 3,400.00		
Social Media: Facebook push from S.Charlotte to Lancaster. \$15/day X 30 days	\$ 450.00		
803 South (Logo's, flyers, brochures,and more)	\$ 2,000.00		
OTS Group - Radio Advertising	\$ 5,000.00		
Golf Tourney & Reserve	\$ 10,000.00		
	\$ 144,000.00	\$ 37,500.00	

Note: As one of the largest events for SC, they are receiving revenue from hospitality tax and the income from vendors and sponsorships

TOTAL AMMENDED AMOUNT OF THE GRANT:

\$ 37,500.00

ACCOMMODATIONS TAX APPLICATION #6

York Summerfest 5k & Afterparty

Event Date: 08/25/2023

Approved expenses:	Request	Approved	Rate
Portajon	\$ 750.00	\$ 300.00	100%
Police (20 officers for 3 hrs @ \$50/hr)	\$ 3,000.00	\$ 2,400.00	80%
Fire (1 fireman for 4 hrs @ \$50/hr)	\$ 200.00	\$ 160.00	80%
Sanitation (1 worker for 2 hrs @ \$50/hr)	\$ 100.00	\$ 80.00	80%
2 Portajohns & 2 Wash Stations	\$ 750.00	\$ 750.00	100%

\$ 4,800.00	\$ 3,690.00
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Note: This event is replacing the Saturday morning race

TOTAL AMMENDED AMOUNT OF THE GRANT:

\$ 3,690.00

City of York

Memo

TO: Mayor & City Council

FROM: Dalton Pierce, MPA, City Manager

MEETING DATE: March 7, 2023

SUBJECT: New Business - Ordinances



GENERAL INFORMATION

Ordinance 23-688, Procurement/Purchasing Amendment

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

Ordinance 23-689, B-1 Central Business District Revisions

The Planning Commission has worked diligently to provide Council with revisions to the B-1 Central Business District.

STAFF RECOMMENDATIONS

Please find the recommendations from the Planning Commission on Attachment B. Ordinance 23-689, B-1 Central Business District Revisions Amendment.

Ordinance 23-690, Rezoning Ratliff Heights

On February 20, 2023, Eastwood Homes provided 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.

STAFF RECOMMENDATIONS

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.

Eastwood Homes has followed all the prior recommendations which were as follows:

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.

Ordinance 23-691, Equivalent Residential Unit Amendment

City Staff has reviewed the Sewer Equivalent Residential Unit (ERU) factor in the current City ordinance and found it to be outdated. With the current and future growth of the City, Staff is asking council to consider adopting and amending Article II of Sec. 44-58 to reflect a standard ERU of 325 gallons per day of Water and the SCDHEC calculations for loading found in Sec 61-67 of the Standards for Wastewater Facilities and Construction.

STAFF RECOMMENDATIONS

Sec. 44-58. - Development of capacity fees.

The methodology utilized for developing the water and wastewater capacity fees relies upon the cost of major system facilities as well as the system capacities in order to

calculate an estimated cost per unit (gallon) of capacity. For purposes of developing the capacity fees, the city hereby adopts a water level of service (LOS) standard of 325 gpd per equivalent residential unit (ERU). ~~Similarly,~~ The wastewater LOS for one ERU is set at a level ~~of 275 gpd~~ in compliance with Sec.61-67 of the SCDHEC Standards for Wastewater Facilities and Construction. These LOS levels are developed based on the service needs of a ~~typical residential~~ connection to a wastewater facility.

Applying the LOS standards to the estimated unit costs per gallon of capacity results in the water and wastewater capacity fees, which are on file and available in the offices of the city.

ATTACHMENT(S):

- A. Ordinance 23-688, Procurement/Purchasing Amendment
- B. Ordinance 23-689, B-1 Central Business District Revisions Amendment
- C. Ordinance 23-690, Rezoning Ratliff Heights
- D. Ordinance 23-691, Equivalent Residential Unit Amendment

REQUESTED ACTION

Requesting Council's Approval for a Second Reading on all Ordinances for April 4, 2023.

CITY OF YORK

AMENDING THE PROCUREMENT CODE THRESHOLDS FOR ARTICLE V.
PURCHASING SEC. 2-356 TO 359 AND 361.

WHEREAS, York City Council finds that such revised ordinances will ultimately streamline and make the overall timeliness of doing business beneficial to the organization and community and make the application process more understandable for all involved;

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 Exemptions - 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 awarded 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

MICHAEL D. FUESSER, MAYOR

ATTEST:

Municipal Clerk

First Reading:

Second Reading:

STATE OF SOUTH CAROLINA

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COUNTY OF YORK

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CITY OF YORK

ORDINANCE 23-689

AMENDING APPENDIX A, ZONING ORDINANCE BY REVISING AND UPDATING THE USES ALLOWED EXPLICITLY, CONDITIONALLY AND BY SPECIAL EXCEPTION IN THE B1- CENTRAL BUSINESS ZONING DISTRICT

WHEREAS, the York City Council and Planning Commission find that the Downtown Historic District and B1- Central Business Zoning District are vital components of the City's overall economic and cultural vitality;

WHEREAS, the York City Council and Planning Commission find that existing zoning requirements should be periodically reviewed and revised as necessary; and

WHEREAS, the York City Council and Planning Commission find that appropriate land uses should be encouraged for the B1- Central Business District that will strengthen the character and atmosphere of the City's Downtown Historic District.

NOW, THEREFORE, BE IT ORDAINED by the City Council of York, South Carolina, assembled on dates hereafter set forth, that Appendix A, Zoning Ordinance, be amended by revising Section VIII, Part 10, B-1 Central Business District as follows (with revisions in red):

A. Purpose: It is the intent of this section [section VIII] that the B-1 zoning district be developed and reserved for local or "Main Street" oriented business purposes. The regulations which apply within this district are intended to: (1) Encourage the formation and continuance of a stable, healthy, and compatible environment for uses that are located so as to provide nearby residential areas with convenient shopping service facilities; (2) Reduce traffic and parking congestion; (3) Avoid the development of "strip" business districts; and (4) Discourage industrial and other encroachment capable of adversely affecting the localized commercial character of the district.

B. Permitted uses: Retail business involving the sale of merchandise on the premises, specifically including, but not limited to:

1. Antique store.
2. Appliance, radio or television store.
3. Art supply store or gallery.
4. Book, magazine or newspaper store.
5. Bank. (MOVE TO PERSONAL SERVICE CATEGORY).
6. Barber [shops] and beauty shops. (MOVE TO SPECIAL EXCEPTION CATEGORY).
7. Building material supplier.
8. Candy store.

9. Clothing store.
10. Drug store.
11. Fruit and vegetable store.
12. Grocery/produce store.
13. Guesthouse. (MOVE TO SPECIAL EXCEPTION CATEGORY)
14. Funeral home. (MOVE TO PERSONAL SERVICE CATEGORY)
15. Motel, (MOVE TO PERSONAL SERVICES CATEGORY)(ADD HOTEL AND BED & BREAKFAST)
16. Residence above business use. (MOVE TO SEPARATE CATEGORY)
17. Hardware store.
18. Gift shop.
19. Furniture store.
20. Government office. (MOVE TO PERSONAL SERVICES CATEGORY)
21. Insurance and real estate agencies. (MOVE TO PERSONAL SERVICES CATEGORY)
22. Newspaper office. (MOVE TO PERSONAL SERVICES CATEGORY)
23. New and used automobile sales. (MOVE TO PERSONAL SERVICES CATEGORY)
24. Jewelry store.
25. Telephone office. (MOVE TO PERSONAL SERVICES CATEGORY)
26. Tire sales and service. (MOVE TO SPECIAL EXCEPTION CATEGORY)
27. Hobby, toy store.
28. Sporting goods store.
29. Notion, five- and ten-cent, general, or variety store.
30. Paint supply store.
31. Printing shop. (MOVE TO SPECIAL EXCEPTION CATEGORY)
32. Photographic and camera stores.
33. Church. (MOVE TO SPECIAL EXCEPTION CATEGORY)
34. Fire station. (MOVE TO PERSONAL USE CATEGORY)
35. Adult day care facility. (MOVE TO SPECIAL EXCEPTION CATEGORY)
36. Restaurant.
37. Escape room. (MOVE TO PERSONAL USE CATEGORY)
- 38 Bakery

Businesses involving the rendering of a personal service or the repair and servicing of small equipment including, but not limited to:

1. Doctors' and dentists' offices.
2. Bicycle repair and sales shop.
3. Appliance repair shop.
4. Dressmaker, seamstress, tailor.
5. Dry cleaning and laundry facility.
6. Furniture repair.
7. Locksmith or gunsmith.
8. Schools offering instruction in art, music, dance, drama, physical fitness.
9. Secretarial and telephone answering business.
10. Shoe repair shop.
11. Bakery. (MOVE TO PERMITTED USES)
12. Telephone exchange.
13. Spa/fitness center.

14. Theater (not drive-in).
15. Youth center (dancing and music for citizens under 18 years of age without alcoholic beverages being served).
16. Bank.
17. Funeral home
18. Motel, hotel and bed & breakfast
19. Government office.
20. Insurance and real estate agencies.
21. Newspaper office.
22. New and used automobile sales.
23. Telephone office.
24. Fire station
25. Escape room
26. Residence above business use

C. *Conditional uses:* The following uses shall be permitted in the B-1 district on a conditional basis:

1. Auto accessory store, provided that there shall be no storage of wrecked or junked automobiles; trailers or scrapped or salvaged auto parts on the premises.
2. Automobile service station, provided that all gas pumps shall be set back at least 15 feet from the right-of-way line or all abutting streets and that parking and service areas be separated from adjoining residential properties by a suitable fixed planting screen, fence, or wall at least six feet in height above finish grade.
3. Contractors' offices, provided no storage of vehicles, equipment or materials on the premises.
4. Pet shop, provided that all animals shall be housed within the principal building so that no sound is perceptible beyond the premises.
5. Residential dwelling units shall be allowed with the exception that street-front tenant spaces be used solely for approved commercial uses. This conditional use is not allowed in highway commercial or general industrial zoning districts.
6. Event venues subject to the following:
 - a. Conditionally allowed based on an occupancy limitation of 150.
 - b. Special exception review is required where the proposed occupancy exceeds 150.
 - c. Minimum of one parking space for every two occupants.
 - d. The maximum occupancy limit applies to the overall property (indoor and outdoor use combined).
 - e. Event venues shall be explicitly allowed in the HC and GI zoning districts.

7. *Single-family dwellings subject to the following:*

a. Single-family dwellings are not allowed on any property fronting on North and South Congress Streets and bounded by the following streets:

- East Madison Street;
- Garner Street;
- East Liberty Street;
- Trinity Street;
- East Jefferson Street;
- North Congress Street;
- South Congress Street.

b. Single-family dwellings must meet the following minimum dimensional requirements:

- 10,000 square feet lot area;
- 70 feet of street frontage;
- Setbacks:
 - 25 feet from street right-of-way;
 - Ten feet from side property line;
 - 20 feet from rear property line.

c. Single-family dwellings are not allowed in the HC and GI districts.

d. For properties located outside of the local historic district, the minimum allowable heated area for new single-family dwellings shall be 1,200 square feet.

8. Mobile food establishments subject to the following requirements:

a. A mobile food establishment is allowed to setup in the city only two times per week;

b. Mobile food establishments shall be located a minimum of 500 feet from any established "brick and mortar" restaurant;

c. All vending operations shall be located not less than 20 feet from the nearest street right-of-way and provide at least two off-street parking spaces;

d. Only one vendor shall be allowed for each 200 feet of street frontage;

e. No goods or merchandise offered for sale may be stored in or sold from a tractor-trailer;

f. Permitted merchandise shall be limited to edibles, hot and cold beverages containing no alcohol, and items related to such merchandise;

g. Written permission must be obtained from the property representative;

h. No more than one mobile food vendor shall be allowed on any given lot at the same time without first obtaining a special events permit, except that there shall be no limit on the number of pushcart vendors occupying a particular lot, nor shall there be a limit on the number of pushcart vendors or vendors with small, tow-behind carts occupying a shopping center;

- i. Required parking for the primary business(es) shall be minimally affected;
- j. Signage shall be permitted on the vehicle only to identify the name of the product or the name of the vendor, and the posting of prices. A separate menu board is allowed, not exceeding 12 square feet in area and 40 inches in height. This sign must be located on the same property as and within close proximity to the mobile vending unit, and should not be placed on the sidewalk or in the public right-of-way;
- k. The mobile vendor shall only use single-service plates and utensils. Garbage and recycling receptacles must be available for patron use and removed from the site daily by the vendor;
- l. Vendors shall meet all applicable DHEC regulations for mobile food units and possess a valid DHEC permit where applicable;
- m. Any mobile food vendor or vending unit that has been issued a notice of health violation by any department of the State of South Carolina, which remains uncorrected upon a subsequent inspection, shall have its food vendor permit revoked;
- n. All vendors must obtain from the town an appropriate, current business license;
- o. No vendor shall:
 - 1. Leave any vehicle unattended;
 - 2. Store, park or leave any vehicle overnight on any street or sidewalk;
 - 3. Leave from any location without first picking up, removing and disposing of all trash or refuse remaining from sales by the vendor;
 - 4. Solicit or conduct business with persons in motor vehicles;
 - 5. Sell anything other than that for which a license to vend has been issued;
 - 6. Sound or permit the sounding of any device that produces a loud and raucous noise, or use or operate any loudspeaker, public address system, radio, sound amplifier or similar device to attract the attention of the public;
 - 7. Allow any item relating to the operation of the vending business to lean against or hang from any building or other structure lawfully placed on public property;
 - 8. Change vending locations without first notifying the planning department and submitting the required permissions and site plan; and
 - 9. Discharge fat, oil, grease, or waste water into the sanitary sewer system. All waste shall be properly stored and disposed of at a properly designated disposal location.

Exemption(s): The provisions of this section shall not apply to special events, festivals, community projects or public events which occur on a periodic basis and which are specifically approved by county council or as an approved special event. This section shall not apply to activities conducted pursuant to a franchise agreement or other contract with the City of York, South Carolina.

D. The following uses are allowed by special exception:

1. Club, lodge, civic, fraternal, social, or similar nonprofit organization.
2. Bowling alley.
3. Massage therapy establishment.
4. Flea markets
5. Barber and beauty shops.
6. Guesthouse
7. Tire sales and service.
8. Printing shop
9. Church
10. Adult day care facility.
11. Thrift store

E. *Off-street parking*: Off-street parking shall conform to requirements in section XII [off-street parking requirements], except buildings in existence on the date of the adoption of this ordinance amendment in this district are exempt from the requirements of section XII [off-street parking requirements]. Providing, however, any addition, attached or unattached, to the existing building or any use of the unimproved portion of the land that reduces available parking space shall require the replacement of the lost parking space in accordance with section XII [off-street parking requirements].

F. *Signs*: Signs permitted in B-1 zoning district, including the conditions under which they must be located are set forth in section XIII [signs].

MICHAEL D. FUESSER, MAYOR

ATTEST:

Municipal Clerk

First Reading:

Public Hearing:

Second Reading:

STATE OF SOUTH CAROLINA

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COUNTY OF YORK

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CITY OF YORK

ORDINANCE 23-690

AMENDING APPENDIX A, ZONING ORDINANCE AND OFFICIAL ZONING MAP BY REZONING PROPERTY REFERENCED BY YORK COUNTY TAX MAP ID NUMBER 0700209023 FROM R15- RESTRICTED RESIDENTIAL TO R5- MULTIFAMILY RESIDENTIAL

WHEREAS, the York City Council and Planning Commission find that a rezoning application has been received for property referenced by York County Tax Map Identification # 0700209023 and located near the intersection of Kings Mountain Street and Carroll Avenue;

WHEREAS, the York City Council and Planning Commission find that the Official Zoning Map may be revised if the proposed change is found to be in compliance with the Future Land Use Map and overall Comprehensive Plan; and

WHEREAS, the York City Council and Planning Commission find that the proposed rezoning application substantially complies with the Future Land Use Map and numerous important objectives of the Comprehensive Plan.

NOW, THEREFORE, BE IT ORDAINED by the City Council of York, South Carolina, assembled on dates hereafter set forth, that Appendix A, Zoning Ordinance, be amended by revising the Zoning Ordinance and Official Zoning Map by rezoning the property identified by York County Tax Map Identification # 0700209023 and located near the intersection of Kings Mountain Street and Carroll Avenue from R15- Restricted Residential to R5- Multifamily Residential.

MICHAEL D. FUESSER, MAYOR

ATTEST:

Municipal Clerk

First Reading:

Public Hearing:

Second Reading:

STATE OF SOUTH CAROLINA

)

)

COUNTY OF YORK

)

CITY OF YORK

ORDINANCE 23-691

AMENDING ARTICLE II SEC. 44-58 OF THE SEWER EQUIVALENT
RESIDENTIAL UNIT (ERU) AND SEC. 61-67 OF THE STANDARDS FOR
WASTEWATER FACILITIES AND CONSTRUCTION.

WHEREAS, the City Council and Utilities Department finds that amending
ARTICLE II SEC. 44-58 of the Sewer Equivalent Residential Unit
(ERU) and SEC. 61-67 of the standards for the wastewater facilities
and construction is necessary for the growth of the City moving
forward; and

WHEREAS, the City Council and Utilities Department finds that ARTICLE II SEC.
44-58 should reflect a standard ERU of 325 gallons per day of Water
and the SCDHEC calculations for loading found in SEC. 61-67 of the
Standards for Wastewater Facilities and Construction.

NOW, THEREFORE, BE IT ORDAINED in Council assembled on the dates hereafter
set forth that York City Council does herewith amend ARTICLE II SEC. 44-58 of the
Sewer Equivalent Residential Unit (ERU) and SEC. 61-67 of the Standards for the
Wastewater Facilities and Construction as follows:

Sec. 44-58. - Development of capacity fees.

The methodology utilized for developing the water and wastewater capacity
fees relies upon the cost of major system facilities as well as the system
capacities in order to calculate an estimated cost per unit (gallon) of capacity.
For purposes of developing the capacity fees, the city hereby adopts a water
level of service (LOS) standard of 325 gpd per equivalent residential unit
(ERU). ~~Similarly,~~ The wastewater LOS for one ERU is set at a level ~~of 275~~
~~gpd~~ in compliance with Sec.61-67 of the SCDHEC Standards for Wastewater
Facilities and Construction. These LOS levels are developed based on the
service needs of a ~~typical residential~~ connection to a wastewater facility.

Applying the LOS standards to the estimated unit costs per gallon of capacity results in the water and wastewater capacity fees, which are on file and available in the offices of the city.

MICHAEL D. FUESSER, MAYOR

ATTEST: _____
Municipal Clerk

First Reading: _____

Second Reading: _____