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, June 6, 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. New Employee – Trevor Parker — **CHIEF BRIAN TRAIL**
   - 4.2. FY2021-2022 City of York Audit, Greene Finney Cauley, LLP — **ANDREW COLEMAN**
   - 4.3. City of York Fire Services Study — **ROBERT MCNALLY, BEACON GIS**

5. **PUBLIC HEARING**
   - 5.1. Second Reading Ordinance 23-689, Amendment, B-1 Central Business District Revisions
   - 5.2. First Reading Ordinance 23-694, Minor Subdivisions
   - 5.3. First Reading Ordinance 23-695, Rezoning Oklahoma Street

6. **COMMENTS FROM THE PUBLIC ON AGENDA ITEMS**

7. **CITY MANAGER'S REPORT** — **CITY MANAGER DALTON PIERCE**
   - 7.1. FY23-24 SC State Budget Appropriation Requests Update
   - 7.2. Moratorium Extension Ordinance 23-687 Update
   - 7.3. Lake Caldwell Update
   - 7.4. City Park Phase II Update
   - 7.5. WTP Environmental Review & Remediation*

8. **APPROVAL OF MINUTES OF PREVIOUS MEETINGS**
   - 8.1. Work Session May 15, 2023*
   - 8.2. Special Meeting May 15, 2023*

**** Denotes Vote Required***

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

(803) 684-2341
WWW.YORKSC.GOV

9. MONTHLY FINANCIAL REPORT **FINANCE DIRECTOR JEFF WILKINS**

10. OLD BUSINESS

10.1. ORDINANCES:

- Second Reading Ordinance 23-689, Amendment, B-1 Central Business District Revisions*

11. NEW BUSINESS

11.1. ORDINANCES:

- First Reading Ordinance 23-694, Amending Minor Subdivisions*
- First Reading Ordinance 23-695, Rezoning Oklahoma Street*

11.2. SPECIAL EVENT APPLICATIONS:

- Yorkville Night Market*
- Cougar Fest*

11.3. DISCUSSION:

- Pennies 5 Commission – C-Fund

11.4. RESOLUTION:

- Resolution 23-04 July Council Meeting Date Change*

12. MAYOR'S REPORT **MAYOR MIKE FUESSER**

- Proclamation – Immigrant Heritage Month
- Reminder of Summer Concert Series June 8th

13. EXECUTIVE SESSION

13.1 To Discuss Contractual Arrangements Regarding the City of York's Health Insurance

13.2 To Discuss Personnel 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 & City Council

FROM: Dalton Pierce, MPA, City Manager

MEETING DATE: June 6, 2023

SUBJECT: Presentations

GENERAL INFORMATION 4.1

New Employee – Trevor Parker

Chief Brian Trail will introduce York Police Department's newest officer.

STAFF RECOMMENDATIONS

N/A

ATTACHMENTS

N/A

REQUESTED ACTION

General Information

GENERAL INFORMATION 4.2

FY2021-2022 City of York Audit, Greene Finney Cauley, LLP

The FY2021-2022 City of York Audit has been completed and Greene Finney Cauley, LLP will present the findings of the audit report to Council.

STAFF RECOMMENDATIONS

N/A

ATTACHMENTS

A. FY21-22 Audit Presentation

REQUESTED ACTION

General Information

GENERAL INFORMATION 4.3

City of York Fire Station Study

The Fire Station Study is a comprehensive look into the need and placement of a new fire substation. This study took into account fire and medical calls that were run inside the city limits and in our surrounding county service area. Variables in this study included response time from the current station, staffing/manpower available at different times of day, the type of equipment needed to perform the job and the ever growing population in our service territory. City of York Fire Station Study has been completed and Robert McNally with Beacon GIS will give Council the details of the findings during the study.

STAFF RECOMMENDATIONS

N/A

ATTACHMENTS

A. City of York Fire Station Study Presentation

REQUESTED ACTION

General Information

CITY OF YORK
South Carolina

Financial Audit Presentation
Year Ended September 30, 2022

CITY OF YORK, SC
2022 FINANCIAL AUDIT

OPINION

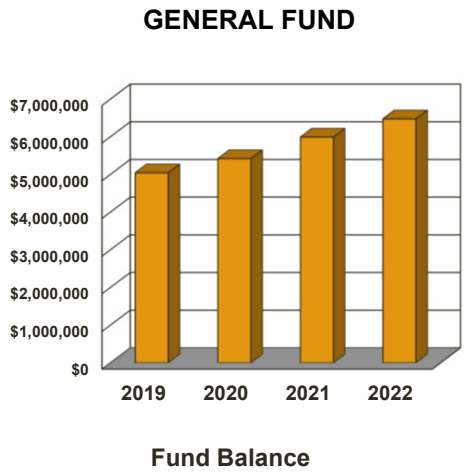
- The City's responsibility:
  - Maintain effective internal controls
    - There are limitations on internal controls.
    - Regular risk assessment is important, including assessing the risk of fraud.
  - Financial Statements
    - Accuracy, completeness, and propriety of balances, amounts, and disclosures

CITY OF YORK, SC
2022 FINANCIAL AUDIT

- Greene Finney Cauley, LLP responsibility:
  - Opinion – reasonable assurance that financial statements are materially correct
    - Does not address the financial condition of the Organization
  - Purpose of the audit is not to detect fraud. We cannot take responsibility for finding fraud, if it existed.
  - Issued unmodified opinion

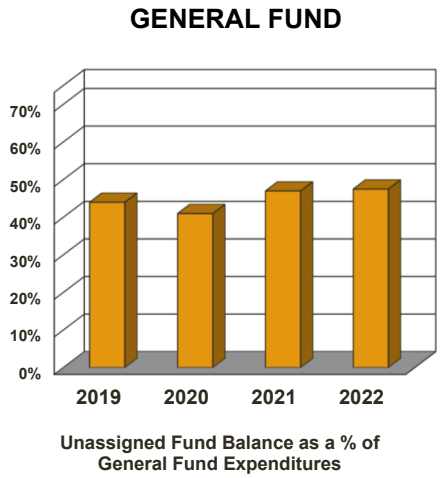
CITY OF YORK, SC
2022 FINANCIAL AUDIT

- **General Fund**
  - Total fund balance increased $882k.
  - Restricted fund balance of $203k for public safety and unspent capital lease proceeds.
  - Nonspendable fund balance of $433k ($390k for Pee Dee Rose Hotel note receivable and $43k for prepaid items)
  - Assigned fund balance of $1.0M for disaster relief and emergencies



CITY OF YORK, SC
2022 FINANCIAL AUDIT

- **General Fund**
  - Unassigned fund balance is $4.8 million, which is 48% of 2022 actual expenditures and 50% of 2023 budgeted expenditures
  - GFOA recommends a minimum of 16.7% (two months)
  - City's General Fund maintains a healthy fund balance
  - Consider developing a fund balance and transfer policy.



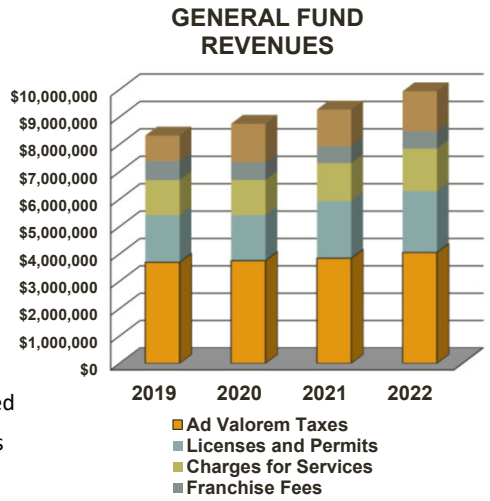
CITY OF YORK, SC
2022 FINANCIAL AUDIT

- Major Reasons To Maintain An Adequate Fund Balance:
  - Cash flow through second half of calendar year; property taxes and business licenses are cyclical.
  - Significant emergencies and unanticipated expenditures.
  - Flexibility for discretionary funding needs.
  - Potential for better interest rates on debt issues (can save the City money).
  - Higher inflation is causing higher costs.
  - Stability during uncertain economic times (i.e. health pandemic).

CITY OF YORK, SC
2022 FINANCIAL AUDIT

General Fund Revenues:

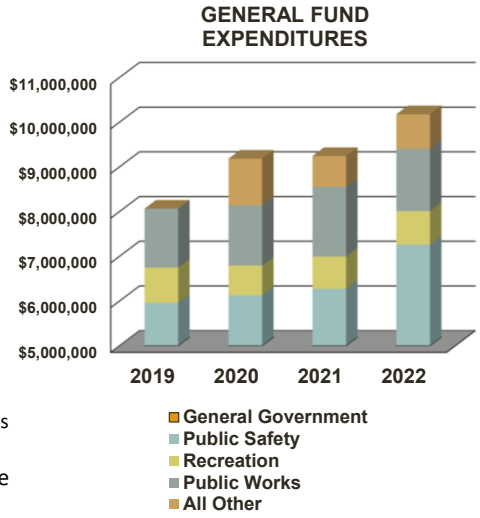
- $9.9M for 2022:
  - $4.1M from ad valorem taxes
  - $2.2M in licenses and permits
  - $1.5M in charges for services
  - $0.6M in franchise fees
  - $1.5M for all other revenues
- $667k increase from 2021
  - Primarily due to an increase in ad valorem taxes, licenses and permits, and charges for services
- $908k (10%) over budget
  - Property Taxes over budget by $41k
  - Business Licenses over budget by $249k
  - Building Permits over budget by $171k
  - Garbage Fees over budget by $121k
  - Grants over budget by $239k
  - All other over budget by $87k
- Other Financing Sources consisted of financed purchase proceeds of $222k, transfers in of $115k from the Hospitality/Accommodations Tax Fund, $226k from the Utility Fund, and $593k from the ARPA Fund, proceeds from the sale/disposal of capital assets of $29k.



CITY OF YORK, SC
2022 FINANCIAL AUDIT

General Fund Expenditures:

- $10.2M for 2022:
  - $2.2M in general government
  - $5.0M in public safety
  - $0.7M in recreation
  - $1.4M in public works
  - $0.9M in all other
- $936k (10%) increase from 2021 due primarily to higher payroll costs and ARPA funding
- $667k (<7%) over budget
  - Three categories of budget amendments
    - Adjust estimates once exact information is known
    - Recognize new funding from external sources
    - Increase appropriations necessary to maintain services
  - City amended the budget in FY 2022 to account for additional revenues and expenditures and reallocate resources.



CITY OF YORK, SC
2022 FINANCIAL AUDIT

Utility Fund:

- This Enterprise Fund is used to account for operations that are financed and operated in a manner similar to a private business
- Intent is that the costs of providing goods or services to general public should be financed or recovered primarily through user charges
- Accounts for City's water and sewer operations

CITY OF YORK, SC
2022 FINANCIAL AUDIT

Utility Fund Performance:

- Revenues of $5.6 Million
  - $4.6M from charges for services
  - $0.6M from capacity fees
  - $0.4M from other charges

Expenses and Transfers Out of $5.3 Million
- $5.1M for operating/interest expenses
- $0.2M for transfers out

- Increase in net position of $0.4M in 2022 versus $0.1M in 2021.
- ($0.9M) is Unrestricted Net Position (Deficit).
- The Unrestricted Net Position would be $0.5M if you excluded the pension and other postemployment benefit balances (related to recent changes in accounting standards).
- As operating costs increase (i.e. purchased water costs, salaries, benefits, etc.) – the City will need to consider raising rates.

CITY OF YORK, SC
2022 FINANCIAL AUDIT

Other Important Funds

- **Hospitality/Accommodation Tax Fund ("Tourism Fund")** had approximately $1,599k in fund balance at year end, all of which was restricted for tourism related expenditures.
  - Revenues of $1,045k from hospitality/accommodation taxes.
  - Expenditures of $525k and transfers out of $115k.
  - Increase in fund balance of $405k
- **Capital Projects Fund** had a negative fund balance of $51k:
  - Transfers in of $66k.
  - Expenditures of $63k.
  - Expenditures were primarily related to capital outlay ($8k) and debt service payments ($55k).

CITY OF YORK, SC
2022 FINANCIAL AUDIT

Pension Accounting:

- Relates to the City's proportionate shares of the net pension liabilities and deferred outflows/inflows of resources related to the City's participation in the South Carolina Retirement System and the SC Police Officers Retirement System ("Plans").
- Total Net Pension Liability of $9.2 million on the City's Statement of Net Position for 2022.
  - Decrease of $0.2M from 2021, due to a decrease in the overall net pension liabilities at the State, differences between expected and actual liability/investment experience, changes in actuarial assumptions, and changes in the percentage of the City's share of the net pension liabilities in the State retirement plans in the current year.
  - No net impact on governmental funds but does impact the proprietary/enterprise fund and government-wide financial statements.
  - PEBA approved continuing rate increases of 1% each year until a final employer rate of 18.56% and 21.24% for the SCRS and PORS, respectively, is achieved.
  - Significant pension disclosures in Note IV.B.

CITY OF YORK, SC
2022 FINANCIAL AUDIT

Other Postemployment Benefit ("OPEB") Accounting:

- Relates to the City's retiree health insurance plan ("OPEB Plan")
  - Relates to retiree health insurance provided to City employees
  - No impact on governmental funds but does impact the City's enterprise fund and government-wide financial statements:
    - Decrease of $115k in the net OPEB liability.
    - Net OPEB liability at September 30, 2022 of $2.5M.
    - Actuarial Determined Contribution of $179k
  - Significant OPEB disclosures in Note IV.C.

CITY OF YORK, SC
2022 FINANCIAL AUDIT

Other Items of Note:

- Total capital assets were $29.0M at September 30, 2022 – decrease of $0.9M from September 30, 2021:
  - Total capital asset additions of $0.7M which consisted mainly of:
    - Construction in progress of $0.2M for bike trails and sewer and water line extensions
    - Vehicle purchases- $0.4M
    - Other capital assets - $0.1M
  - Depreciation expense of $1.6M

CITY OF YORK, SC
2022 FINANCIAL AUDIT

Other Items of Note:

- Total long-term obligations outstanding at September 30, 2022 were $4.2M – decrease of $0.4M from September 30, 2021:
  - Three new financed purchases for $0.4M (for vehicles and equipment)
  - Principal payments of $0.9M on debt and leases
  - Increase in compensated absences of $0.1M
- Legal debt limit was $2.9M (8.0% of assessed value) for which the City did not have any applicable outstanding debt.
- Total payments for FY 2023 on outstanding debt/lease obligations are expected to be $1,013k ($933k in principal and $80k in interest).

CITY OF YORK, SC
2022 FINANCIAL AUDIT

AUDITING/ACCOUNTING UPDATE:

- Future Significant Changes in Auditing Principles:
  - None
- Future Significant Changes in Accounting Principles:
  - GASB #96 "*Subscription-Based Information Technology Arrangements*" ("SBITA") in May 2020 that will require that all material long-term SBITA agreements be treated similarly to the new lease accounting under GASB #87. A government would need to record a liability and an intangible right-to-use lease asset in the government-wide financial statements. This will be applicable for the City for FY 2023.

CITY OF YORK, SC
2022 FINANCIAL AUDIT

Compliance

- Two findings – prior period adjustment for property taxes and balance sheet closing entries.
- Because the City's Federal grant expenditures did not exceed $750k during FY 2022, a Single Audit was not required.

Management Letter

- There were several recommendations for the City to consider. Management has discussed with staff the following items and has developed an appropriate response.
  - Formalize and Document Fraud Risk Management Policy
  - Capital Assets
  - Interfund Activity

CITY OF YORK, SC
2022 FINANCIAL AUDIT

Summary

- Unmodified opinion on the Financial Statements from Greene Finney Cauley, LLP.
- Good financial condition in the General Fund as of September 30, 2022.

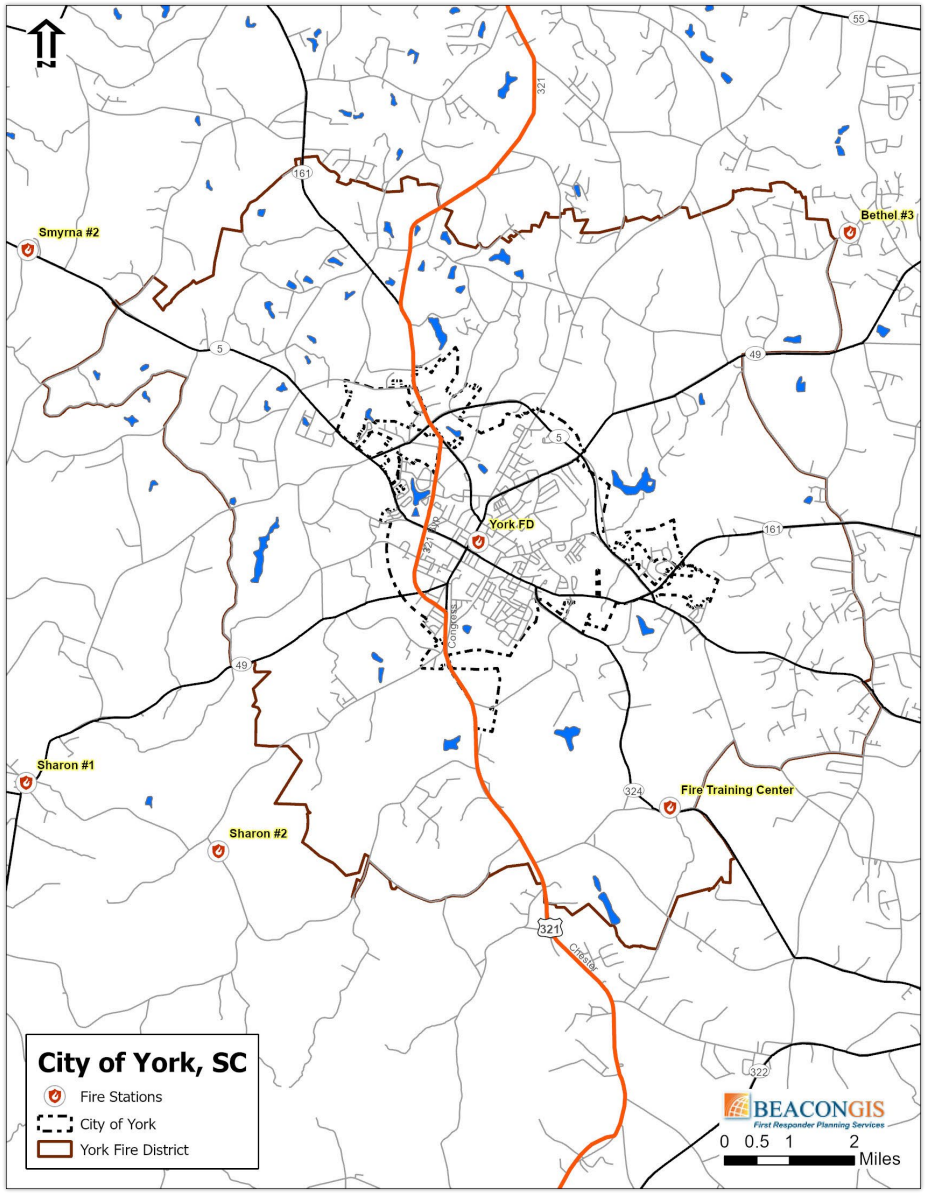
York Fire Department

Fire Station Study 2023

BEACONGIS
First Responder Planning Services

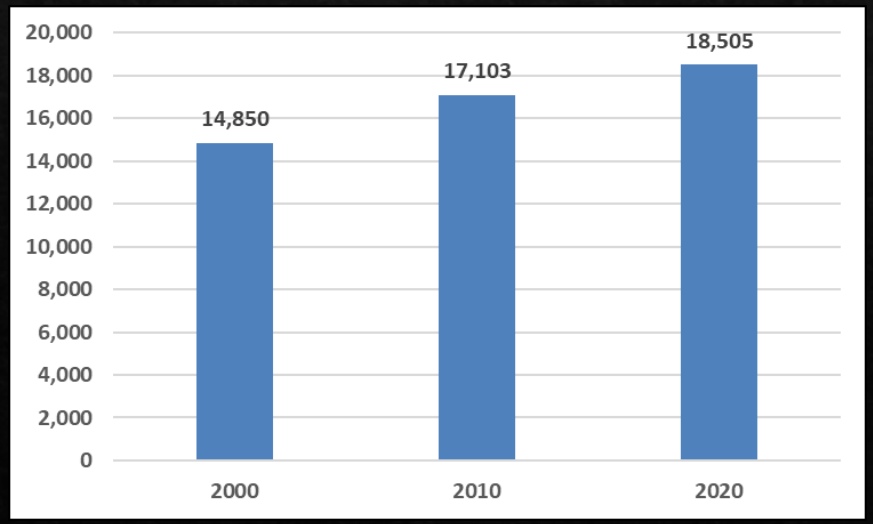
Station, City, and Fire District

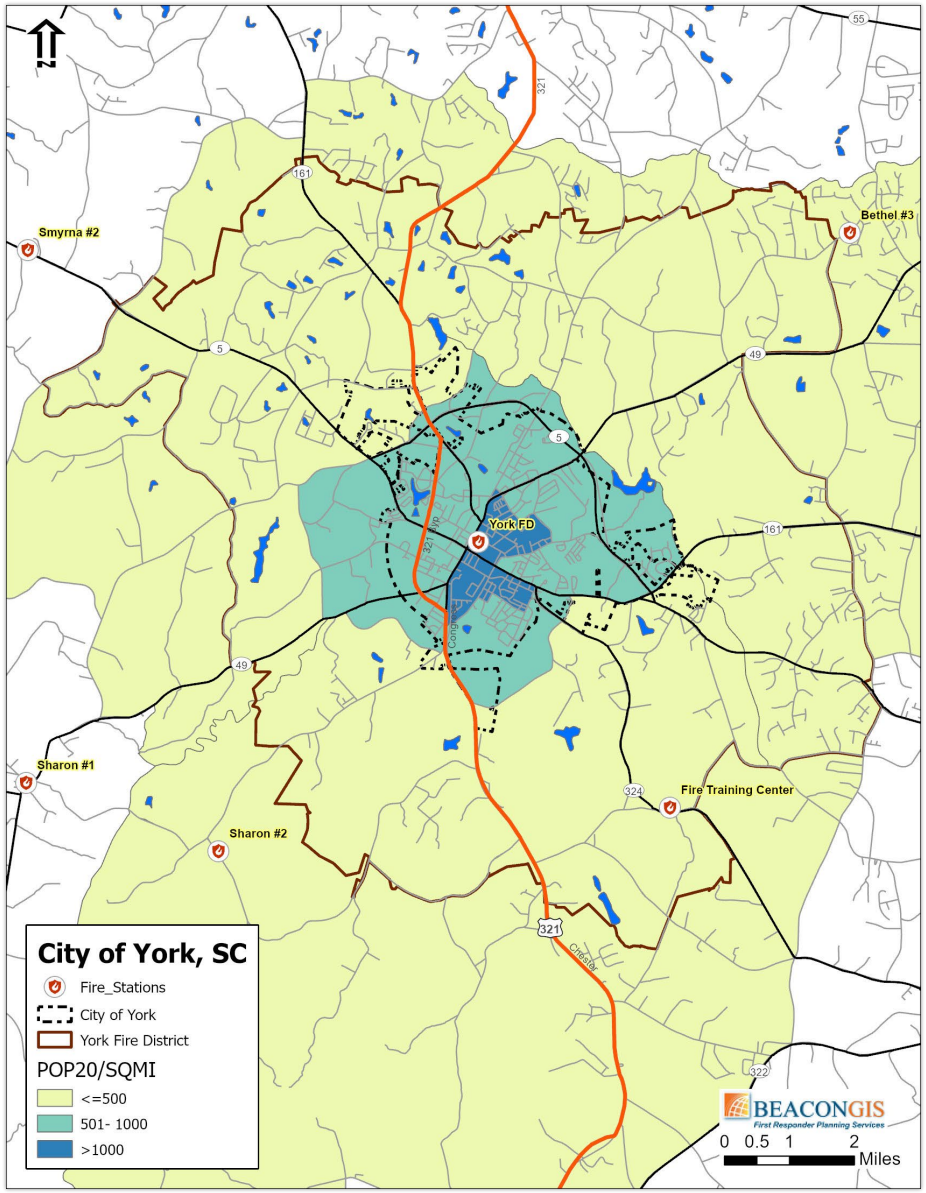
62 Square Miles



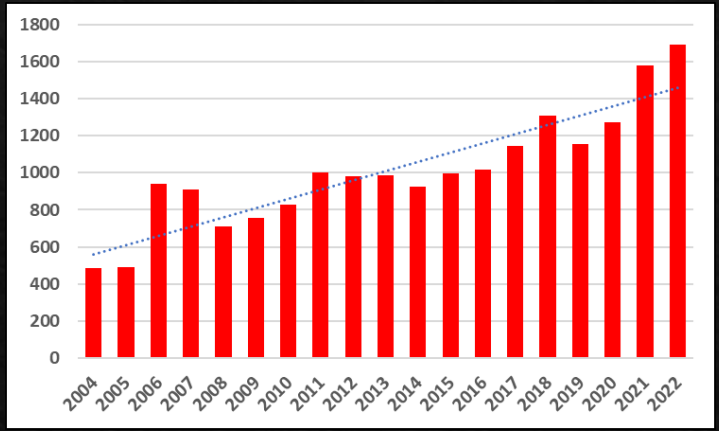
Population City & District 18,000+

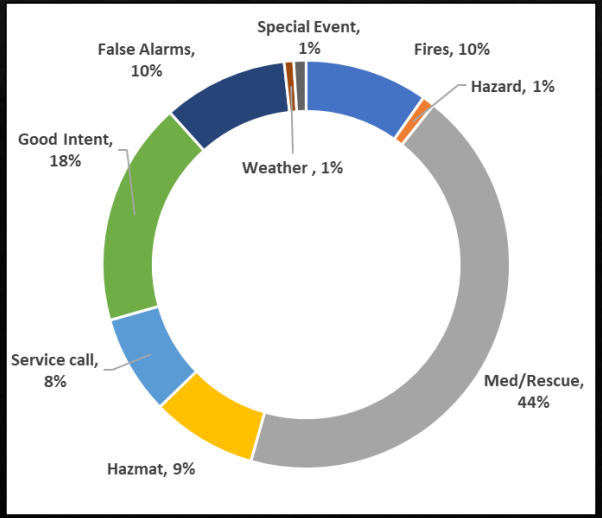
Grew 8.2% last decade

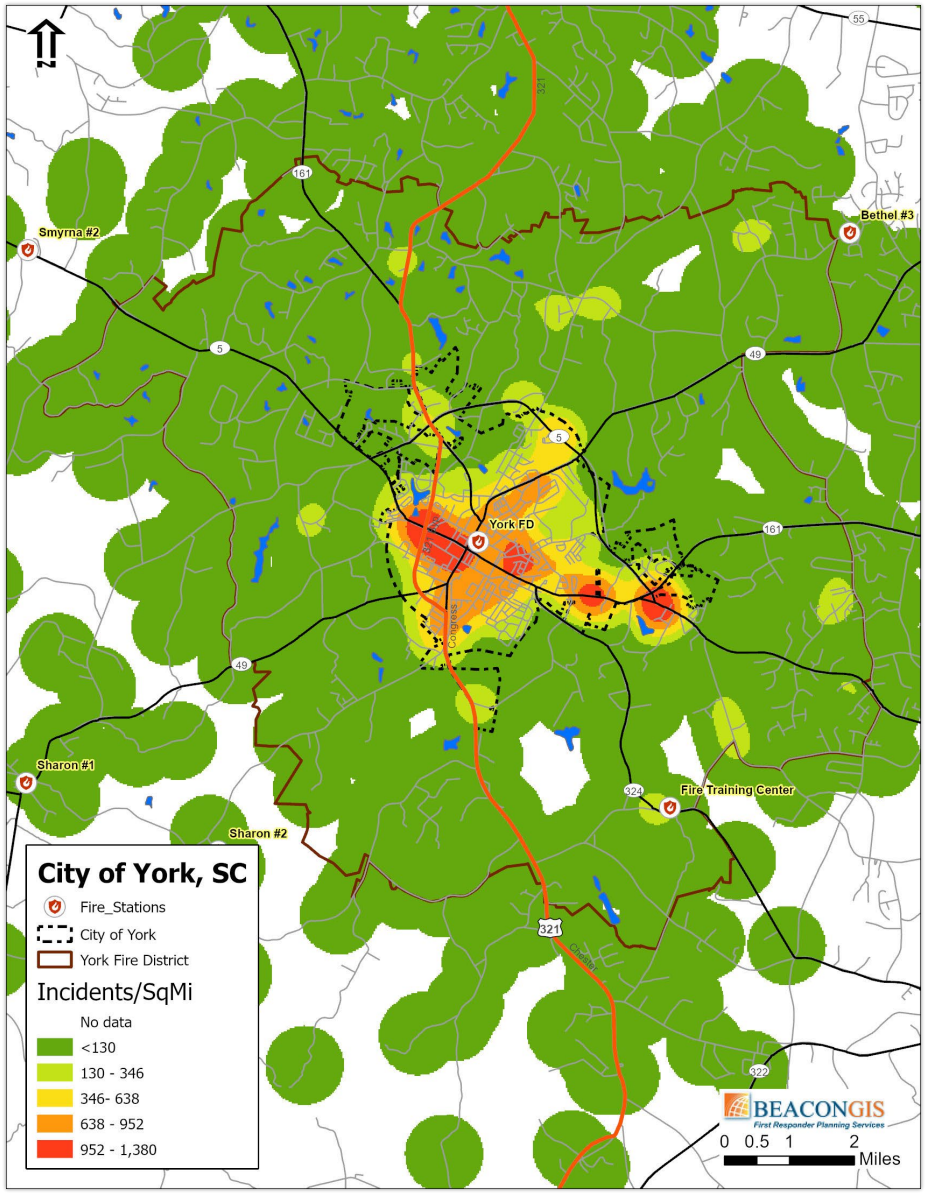




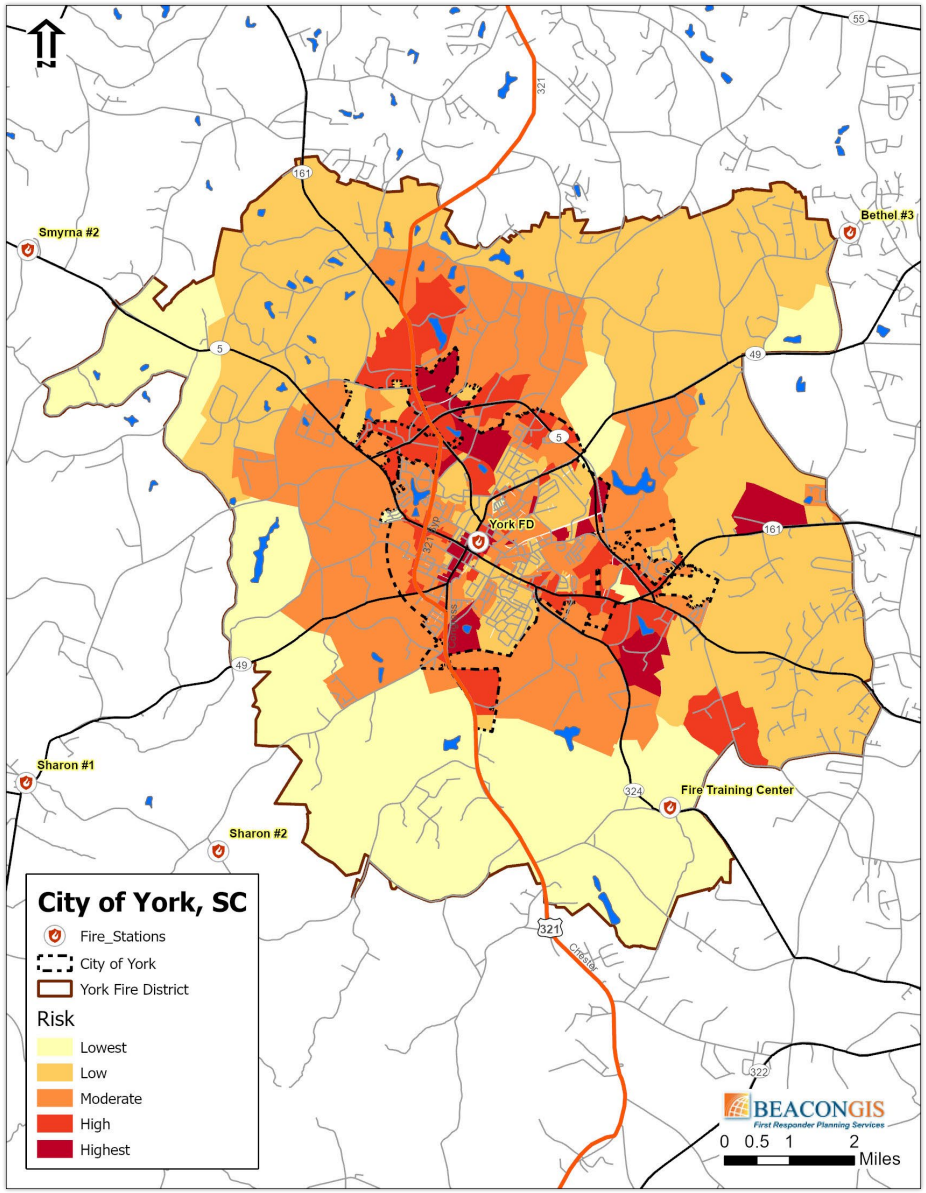
Demand for Services





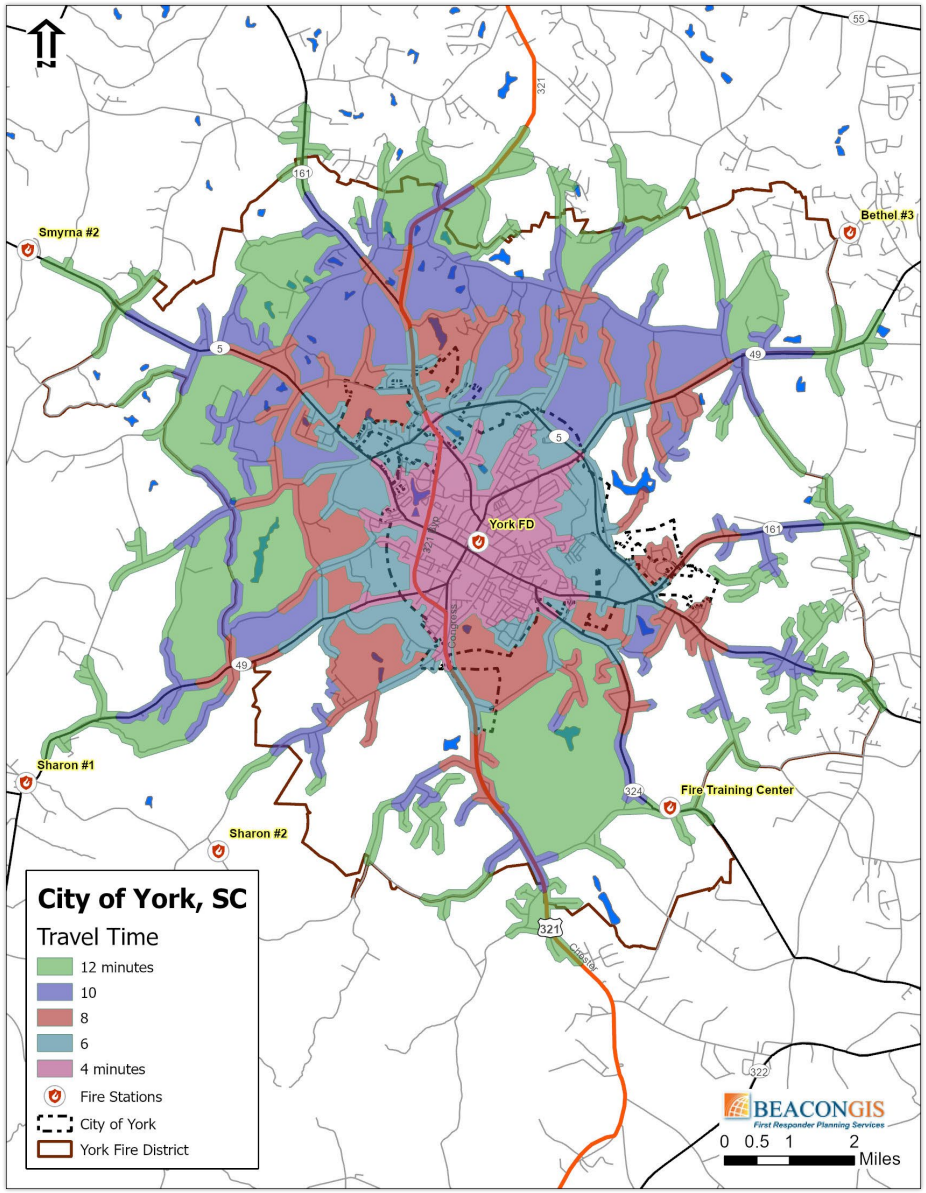


Zoning (City) & Future Land Use (County) Risk

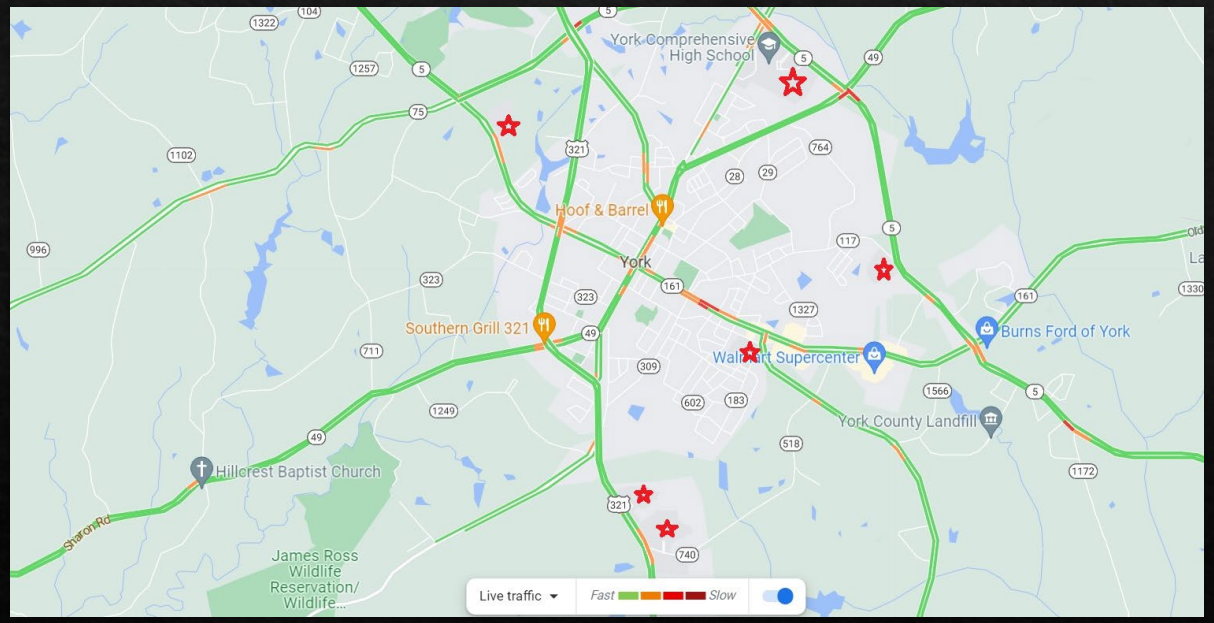


Travel Time Incident Coverage

Travel Time	City	District
4 minutes	80%	1%
6 minutes	99%	23%
8 minutes	100%	50%
10 minutes	100%	71%
12 minutes	100%	90%

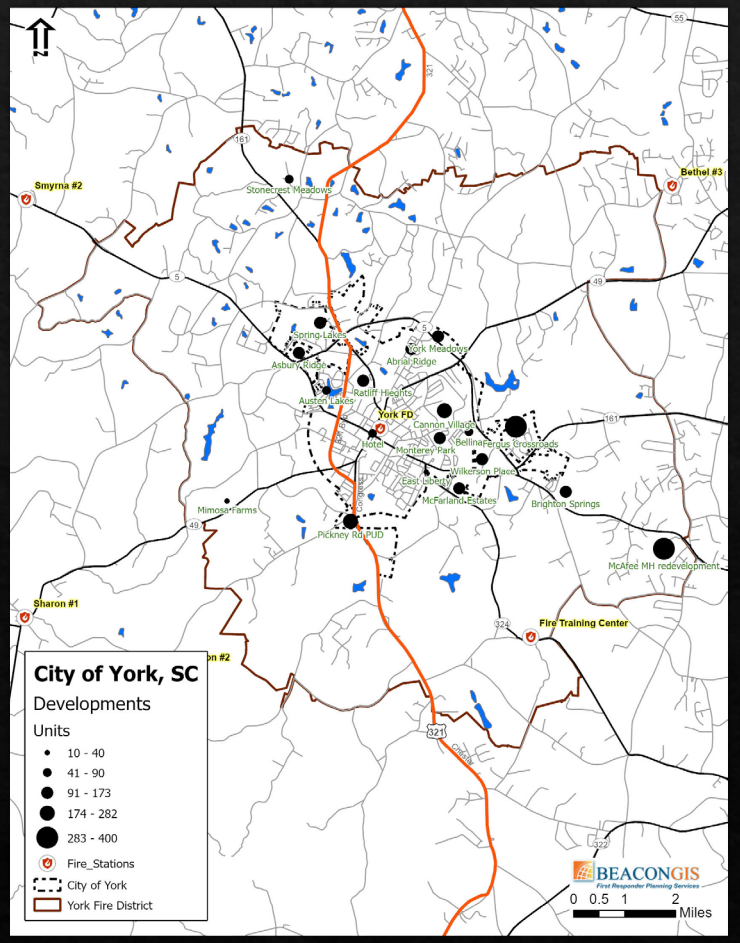


School Traffic



- Traffic signal interupters
- In-Vehicle notification technology

Development



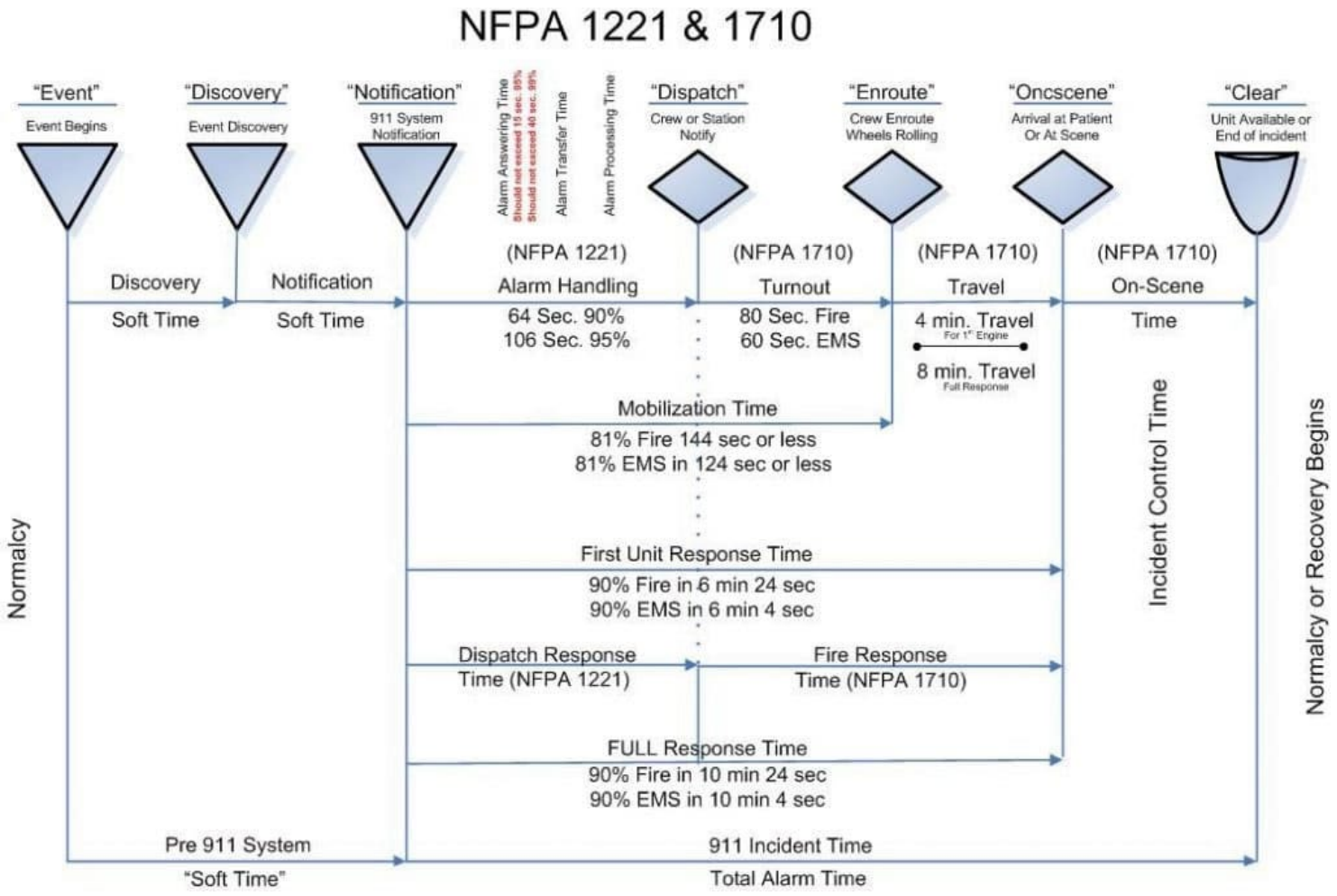
Development	Residential units	Commercial Units	Expected Population
York Meadows	155	0	414
Abrial Ridge	128	0	342
Asbury Ridge	152	0	406
Spring Lakes	153	0	409
Austen Lakes	62	0	166
Cannon Village	209	0	558
Monterey Park	157	0	419
Bellina	75	0	200
Wilkerson Place	145	7	387
East Liberty	40	0	107
McFarland Estates	159	0	425
Fergus Crossroads	353	3	943
Brighton Springs	173	0	462
Pickney Rd PUD	282	1	753
Ratliff Hieghts	169	0	451
Stonecrest Meadows	82	0	219
Mimosa Farms	10	0	27
Downtown Hotel	90	0	60
Totals:>	**2594**	**11**	**6746**

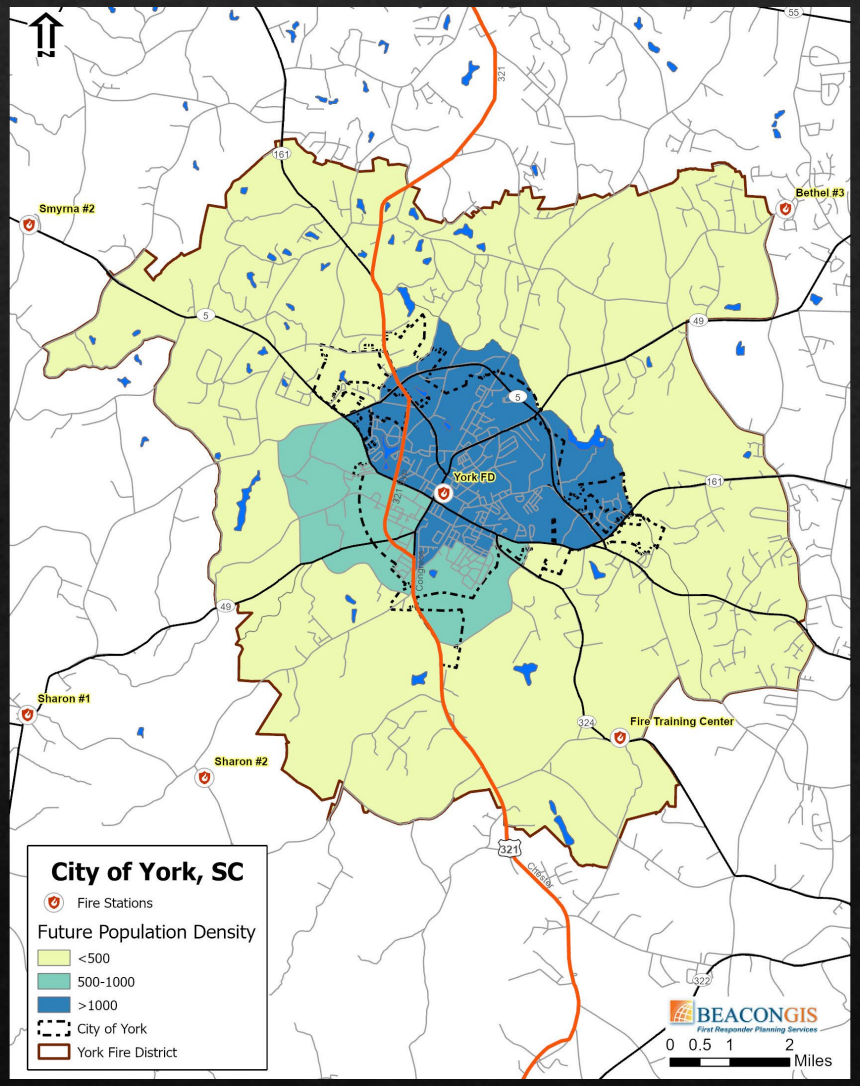
Names in Green are in the County

Population & Workload Projections

- Population increase over 7,800 residents
- Demand for services over 2,000 annually
- 2,994 new homes, own multiple vehicles, traffic will worsen.
- Increase capacity or transit alternatives.

Standard 1710 Career Fire Departments





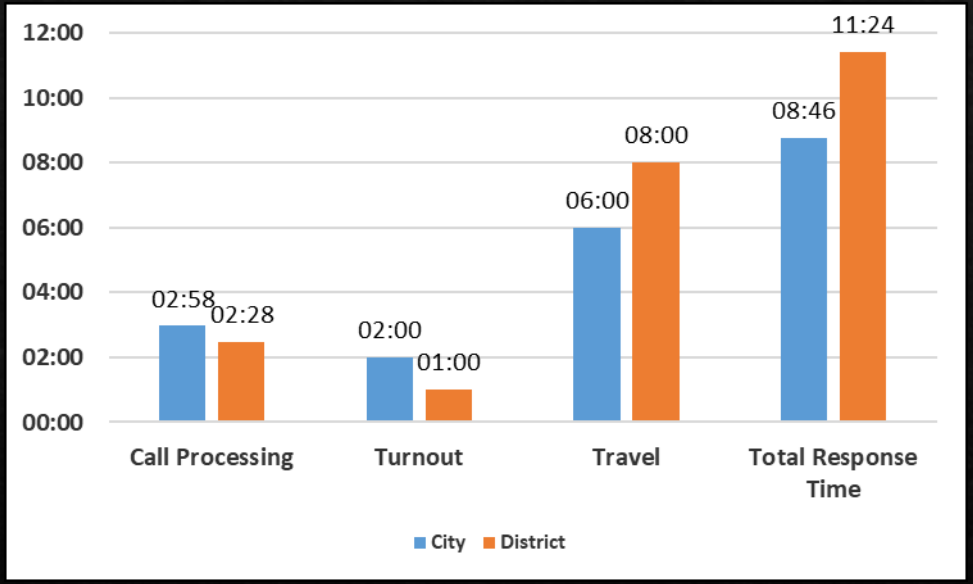
NFPA 1720
Combination or Volunteer

- Population >1,000 /sqmi: **urban** 15 firefighters within 9 minutes of dispatch, 90% of the time.
- Population 500-1,000/ sqmi **Suburban** 10 firefighters within 10 minutes of dispatch, 80% of the time
- Population <500/ sqmi **Rural** 6 firefighters within 14 minutes of dispatch, 80% of the time

- Minimally populated areas in excess of 8 miles from a fire station are considered remote and not subject to a response time guideline but recommends at least four firefighters arrive at the scene. (not an issue for YFD)

◈ These times include all incident time interval measures described previously.

Response time performance

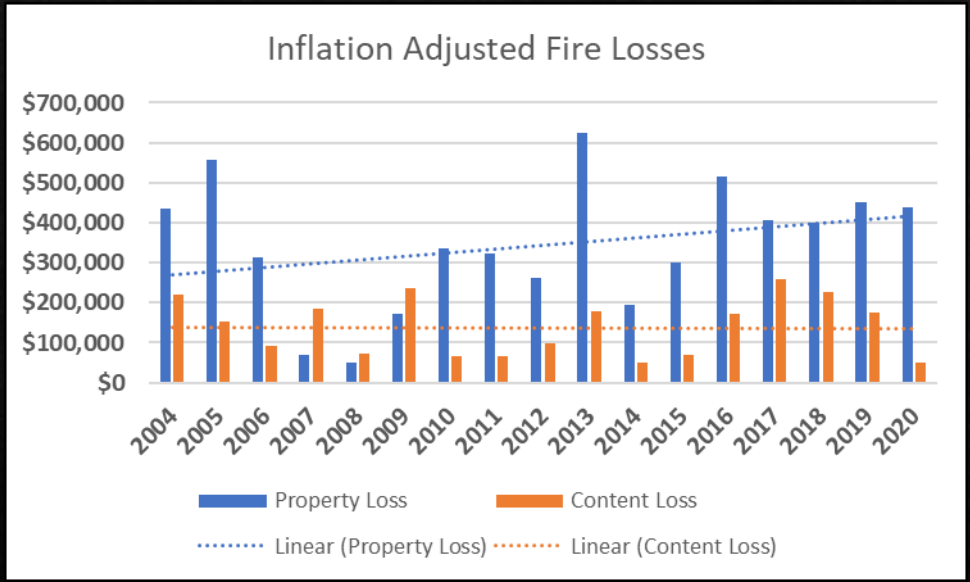


Fire Load

- Years Ago

- Today

Staffing


Inflation Adjusted Fire Losses
$700,000
$600,000
$500,000
$400,000
$300,000
$200,000
$100,000
$0
2004
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2006
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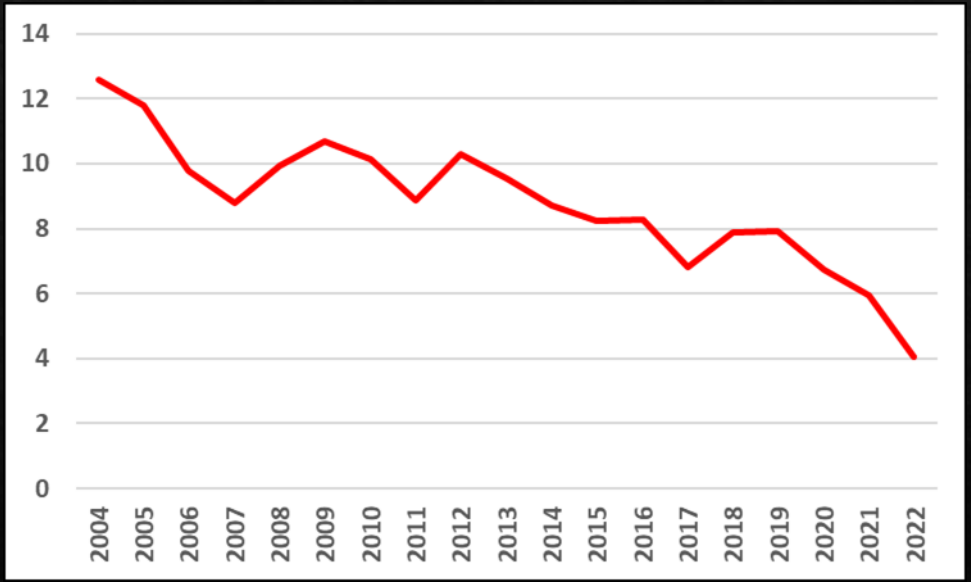
Linear (Content Loss)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2020
2021
2022

NFPA First alarm staffing levels

Occupancy Type: Single-Family Dwelling
Deployment: Minimum of 16 members or 17 if aerial device is used

The initial full alarm assignment to a structure fire in a typical 2000 ft² (186 m²), two-story, single-family dwelling without a basement and with no exposures must provide for a minimum of 16 members (17 if an aerial device is used).

Occupancy Type: Open-Air Strip Mall
Deployment: Minimum of 27 members or 28 if aerial device is used

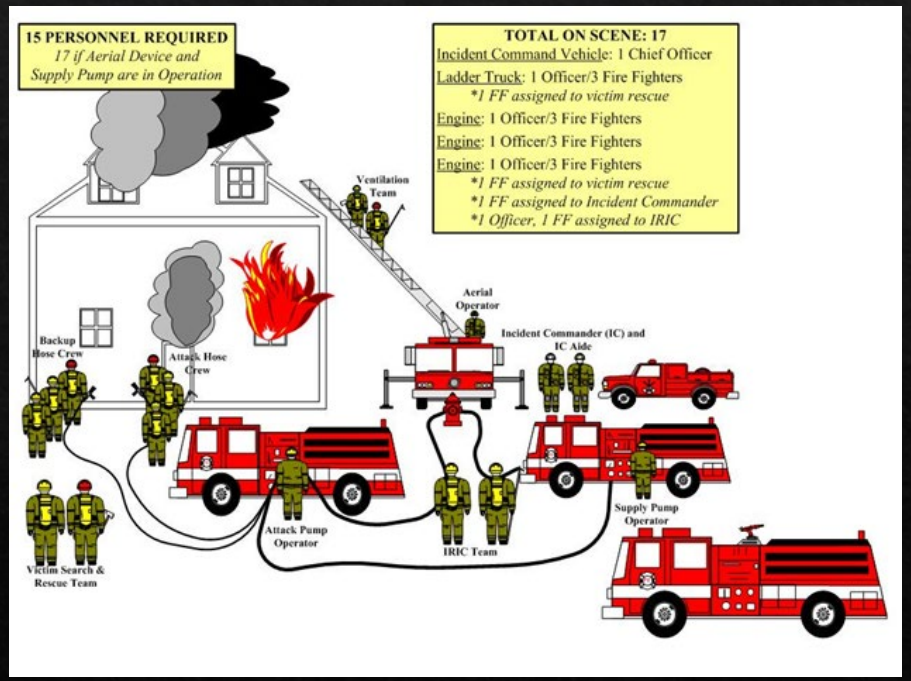
The initial full alarm assignment to a structure fire in a typical open-air strip shopping center ranging from 13,000 ft² to 196,000 ft² (1203 m² to 18,209 m²) in size must provide for a minimum of 27 members (28 if an aerial device is used).

Occupancy Type: Garden-Style Apartment
Deployment: Minimum of 27 members or 28 if aerial device is used

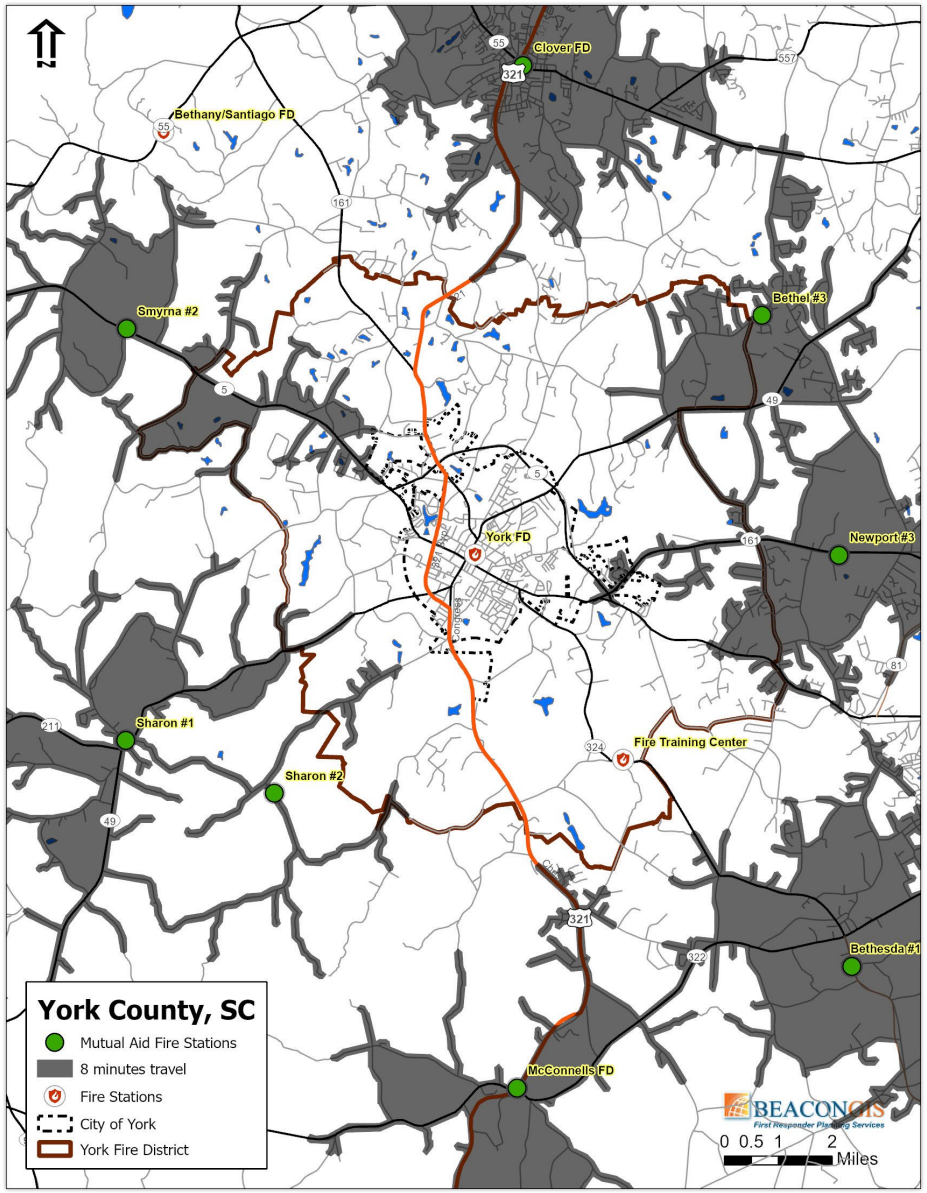
The initial full alarm assignment to a structure fire in a typical 1200 ft² (111 m²) apartment within a three-story, garden-style apartment building must provide for a minimum of 27 members (28 if an aerial device is used).

Occupancy Type: High-Rise
Deployment: Minimum of 42 members or 43 if building is equipped with fire pump

The initial full alarm assignment to a fire in a building with the highest floor greater than 75 ft (23 m) above the lowest level of fire department vehicle access must provide for a minimum of 42 members (43 if the building is equipped with a fire pump).



Critical Tasking & Mutual Aid



Financing

	City	% Total	County	% Total	Sums
SqMi	8.6	13.4%	55.4	86.6%	64
Address Points	4796	49.7%	4859	50.3%	9655
per Sqmi	557.7		87.7		
Valuation	$602,863,867	32.6%	$1,244,414,867	67.4%	$1,847,278,734
per Sqmi	$70,100,450		$22,462,362		
20 Population	8503	45.9%	10002	54.1%	18505
per Sqmi	988.7	Urban	180.5	Rural	
Incidents	3890	60.3%	2564	39.7%	6454
per Sqmi	452.3		46.3		
Building Sqft	12,223,589	43.1%	16,129,615	56.9%	28,353,204.50
per Sqmi	1,421,348		291,148		
Budget Source	$1,342,000	92.5%	$109,000	7.5%	$1,451,000

Response Objectives

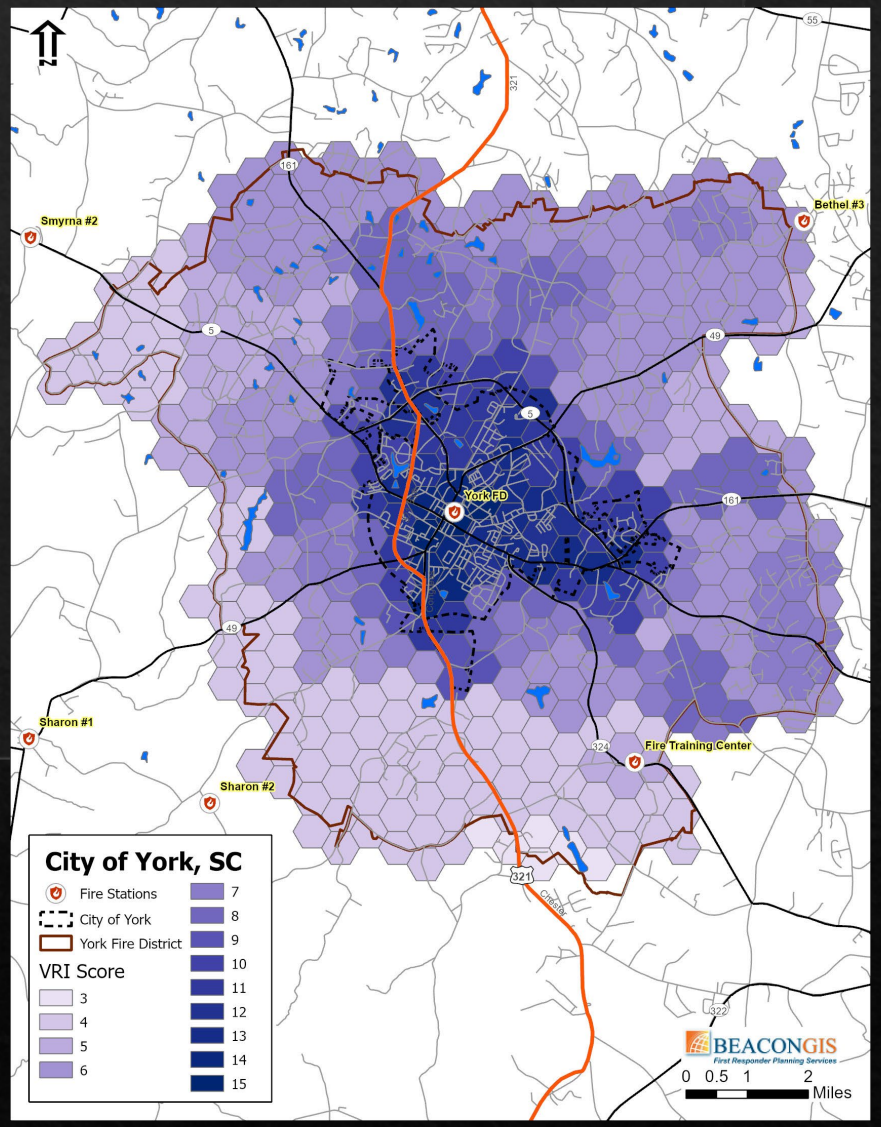
- City 5:20 (NFPA 1710) 90% coverage
- County 10:00 (NFPA 1720-Suburban) 80% coverage due to expected growth

Future estimations

Population per Sqmi	Score	Land Use Risk	Score	Service Demand per Sqmi	Score	Total Score
Highest	5	Highest	5	Very Heavy	5	15
High	4	High	4	Heavy	4	12
Moderate	3	Moderate	3	Moderate	3	9
Low	2	Low	2	Light	2	6
Lowest	1	Lowest	1	Very Light	1	3

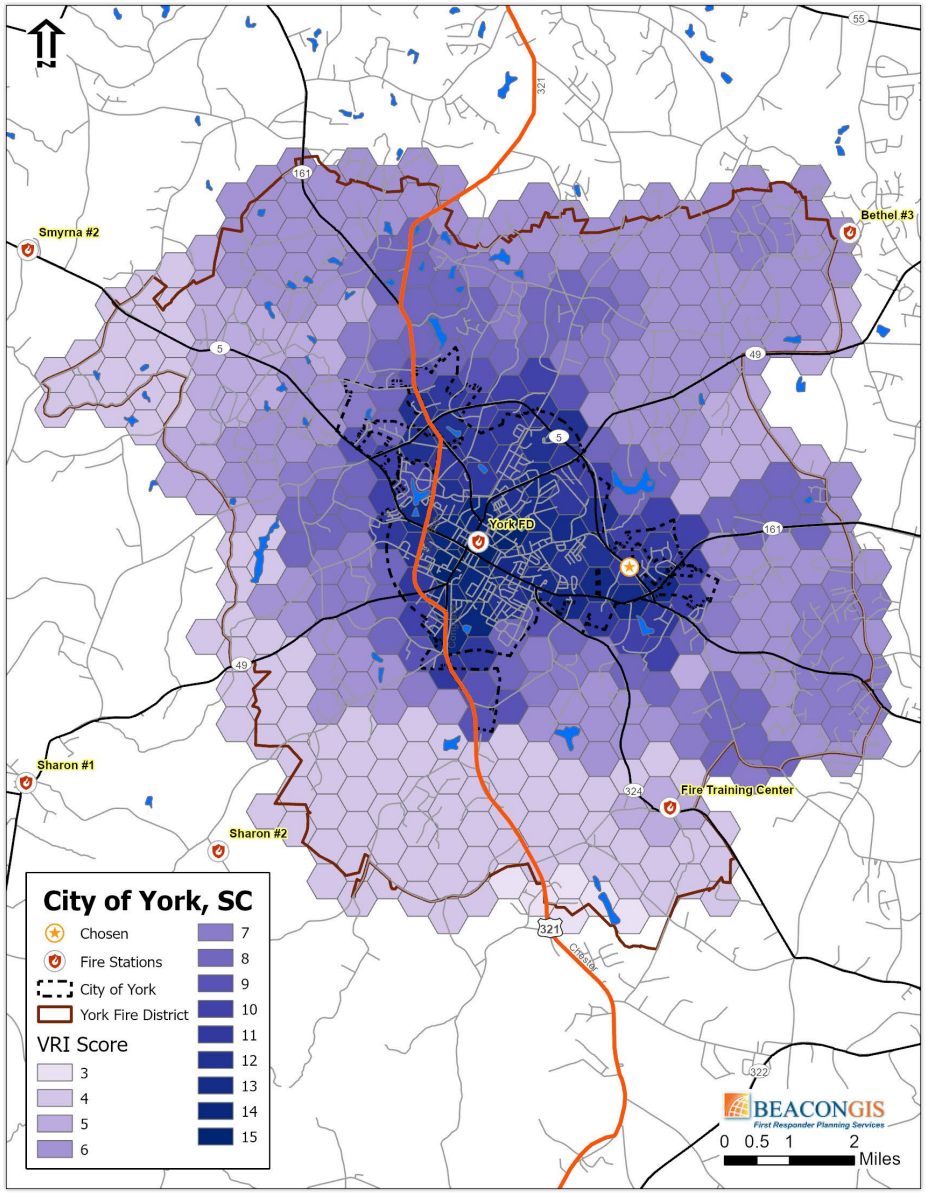
Travel Time	City	District	Both
4 minutes	61%	2%	15%
6 minutes	95%	19%	36%
8 minutes	100%	45%	57%
10 minutes	100%	70%	77%
12 minutes	100%	91%	93%

VRI Scores



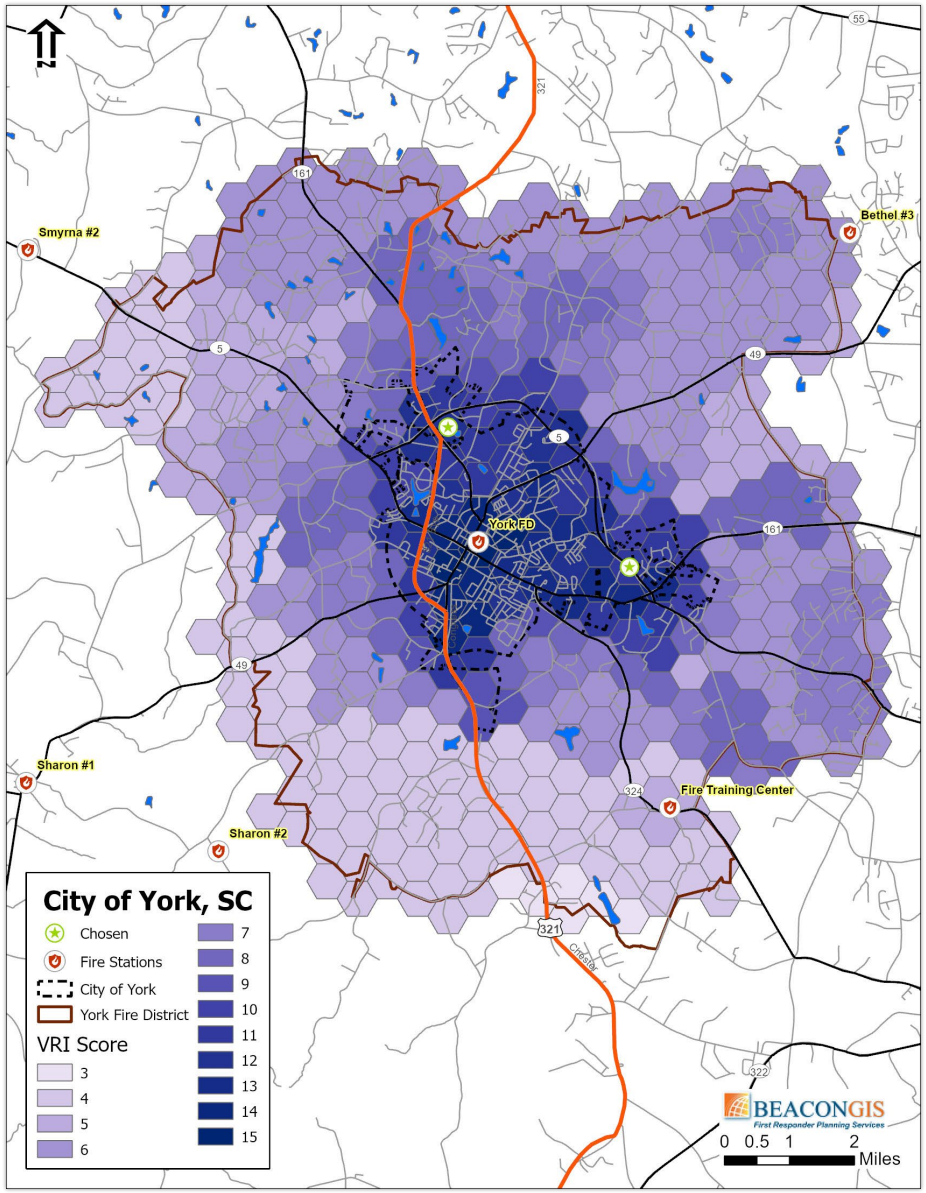
Scenario 1

			VRI score			
	Travel Time>>>		4 minutes	4 minutes	4 minutes	8 minutes
Scenario	Description	# Stns	City	District	Together	District
	Benchmark	1	61%	2%	15%	45%
1	HQ +1	2	85%	12%	28%	63%



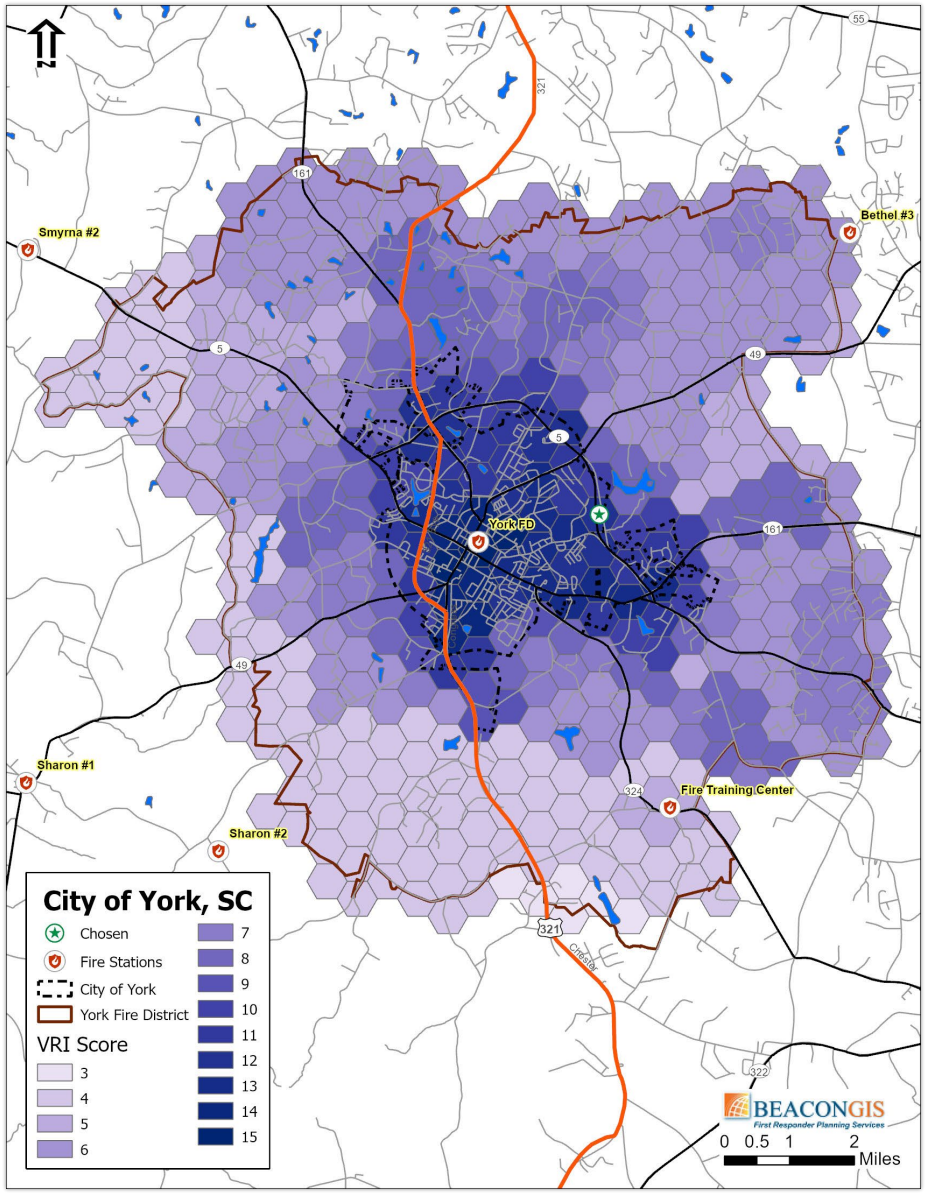
Scenario 2

			VRI score			
	Travel Time>>>		4 minutes	4 minutes	4 minutes	8 minutes
Scenario	Description	# Stns	City	District	Together	District
	Benchmark	1	61%	2%	15%	45%
1	HQ +1	2	85%	12%	28%	63%
2	2 Stations	2	73%	19%	32%	73%



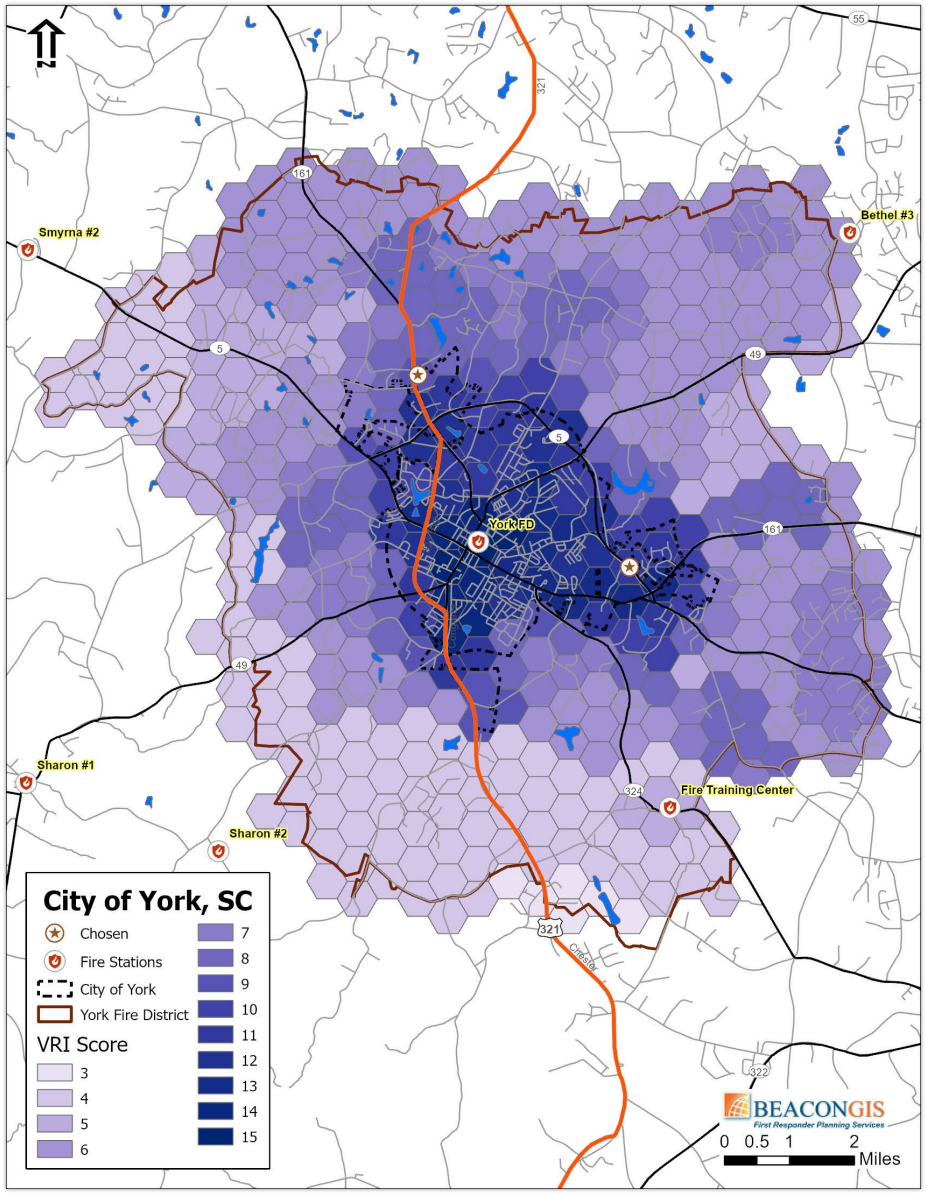
Scenario 1A/2A

			VRI score			
	Travel Time>>>		4 minutes	4 minutes	4 minutes	8 minutes
Scenario	Description	# Stns	City	District	Together	District
	Benchmark	1	61%	2%	15%	45%
1	HQ +1	2	85%	12%	28%	63%
2	2 Stations	2	73%	19%	32%	73%
1A	HQ +1	2	88%			62%
2A	2 Stations	2	88%			62%



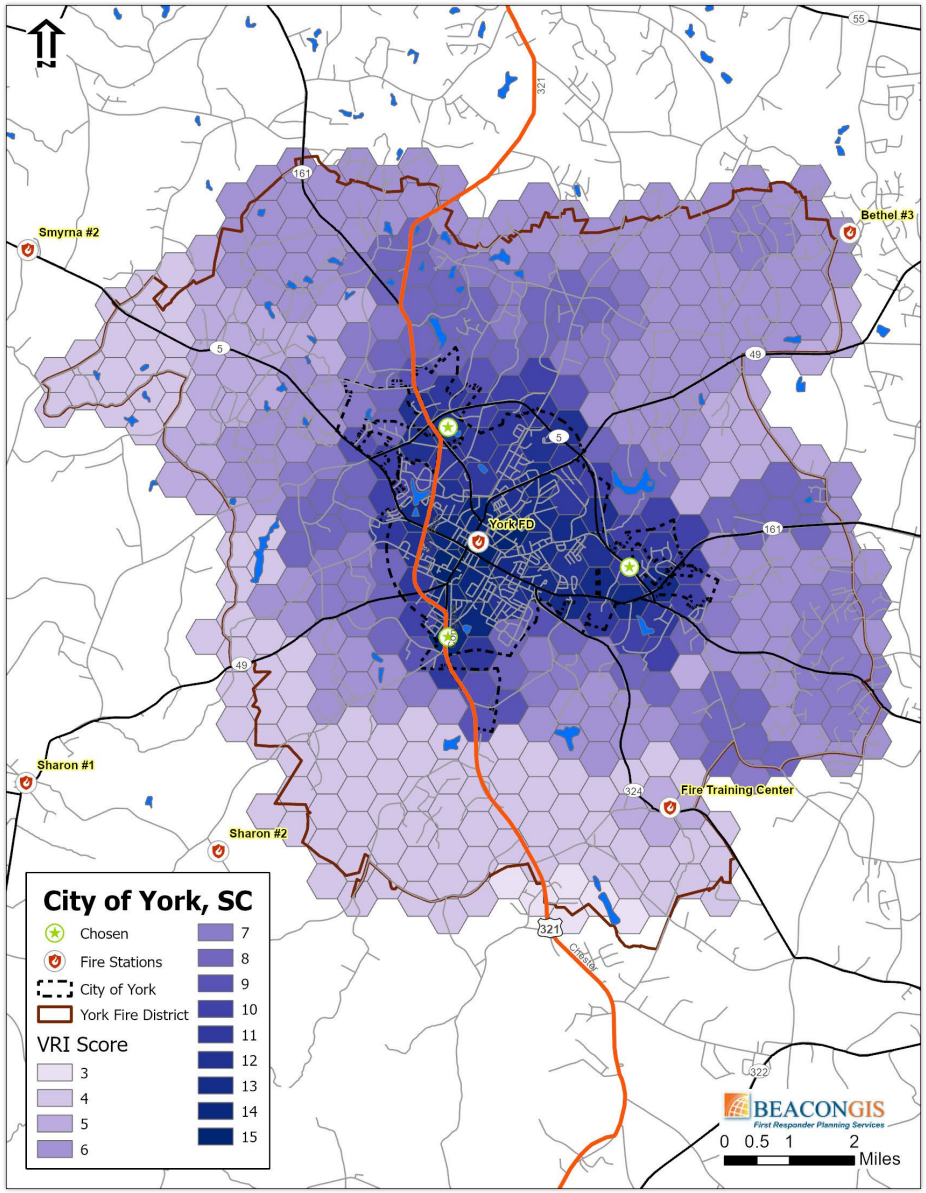
Scenario 3

			VRI score			
	Travel Time>>>		4 minutes	4 minutes	4 minutes	8 minutes
Scenario	Description	# Stns	City	District	Together	District
	Benchmark	1	61%	2%	15%	45%
1	HQ +1	2	85%	12%	28%	63%
2	2 Stations	2	73%	19%	32%	73%
1A	HQ +1	2	88%			62%
2A	2 Stations	2	88%			62%
3	HQ +2	3	91%	23%	38%	75%



Scenario 4

			VRI score			
	Travel Time>>>		4 minutes	4 minutes	4 minutes	8 minutes
Scenario	Description	# Stns	City	District	Together	District
	Benchmark	1	61%	2%	15%	45%
1	HQ +1	2	85%	12%	28%	63%
2	2 Stations	2	73%	19%	32%	73%
1A	HQ +1	2	88%			62%
2A	2 Stations	2	88%			62%
3	HQ +2	3	91%	23%	38%	75%
4	3 Stations	3	94%	24%	40%	81%



Vehicles & Staffing

			Apparatus Needs				
Scenario	Description	# Stns	Engine	Quint	Squad	Tanker	Brush
1	HQ +1	2	Both	HQ	Both	Stn 2	Stn 2
2	2 Stations	2	Both	Either	Both	North	North
1A	HQ +1	2	Both	HQ	Both	Stn 2	Stn 2
2A	2 Stations	2	Both	HQ	Both	Stn 2	Stn 2
3	HQ +2	3	All	HQ	All	North	North
4	3 Stations	3	All	North	All	North	North

			Duty Staffing			
Scenario	Description	# Stns	3 Eng/1 Sqd	4 Eng/1 Sqd	3 Eng/3 Quint/1 squad	4 Eng/3 Quint/1 squad
1	HQ +1	2	8	11	11	13
2	2 Stations	2	8	11	11	13
1A	HQ +1	2	8	11	11	13
2A	2 Stations	2	8	11	11	13
3	HQ +2	3	12	15	15	18
4	3 Stations	3	12	15	15	18

Recommendations

1. Negotiate a “fair share” funding mechanism with the County for emergency service coverage in the unincorporated fire district.
2. The call processing times are excessive; the fire department should work with the emergency communications department to reduce call processing times.
3. Adopt response performance and coverage objectives for the fire department.
4. Develop a Standards of Cover document to identify critical tasks on various incident call types, service levels, response objectives, and staffing levels.
5. Consider purchasing traffic signal interruption or technology that alerts drivers to approaching responding vehicles. A joint program with other emergency providers can potentially have cost-per-unit savings.
6. Hire staff or ensure mutual aid reliability to meet the critical tasking requirements identified in the Standard of Cover document.
7. Acquire sites in areas of interest identified in this report.
8. Build Stations east, north, and then eventually south in that order
9. Reevaluate the growth and development in the area every five years to assess any possible change to these recommendations. (Annexations) There is a development reality in the future that is currently unknown and needs reevaluation periodically

Questions

BEACONGIS
First Responder Planning Services

Robert McNally
704-607-5882
www.BeaconGIS.net

City of York

Memo

TO: Mayor & Council

FROM: Dalton Pierce, MPA, City Manager

MEETING DATE: June 6, 2023

SUBJECT: Public Hearings

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. Each item below will constitute a separate Public Hearing and speakers will be recognized for up to five (5) minutes. City of York residents may be recognized first by the Mayor.

GENERAL INFORMATION 5.1

Second Reading Ordinance 23-689, Amendment, B-1 Central Business District Revisions

On March 20, 2023, Council thoroughly reviewed Ordinance 23-689, Amendment B-1 Central Business District Revisions to ensure the coherence of the definitions of the conditions and special exceptions of the B-1 Central Business District Revisions. On April 4, 2023, Councilmember Hickey made a Motion to defer the Public Hearing of Ordinance 23-689, until the completion of the finalized draft to make the ordinance available for comprehensive review, which was Seconded by Councilmember Jarrett. During Discussion, Council agreed the Ordinance needed to be in complete form before taking action and having a Public Hearing. Now that Planning Commission has gotten the Ordinance in complete form, the Ordinance is ready for a Public Hearing.

On April 17, 2023, Mayor Fuesser summarized prior activity regarding Ordinance 23-689, Amendment B-1 Central Business District Revisions. City Manager Pierce stated that the revisions have gone back to Planning and resubmitted with comments and suggestions. The Ordinance has remained Tabled, and a First Reading was held on May 2.

On May 2, 2023, a First Reading of Ordinance 23-689 Amendment B-1 Central Business District Revisions was held.

STAFF RECOMMENDATIONS

Planning Commission recommends the adoption of Second Reading Ordinance 23-689, Amendment B-1 Central Business District Revisions.

ATTACHMENT(S):

A. Ordinance 23-689, Amendment B-1 Central Business District Revisions

REQUESTED ACTION

Requesting Council's Approval of Second Reading Ordinance 23-689, Amendment B-1 Central Business District Revisions

GENERAL INFORMATION 5.2

First Reading Ordinance 23-694, Amending Minor Subdivisions

Ordinance 23-694, Amending Minor Subdivisions is an amendment that will allow larger lots on driveway access instead of streets.

STAFF RECOMMENDATIONS

Planning Commission recommends approval of First Reading Ordinance 23-694, Amending Minor Subdivisions.

ATTACHMENT(S):

A. Ordinance 23-694, Amending Minor Subdivisions

REQUESTED ACTION

Requesting Council's Approval of First Reading Ordinance 23-694, Amending Minor Subdivisions. .

GENERAL INFORMATION 5.3

First Reading Ordinance 23-695, Rezoning Oklahoma Street

Ordinance 23-695, Rezoning Oklahoma Street requires approval from rezoning property from R15 to MU.

STAFF RECOMMENDATIONS

Planning Commission recommends approval of First Reading Ordinance 23-695, Rezoning Oklahoma Street.

ATTACHMENT(S):

A. Ordinance 23-695, Rezoning Oklahoma Street

REQUESTED ACTION

Requesting Council's Approval of First Reading Ordinance 23-695, Rezoning Oklahoma Street.

STATE OF SOUTH CAROLINA)
) CITY OF YORK
COUNTY 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 III, Definitions by adding the following:

- Gift shop: a shop that sells souvenirs and small items suitable to be given as presents.
- Antique shop: a retail store specializing in the selling of collectible objects such as a piece of furniture or work of art that has a high value because of its considerable age.
- Thrift store: a store selling secondhand clothes and other household goods (typically to raise funds for a charitable institution).

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. Digital technology.
3. Art supply store or gallery.
4. Book, magazine or newspaper store.
5. Bakery
6. Candy store.
7. Clothing store.
8. Drug store.
9. Grocery/specialty food store.
10. Guesthouse.
11. Motel
12. Residence above business use.
13. Gift shop
14. Furniture store.
15. Insurance and real estate agencies.
16. Newspaper office.
17. Jewelry store.
18. Hobby, toy store.
19. Sporting goods store.
20. Notion or general store.
21. Restaurant.

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

1. Bank
2. Bicycle repair and sales shop.
3. Dressmaker, seamstress, tailor.
4. Furniture repair.
5. Locksmith or gunsmith.
6. Schools offering instruction in art, music, dance, drama, physical fitness.
7. Shoe repair shop.
8. Spa/fitness center.
9. Theater (not drive-in).

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

1. Contractors' offices, provided no storage of contractor vehicles, equipment or materials on city-owned property or public rights-of-way.
2. 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.
3. Pet shop, provided that all animals shall be housed within the principal building so that no sound is perceptible beyond the premises.
4. 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.
5. 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.

6. *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.
    e.
7. 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 200 feet from customer entrance to any established "brick and mortar" restaurant (or with written exception, 100 ft separation is allowed);

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 three mobile food vendors 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:

p. Leave any vehicle unattended;

q. Store, park or leave any vehicle overnight on any street or sidewalk;

r. Leave from any location without first picking up, removing and disposing of all trash or refuse remaining from sales by the vendor;

s. Solicit or conduct business with persons in motor vehicles;

t. Sell anything other than that for which a license to vend has been issued;

u. 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;

v. 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;

w. Change vending locations without first notifying the planning department and submitting the required permissions and site plan; and

x. 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. Automobile sales and service.
3. 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.
4. Bowling alley.
5. Massage therapy establishment.
6. Funeral home
7. Flea markets
8. Barber or beauty shops
9. Hardware store
10. Government office
11. Telephone/internet office
12. Tire sales and service
13. New and used automobile sales
14. Printing shop

15. Church/nonprofit
16. Building material supplier
17. Doctors' and dentists' offices
18. Dry cleaning and laundry facility.
19. Entertainment or game facility
20. Brewpub
21. Microbrewery
22. Wine bar
23. Youth center (dancing and music for citizens under 18 years of age without alcoholic beverages being served).

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)
) CITY OF YORK
COUNTY OF YORK)

ORDINANCE 23-694

AMENDING APPENDIX B, SUBDIVISION ORDINANCE BY ADDING REQUIREMENTS RELATED TO CERTAIN MINOR SUBDIVISION APPLICATIONS

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

WHEREAS, the York City Council and Planning Commission find that innovative land development practices should be considered and utilized; and

WHEREAS, the York City Council and Planning Commission find that measures should be taken to ensure that diverse residential building options are available.

NOW, THEREFORE, BE IT ORDAINED by the City Council of York, South Carolina, assembled on dates hereafter set forth, that Appendix B, Subdivision Ordinance, be amended by revising Section II-9 as follows (the added wording is highlighted):

The division of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale or building development; including all division of land involving a new street or a change or a change in existing streets; including resubdivision; and, where appropriate to the context, relating to the process of subdividing or to the land or area subdivided.

Except for the following scenarios, each application for subdivision of property shall be reviewed by the Planning Commission:

1. The combination or recombination of portions of previously platted lots where the total number of lots have not increased and the resultant lots are equal to the standards of the governing authority;

2.The division of land into parcels of five acres or less where a new street or street extension is not involved;

3.The division of land into four or fewer lots that does not include the creation or extension of a street and where the resultant lots are equal to the standards of the governing authority. The planning commission shall review the acceptability of proposed curb cuts/driveways in accordance with section V.1.11; and

4. A minor subdivision that meets the following requirements:

a) Maximum of 4 lots (without the potential for future phases).

b) Each lot shall have a minimum area of 1 acre.

c) Other design requirements of the subject zoning district shall be met.

d) Dedicated open space is not required.

e) A shared-access easement/driveway is allowed to serve the subdivision. The shared-access easement shall be shown on the plat and the easement agreement shall be recorded with the plat.

f) All requirements of the City of York Fire and Utilities Departments, SCDOT, SCDHEC and York County Emergency Preparedness-911 shall be met.

Plats that meet the above referenced exceptions shall be reviewed for compliance with the subdivision regulations by City staff.

_____
MICHAEL D. FUESSER, MAYOR

ATTEST: _____
Municipal Clerk

First Reading: _____

Public Hearing: _____

Second Reading: _____

STATE OF SOUTH CAROLINA)
) CITY OF YORK
COUNTY OF YORK)

ORDINANCE 23-695

AMENDING APPENDIX A, ZONING ORDINANCE AND OFFICIAL ZONING MAP BY REZONING THE PROPERTY REFERENCED BY YORK COUNTY TAX MAP ID NUMBER # 0700803011 FROM R15- RESTRICTED RESIDENTIAL TO MU- MIXED USE

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 # 0700803011 and located off of Oklahoma Street;

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 is substantially compliant with the Comprehensive Plan and is compatible with nearby zoning and land usage.

NOW, THEREFORE, BE IT ORDAINED in Council assembled on the dates hereafter set forth that the York City Council does herewith amend Appendix A, Zoning Ordinance and Official Zoning Map by rezoning the specified property identified by tax map identification # 0700803011 from R15- Restricted Residential to MU- Mixed Use.

_____
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: June 6, 2023

SUBJECT: City Manager's Report

GENERAL INFORMATION: Item 7.1

Brief status update of State's Budget and City's multiple funding requests from SC State Budget FY24.

GENERAL INFORMATION: Item 7.2

On May 30, 2023, Planning Commission received the final report with recommendations for the Moratorium from Catawba Regional Council of Governments. The Planning Commission recommends consideration by City Council of approval of the Commission report and associated draft ordinance as well as changes to the Comprehensive Plan required by the Moratorium on certain types of residential development.

GENERAL INFORMATION: Item 7.3

Lake Caldwell Dam Remediation bid opening is scheduled for June 16, 2023, at 2:00pm.

GENERAL INFORMATION: Item 7.4

City Park Phase II bid opening is scheduled for June 15, 2023, at 2:00pm.

REQUESTED ACTION ON ITEMS 7.1 - 7.4

General Information

GENERAL INFORMATION: Item 7.5

In regard to the Bid for the Water Treatment Plant Environmental Review & Remediation, a recommendation has been made and is ready for Council to make a final decision.

STAFF RECOMMENDATIONS

Staff recommends that Davis & Floyd be awarded the bid due to being the lowest and most responsive bidder.

ATTACHMENTS

A. Memorandum for Selection of Lowest Qualified Bidder

REQUESTED ACTION

Request Council Approval

MEMORANDUM

TO: Mayor and Council

FROM: Dalton Pierce, City Manager
Ben Wright, Utilities Director

SUBJECT: Selection of Lowest Qualified Bidder for the Water Treatment Plant Environmental Review and Remediation

DATE: May 26, 2023

ISSUE
City Council is being asked to approve an award for the lowest qualified bidder to provide an Environmental Review and Remediation plan for the shuttered Water Filtration Plant located at 700 West Liberty St. in the City of York.

DISCUSSION
The City has funds in the current budget via allocated funds from the 2022/2023 State Fiscal budget to fund this project. The Scope will consist of TCLP soil sampling and analysis at various depths around the property for any hazardous or otherwise toxic substances that may have leached into the soils from the operation of the plant. NSHAPS level asbestos surveys as well as a lead-based paint surveys on all coating, roofing, and building materials.
Based on the information gathered a scope and probable cost of development for demolition and remediation of the site will be presented to the City for review.

An RFP was released on April 18, 2023 to find a qualified and capable bidder to perform such work and provide the needed services per City specifications. The scope and specifications were advertised in accordance with the City's procurement requirements. On May 23, 2023 at 2:00 pm in Council Chambers the sealed bids were opened by the Municipal Clerk and read aloud. The following bids were received:

Davis & Floyd - $27,930

Geo-Hydro Engineers - $48,543

Weston & Sampson - $57,800

RECOMMENDATION
Staff read and compared all three proposals and the scope of work vs cost. Staff recommends awarding the project to Davis & Floyd based on the scope of work and cost.
.

Council Work Session May 15, 2023

DATE AND TIME: Monday, May 15 2023, 05:00 PM

Members Present:

Mayor Pro Tem Ed Brown
Councilmember Marion Ramsey
Councilmember Stephanie Jarrett
Councilmember Charles Brewer
Councilmember Kellie Harrold

Members Absent:
Mayor Mike Fuesser
Councilmember Matt Hickey

Staff Present:

City Manager Dalton Pierce
Municipal Clerk Amy Craig
Finance Director Jeff Wilkins
Human Resources Director Sarah Ramirez
Community Events Director Becky Mestas
Planning Director David Breakfield

Participants:

Grazier Rhea

Others Present:
(See Sign-in Sheet)

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1. WELCOME AND CALL TO ORDER Mayor Pro Tem Brown

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

2. PRAYER Mayor Pro Tem Ed Brown

3. PLEDGE OF ALLEGIANCE Mayor Pro Tem Brown

4. PROCLAMATION

4.1. Proclamation – National Public Works Week
A Proclamation was given for National Public Works Week to recognize Public Works professionals for all they do for the community.
4.2 Proclamation – National Police Week
A Proclamation was given for National Police Week 2023 to honor the fallen officers in the line of duty.

5. PRESENTATION

5.1. Catawba Regional COG: City of York Needs Assessment
Grazier Rhea spoke on behalf of Catawba Regional Council of Governments for the Community Development Block Grant Needs Assessment in the City of York. She allowed Council to express their ideas for areas in need of assistance and gave them grant information and regulations to assist in their decisions for the future community economic development programs.

DRAFT

6. DISCUSSIONS

6.1 Ordinance 23-694, Amending Minor Subdivisions

Council discussed the Ordinance prepared by the Planning Commission for the possibility of amending minor subdivisions. The amendments mostly pertain to the driveway being a possible easement on Georgia Avenue.

6.2 Ordinance 23-695, Rezoning Oklahoma Street

Council discussed the Ordinance prepared by the Planning Commission for the possibility of rezoning Oklahoma Street. The rezoning would be for a parking lot near Pizza-Hut on Liberty Street. The biggest concern for Council is the use of the property not being defined clearly. Council plans to take action on both Ordinances during the next Council meeting.

7. ADJOURN

Councilmember Ramsey made a Motion to Exit the Work Session and enter into Special Called, which was Seconded by Councilmember Brewer. With no Discussion, the Motion was passed unanimously. The meeting Adjourned at 6:00pm.

Respectfully Submitted,

Amy A. Craig

Amy Craig
Municipal Clerk

DRAFT

Council Special Called May 15, 2023

DATE AND TIME: Monday, May 15, 2023, Immediately Following the Work Session

Members Present:

Mayor Pro Tem Ed Brown
Councilmember Marion Ramsey
Councilmember Stephanie Jarrett
Councilmember Charles Brewer
Councilmember Kellie Harrold

Members Absent:
Mayor Mike Fuesser
Councilmember Matt Hickey

Staff Present:

City Manager Dalton Pierce
Municipal Clerk Amy Craig
Finance Director Jeff Wilkins
Human Resources Director Sarah Ramirez
Community Events Director Becky Mestas
Participants:

Others Present:
(See Sign-in Sheet)

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1. WELCOME AND CALL TO ORDER Mayor Pro Tem Brown

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

2. MINUTES

2.1 Approve May 2, 2023 Meeting Minutes

Councilmember Ramsey made a Motion to accept the Minutes for Council's May 2, 2023, meeting as presented, which was Seconded by Councilmember Brewer. With no Discussion, the Motion was approved unanimously.

3. NEW BUSINESS

3.1 RIA SCIIP Grant COY $500k Commitment Letter

City Manager Dalton Pierce stated that the COG would like the City of York to provide a signed commitment letter for $500,000, along with a statement that the City will accept the $10million. The SCIIP grant that was awarded will be used for improvements and upgrades to the Fishing Creek Wastewater Treatment Plant and Liberty street water lines.

Councilmember made a Motion for Council to sign the commitment letter for the RIA SCIIP Grant for $500,000, which was Seconded by Councilmember Ramsey. The Motion was approved unanimously.

4. SPECIAL EVENTS APPLICATIONS

4.1 Summer Kick-off Event
4.2 Saturday Night Cruise-In Car Show
4.3 Food Truck Rally Series

DRAFT

4.4 Yorkville Amateur BBQ Cook-Off
Community Events Director Becky Mestas stated that Yorkville Marketplace has a few special events coming up in the next few weeks and would like Council's approval for those events.
Councilmember Jarrett made a Motion to approve the Special Events Application for Summer Kick-Off Event, Saturday Night Cruise-In Show, Food Truck Rally Series, and Yorkville Amateur BBQ Cook-Off, which was Seconded by Councilmember Harrold. With no Discussion, the Motion was approved unanimously.

Councilmember Brewer made a Motion to exit the Special Called Meeting and enter into Executive Session, which was Seconded by Councilmember Ramsey. With no Discussion, the Motion passed unanimously.

5. EXECUTIVE SESSION
5.1. To Discuss Contractual Arrangements Regarding the City of York's Health Insurance

Councilmember Ramsey made a Motion to exit Executive Session and go back into Open Session, which was Seconded by Councilmember Jarret. With no Discussion, the Motion passed unanimously.

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

No action was taken

6. ADJOURN
Councilmember Ramsey made a Motion to Adjourn, which was Seconded by Councilmember Harrold. With no Discussion, the Motion was adopted unanimously. The meeting Adjourned at 6:21pm.

Respectfully Submitted,

Amy A. Craig

Amy Craig
Municipal Clerk

DRAFT

City of York

Memo

TO: Mayor & City Council

FROM: Dalton Pierce, MPA, City Manager

MEETING DATE: June 6, 2023

SUBJECT: New Business

GENERAL INFORMATION 11.1

First Reading Ordinance 23-694, Amending Minor Subdivisions
First Reading Ordinance 23-695, Rezoning Oklahoma Street

STAFF RECOMMENDATIONS

Staff recommends approval of First Reading Ordinance 23-694, Amending Minor Subdivisions and First Reading Ordinance 23-695, Rezoning Oklahoma Street.

ATTACHMENT(S):

A. Ordinance 23-694, Amending Minor Subdivisions
B. Ordinance 23-695, Rezoning Oklahoma Street

REQUESTED ACTION

Council Approval

GENERAL INFORMATION 11.2

City of York has received Special Events Applications for Yorkville Night Market and Cougar Fest, which are both hosted by Yorkville Marketplace.

Yorkville Night Market is an event that will promote hospitality and tourism by showcasing local handmade items and locally grown farmers market during the evening hours on July 22, 2023.

Cougar Fest is an event that will promote the athletic Booster Club of York Comprehensive High School. Yorkville Marketplace and York Comprehensive High School is partnering for this event on August 5, 2023, in hopes of bringing the community together to celebrate the return to school and the upcoming school sports.

STAFF RECOMMENDATIONS

Staff recommends that the special events applications are approved.

ATTACHMENT(S):

A. Yorkville Night Market
B. Cougar Fest

REQUESTED ACTION

Council Approval

GENERAL INFORMATION 11.3

On June 21, 2023, at 6:00pm, the Pennies 5 Commission will be meeting at City Hall to discuss requests for projects funded by the C-Fund Program.

ATTACHMENT(S):

A. 2023 Pennies 4 Progress Requests

REQUESTED ACTION

No Action Requested

GENERAL INFORMATION 11.4

Council will consider a Resolution to move the date of the July Council Meeting. City of York recognizes July 4th as a holiday for staff in honor of America's independence and the signing of the United States Constitution. The date selected will be chosen by Council during the meeting.

STAFF RECOMMENDATIONS

Staff recommends that Council approve another date to hold the Council Meeting for July.

ATTACHMENT(S):

A. Resolution 23-04 July Council Meeting Date Change

REQUESTED ACTION

Council Approval

STATE OF SOUTH CAROLINA)
) CITY OF YORK
COUNTY OF YORK)

ORDINANCE 23-694

AMENDING APPENDIX B, SUBDIVISION ORDINANCE BY ADDING REQUIREMENTS RELATED TO CERTAIN MINOR SUBDIVISION APPLICATIONS

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

WHEREAS, the York City Council and Planning Commission find that innovative land development practices should be considered and utilized; and

WHEREAS, the York City Council and Planning Commission find that measures should be taken to ensure that diverse residential building options are available.

NOW, THEREFORE, BE IT ORDAINED by the City Council of York, South Carolina, assembled on dates hereafter set forth, that Appendix B, Subdivision Ordinance, be amended by revising Section II-9 as follows (the added wording is highlighted):

The division of a tract or parcel of land into two or more lots, building sites, or other divisions for the purpose, whether immediate or future, of sale or building development; including all division of land involving a new street or a change or a change in existing streets; including resubdivision; and, where appropriate to the context, relating to the process of subdividing or to the land or area subdivided.

Except for the following scenarios, each application for subdivision of property shall be reviewed by the Planning Commission:

1. The combination or recombination of portions of previously platted lots where the total number of lots have not increased and the resultant lots are equal to the standards of the governing authority;

2.The division of land into parcels of five acres or less where a new street or street extension is not involved;

3.The division of land into four or fewer lots that does not include the creation or extension of a street and where the resultant lots are equal to the standards of the governing authority. The planning commission shall review the acceptability of proposed curb cuts/driveways in accordance with section V.1.11; and

4. A minor subdivision that meets the following requirements:

a) Maximum of 4 lots (without the potential for future phases).

b) Each lot shall have a minimum area of 1 acre.

c) Other design requirements of the subject zoning district shall be met.

d) Dedicated open space is not required.

e) A shared-access easement/driveway is allowed to serve the subdivision. The shared-access easement shall be shown on the plat and the easement agreement shall be recorded with the plat.

f) All requirements of the City of York Fire and Utilities Departments, SCDOT, SCDHEC and York County Emergency Preparedness-911 shall be met.

Plats that meet the above referenced exceptions shall be reviewed for compliance with the subdivision regulations by City staff.

_____
MICHAEL D. FUESSER, MAYOR

ATTEST: _____
Municipal Clerk

First Reading: _____

Public Hearing: _____

Second Reading: _____

STATE OF SOUTH CAROLINA)
) CITY OF YORK
COUNTY OF YORK)

ORDINANCE 23-695

AMENDING APPENDIX A, ZONING ORDINANCE AND OFFICIAL ZONING MAP BY REZONING THE PROPERTY REFERENCED BY YORK COUNTY TAX MAP ID NUMBER # 0700803011 FROM R15- RESTRICTED RESIDENTIAL TO MU- MIXED USE

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 # 0700803011 and located off of Oklahoma Street;

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 is substantially compliant with the Comprehensive Plan and is compatible with nearby zoning and land usage.

NOW, THEREFORE, BE IT ORDAINED in Council assembled on the dates hereafter set forth that the York City Council does herewith amend Appendix A, Zoning Ordinance and Official Zoning Map by rezoning the specified property identified by tax map identification # 0700803011 from R15- Restricted Residential to MU- Mixed Use.

_____
MICHAEL D. FUESSER, MAYOR

ATTEST: _____
Municipal Clerk

First Reading: _____

Public Hearing: _____

Second Reading: _____

CITY OF YORK
SPECIAL EVENT PERMIT APPLICATION

Date of Application Submission: 5/10/2023

Name of Festival or Special Event: Yorkville Night Market

Location and/or Route of the Event: 108 N. Congress St York, SC 29745

Note: A sketch/diagram must be attached to the application.

Proposed Date(s) of Event: 7/22/2023

Alternate Date(s) for Event: N/A

Event Setup time: 12PM **to** 4PM

Actual Event: 4PM **to** 9PM

Road Closure time: N/A **to** N/A

Breakdown time: 9PM **to** 10PM

Estimated number of attendees (including event staff): 200

Requesting Organization: Yorkville Marketplace

Address: 108 N. Congress St York, SC 29745

Purpose of the Event: to promote hospitality & tourism in York

Is your organization a charity or non-profit organization? No

Will the proceeds benefit your organization? If no, please specify which organization it will benefit Yes

This is a ☐ **private** ☑ **public event to be held on** ☑ **private** ☐ **public property.**

Permit Holder/Event Point of Contact: Nicole Wade

Mobile Number: 803-526-5427 **Email:** ymscevents@gmail.com

Street Address: 434 Sutton Spring Rd. York, SC 29745

Additional Authorized Contact: Christopher Holbert

Mobile Number: 803-659-5227 **Email:** christopher.holbert@hotmail.com

Planned Activities: handmade artisans, food vendors, farmers market, live music

Note: A proposed schedule of events must be attached to the application

Will inflatables or amusement rides be used at the event? ☐ **Yes** ☑ **No**

If yes, explain: _____

Company name:_____ **City of York Business License #:**_____

Will motorized vehicles, equipment or animals be used for the event? ☐ **Yes** ☑ **No**

If yes, explain: _____

Company name:_____ **City of York Business License #:**_____

***Note: All events that include the use of live animals, motorized vehicles or equipment, inflatables (jump castles etc.) or other amusement rides are required to obtain a copy of the contracting companies certificate of liability insurance naming the City of York as an also insured on general liability.*

Do you plan to have food trucks/vendors of any kind with items for sale? ☑ **Yes** ☐ **No**

If yes, explain (include the items being sold and if cooking with grease): a variety of foods included but not limited to BBQ, Jamacian, Tacos, Pizza, Dessert, Ice Cream, Kettle Corn, Pork Skins, Seafood, Etc. May include cooking with grease.

Does your event require the use of utility services such as power or water? ☐ **Yes** ☑ **No**

Note: Any additional utilities must be provided at the applicant's expense

If yes, explain: _____

Will alcohol be served at the event? ☑ **Yes** ☐ **No**

If yes, explain (and include, how do you plan to ensure/enforce that only those that are of legal drinking age are consuming/purchasing alcohol) :

Beer/Wine to be sold by The Grapevine; ID's will be checked and alcohol consumption will be contained to the Yorkville Marketplace property within the guidelines of the SCDOR.

Will amplified sound be used at the event? ☑ **Yes** ☐ **No**

If yes, explain: a variety of live music including but not limited to DJ, Bands, or playlist with the use of speakers

Will tents be used at the event? ☑ **Yes** ☐ **No**

If yes, explain (include size and type of tents): vendors and/or sponsors will utilize 10X10 Canopy Tents for event

Will signs or banners be erected at the event? ☑ **Yes** ☐ **No**

If yes, explain (include size and locations): Banner sizes will range from 3'X5' to 4'X8' in size and will be displayed temporarily on our private property on the brick wall.

Will city staff be responsible for street /public clean-up at the event? ☐ **Yes** ☑ **No**

If yes, explain (include extent of clean-up and if waste containers are needed):

Have arrangements been made for restroom facilities? ☑ **Yes** ☐ **No**

If yes, explain (include locations of restrooms and service provider):

restroom facilities are located inside the Yorkville Marketplace

Describe in detail your plan to control parking, crowds, and vehicular traffic: This should include the number of officers required for crowd/traffic control and arrangements for medical assistance if needed. The cost for officers at any event is $50.00 per hour. The full amount must be paid 14 days prior to the event or the event will be cancelled.

Parking lot will either be a partial or complete closure at Yorkville Marketplace. This will be determined by number of attendees and participants. No officers needed.

List any/all streets which may need to be closed during the event (include date and times of proposed closures):

N/A

Are you requesting barricades for road closures (fees may apply)? ☐ **Yes** ☑ **No** *Note: If yes, include a list of location(s) and a map designating the location of each barricade, the number needed, and person responsible for barricades.*

Please provide any additional information that may be helpful:

This event is to bring the community together to showcase local handmade items and a farmers market with locally grown produce, meats, breads, etc.

RELEASE and INDEMNIFICATION

In consideration for being permitted to use public facilities and/or facilities owned by the City of York, Applicant agrees to indemnify, release and hold harmless the City of York, its officers and employees from and against all liability, claims, and demands which are incurred, made or brought by any person or entity on account of damage, loss or injury, including, without limitation, claims arising from property loss or damage, bodily injury, personal injury, sickness, disease, death, or any other loss of any kind whatsoever which arise out of or are in any manner connected with the use of the facilities whether any such liability, claims, and demands result from the act, omission, negligence, or other fault on the fault of the City of York, its officers, or its employees or from any other cause whatsoever. Your organization is fully responsible for complying with all applicable laws and safety procedures. This permit does not authorize you to enter upon private property or in any way hinder or obstruct pedestrian or vehicular traffic. In order to protect the general health, safety and public welfare of its citizens, The City of York reserves the right to deny and/or modify the conditions of this permit or to cancel it entirely if it is deemed appropriate by the City of York.

Application Submitted By: *Name & Title* Nicole Wade Event Coordinator for the Yorkville Marketplace

Signature: Nicole Wade Date: 05/10/2023

CITY OF YORK
SPECIAL EVENT PERMIT APPLICATION

Date of Application Submission: 5/10/2023

Name of Festival or Special Event: Cougar Fest or TBD

Location and/or Route of the Event: 108 N. Congress St York, SC 29745

Note: A sketch/diagram must be attached to the application.

Proposed Date(s) of Event: 08/05/2023

Alternate Date(s) for Event: N/A

Event Setup time: 12PM **to** 4PM

Actual Event: 4PM **to** 9PM

Road Closure time: N/A **to** N/A

Breakdown time: 9PM **to** 10PM

Estimated number of attendees (including event staff): 200

Requesting Organization: Yorkville Marketplace

Address: 108 N. Congress St. York, SC 29745

Purpose of the Event: to promote the athletic booster clubs for York Comprehensive High School

Is your organization a charity or non-profit organization? No

Will the proceeds benefit your organization? If no, please specify which organization it will benefit Yes

This is a ☐ **private** ☑ **public event to be held on** ☑ **private** ☐ **public property.**

Permit Holder/Event Point of Contact: Nicole Wade

Mobile Number: 803-526-5427 **Email:** ymscevents@gmail.com

Street Address: 434 Sutton Spring Rd York, SC 29745

Additional Authorized Contact: Christopher Holbert

Mobile Number: 803-659-5227 **Email:** christopher.holbert@hotmail.com

Planned Activities: pep-rally, music, shopping, games, food vendors, fundraising

Note: A proposed schedule of events must be attached to the application

Will inflatables or amusement rides be used at the event? ☑ **Yes** ☐ **No**

If yes, explain: TBD

Company name:_____ **City of York Business License #:**_____

Will motorized vehicles, equipment or animals be used for the event? ☐ **Yes** ☑ **No**

If yes, explain: _____

Company name:_____ **City of York Business License #:**_____

***Note: All events that include the use of live animals, motorized vehicles or equipment, inflatables (jump castles etc.) or other amusement rides are required to obtain a copy of the contracting companies certificate of liability insurance naming the City of York as an also insured on general liability.*

Do you plan to have food trucks/vendors of any kind with items for sale? ☑ **Yes** ☐ **No**

If yes, explain (include the items being sold and if cooking with grease): a variety of foods included but not limited to BBQ, Jamacian, Tacos, Pizza, Dessert, Ice Cream, Kettle Corn, Pork Skins, Seafood, Etc. May include cooking with grease.

Does your event require the use of utility services such as power or water? ☐ **Yes** ☑ **No**

Note: Any additional utilities must be provided at the applicant's expense

If yes, explain: _____

Will alcohol be served at the event? ☑ **Yes** ☐ **No**

If yes, explain (and include, how do you plan to ensure/enforce that only those that are of legal drinking age are consuming/purchasing alcohol) :

Beer/Wine to be sold by The Grapevine; ID's will be checked and alcohol consumption will be contained to the Yorkville Marketplace property within the guidelines of the SCDOR.

Will amplified sound be used at the event? ☑ **Yes** ☐ **No**

If yes, explain: a variety of live music including but not limited to DJ, Bands, or playlist with the use of speakers

Will tents be used at the event? ☑ **Yes** ☐ **No**

If yes, explain (include size and type of tents): vendors and/or sponsors will utilize 10X10 Canopy Tents for event

Will signs or banners be erected at the event? ☑ **Yes** ☐ **No**

If yes, explain (include size and locations): Banner sizes will range from 3'X5' to 4'X8' in size and will be displayed temporarily on our private property on the brick wall.

Will city staff be responsible for street /public clean-up at the event? ☐ **Yes** ☑ **No**

If yes, explain (include extent of clean-up and if waste containers are needed):

Have arrangements been made for restroom facilities? ☑ **Yes** ☐ **No**

If yes, explain (include locations of restrooms and service provider):
restroom facilities are located inside the Yorkville Marketplace

Describe in detail your plan to control parking, crowds, and vehicular traffic: This should include the number of officers required for crowd/traffic control and arrangements for medical assistance if needed. The cost for officers at any event is $50.00 per hour. The full amount must be paid 14 days prior to the event or the event will be cancelled.

Parking will take place at Yorkville Marketplace in our parking lot and along designated public parking locations. Our parking lot will remain partially open. No officers needed.

List any/all streets which may need to be closed during the event (include date and times of proposed closures):

N/A

Are you requesting barricades for road closures (fees may apply)? ☐ **Yes** ☑ **No** *Note: If yes, include a list of location(s) and a map designating the location of each barricade, the number needed, and person responsible for barricades.*

Please provide any additional information that may be helpful:

This event is to bring the community together to celebrate the return to school and the upcoming school sports. This will be a pep-rally to get families and the community excited for back-to-school. We are working with Joey Moore and the Athletic Booster Clubs to arrange the event.

RELEASE and INDEMNIFICATION

In consideration for being permitted to use public facilities and/or facilities owned by the City of York, Applicant agrees to indemnify, release and hold harmless the City of York, its officers and employees from and against all liability, claims, and demands which are incurred, made or brought by any person or entity on account of damage, loss or injury, including, without limitation, claims arising from property loss or damage, bodily injury, personal injury, sickness, disease, death, or any other loss of any kind whatsoever which arise out of or are in any manner connected with the use of the facilities whether any such liability, claims, and demands result from the act, omission, negligence, or other fault on the fault of the City of York, its officers, or its employees or from any other cause whatsoever. Your organization is fully responsible for complying with all applicable laws and safety procedures. This permit does not authorize you to enter upon private property or in any way hinder or obstruct pedestrian or vehicular traffic. In order to protect the general health, safety and public welfare of its citizens, The City of York reserves the right to deny and/or modify the conditions of this permit or to cancel it entirely if it is deemed appropriate by the City of York.

Application Submitted By: *Name & Title* Nicole Wade Event Coordinator for the Yorkville Marketplace

Signature: Nicole Wade Date: 05/10/2023

City of York

Pennies for Progress Requests

1. **(South Congress St (US 321) and SC-49)** - is a highly utilized intersection for Sharon Traffic to Downtown York, and it can be dangerous with the number of roads coming into that area.
2. **(The intersection of E. Liberty St. (SC 5) and South Pacific Ave. (S-1327))** this is going to become a very dangerous issue with the development at South Pacific and Hunter St. As the traffic light is not aligned at this intersection but the outlet of the Food Lion, and the traffic speed and blind corner make this an already dangerous intersection so much so people normally cut through the Food Lion parking lot which will create another hazard with increased traffic's counts that are coming.
3. **Sidewalk extension from E. Liberty (SC 5) down South Pacific Ave (S-1327) to Hunter St. (S-117)**. This area is an area where people walk, and it would make it a lot safer to get to the Grocery Store.
4. **Continuous sidewalks down Hunter St. (S-117) To serve from Hwy 161 to Hunter St. Elementary school**, it would serve to connect neighborhoods safely to the school and the Recreation Complex.
5. **New Street (S-311)** – Patching and Resurfacing are needed due to age and various deficiencies (I.e., Potholes, Alligator Cracking, rideability)
6. **Hunter St. (S-117)** Widening to include a turn lane from South Pacific Ave (S1327) to Alexander Love Hwy

STATE OF SOUTH CAROLINA)
) **CITY OF YORK**
COUNTY OF YORK)

RESOLUTION 23-04

WHEREAS, the City of York holds its regular meeting on the first Tuesday of each month at 6:00pm in Council Chambers at City Hall; and

WHEREAS, Council finds it necessary to reschedule its regular meeting for the month of July in order for Members and City of York employees to observe the Fourth of July holiday.

NOW, THEREFORE, BE IT RESOLVED by the City Council of York, South Carolina that the July regular meeting of Council be rescheduled to a date to be determined at the June 6th Council meeting.

ADOPTED in Council of the City of York, South Carolina, duly assembled this 6th day of June 2023.

_____
Michael D. Fuesser, Mayor

ATTEST: _____
Municipal Clerk

PROCLAMATION

Immigrant Heritage Month

WHEREAS, generations of immigrants from every corner of the globe have built our country's economy and created the unique character of our nation; and

WHEREAS, immigrants continue to grow businesses, innovate, strengthen our economy, and create American jobs in York, South Carolina; and

WHEREAS, immigrants have provided the United States with unique social and cultural influence, fundamentally enriching the extraordinary character of our nation; and

WHEREAS, immigrants have been tireless leaders not only in securing their own rights and access to equal opportunity, but have also campaigned to create a fairer and more just society for all Americans; and

WHEREAS, despite these countless contributions, the role of immigrants in building and enriching our nation has frequently been overlooked and undervalued throughout our history and continuing to the present day; and

NOW THEREFORE, be it resolved, that I, Michael D. Fuesser, Mayor of the City of York, do hereby designate the month of June as Immigrant Heritage Month.

IN WITNESS THEREOF, I hereunto set my hand and caused the Seal of the City to be affixed this 6th day of June 2023.

_____

Michael D. Fuesser
Mayor