
City Council Meeting February 5, 2024

DATE AND TIME: Monday, February 5, 2024, 6:00 PM

Members Present:

Mayor Mike Fuesser
Mayor Pro Tem Ed Brown
Councilmember Matthew Hickey

Councilmember Stephanie Jarrett
Councilmember Kellie Harrold
Councilmember Marion Ramsey

Members Absent:

Councilmember Charles Brewer

Staff Present:

City Manager Dalton Pierce
Municipal Clerk Amy Craig
Police Chief Brian Trail
Fire Chief Mike Regal
Fire Captain Scott Shillinglaw

Human Resources Director Sarah Ramirez
Community Engagement Director Becky Mestas
Community Events Coordinator Chloe Jones
Finance Director Jeff Wilkins
Planning Director David Breakfield

Participants:

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. Boards & Commissions Reappointments

Planning Director David Breakfield acknowledged all the members of Boards & Commissions that were reappointed for their new term beginning in January 2024. He stated that they have all been working hard as the new developments are coming into the City.

4.2. New Employee – Sam Totherow

Fire Chief Mike Regal introduced Sam Totherow as a new firefighter for York Fire Department.

4.3 New Employee – Brayden Prater

Fire Chief Mike Regal introduced Brayden Prater as a new firefighter for York Fire Department.

4.4 Promotion – Scott Shillinglaw

Fire Chief Mike Regal introduced Scott Shillinglaw as the new Fire Captain for York Fire Department. Captain Shillinglaw was pinned, signifying his new role as Captain.

4.5 Promotion – Zach Meek

Fire Chief Mike Regal introduced Zach Meek as the new Lieutenant for York Fire Department. Lieutenant Meek was pinned, signifying his new role as Lieutenant.

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5. COMMENTS FROM THE PUBLIC

No public comments were made.

6. CITY MANAGER'S REPORT

6.1 Water System – Dracs RTU Monitoring System Update

City Manager Dalton Pierce stated that the Dracs system is a way for the City to monitor the towers and the distribution system. This system is now completed, and staff is working through a few cumbersome issues. Pilot tests will be conducted for the new AMI system as meters are beginning to arrive. Staff will go to training with Ferguson next week. Once meters come in, the old ones will be replaced.

6.2 S. Congress Street Hotel Project

City Manager Dalton Pierce stated that he and staff met with the developer for the hotel project. City Manager Pierce provided a site plan that detailed 3 stories, 97 rooms, a lobby, bar area, meeting area, and patio along S. Congress Street. Next month, the project will go before the BAR and BZA and then will begin to move forward.

6.3 City of York GIS Enterprise

The GIS system provides geographical data, and the City of York is establishing one in-house. The GIS system will have interactive maps and can be used for data analytics and Capital Improvement Project development areas of growth. Council inquired if the system would integrate with the County's GIS systems, in which City Manager Pierce stated that the City will have its own GIS system. The City still has the County's shape files and the property data will transfer from the County.

7. APPROVAL OF MINUTES OF PREVIOUS MEETINGS

7.1. Council Meeting January 2, 2024

7.2 Council Work Session January 16, 2024

Councilmember Hickey made a Motion to approve the Council meeting Minutes from January 2nd and the Council Workshop meeting from January 16th into the record as they are, which was Seconded by Mayor Pro Tem Brown. With no Discussion, the Motion was approved unanimously.

8. MONTHLY FINANCIAL REPORT

Finance Director Jeff Wilkins presented an overview for January 2024. Currently, the General Fund is approximately \$1.4million off target. More property taxes were anticipated, but the bank is possibly holding the escrow to draw interest. Within the next 10 days, an influx of \$2.5million should come from the County. Department Heads have been encouraged to purchase all vehicles, so the money is used in a much smarter way. The LGIP accounts have earned close to \$300,000. Mr. Wilkins wanted to reiterate that the City is on task for spending the Capacity and Impact Fees according to City Code.

9. OLD BUSINESS

9.1. ORDINANCES:

- Second Reading Ordinance 24-712, Purchase of Property - PATH

As part of the hotel project, Second Reading of Ordinances 24-712 and 24-713 are necessary for the purchase and simultaneous transfer of properties located at PATH on S. Congress Street and Mr. Kenneth Jones on S. Roosevelt Street.

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Councilmember Hickey made a Motion to approve Second Reading Ordinance 24-712, Purchase of Property – PATH, which was Seconded by Mayor Pro Tem Brown. With no Discussion, the Motion was adopted unanimously.

- Second Reading Ordinance 24-714, Purchase of Property - Jones
Councilmember Jarrett made a Motion to approve Second Reading Ordinance 24-713, Purchase of Property – Jones, which was Seconded by Councilmember Hickey. With no Discussion, the Motion was adopted unanimously.

10. NEW BUSINESS

10.1 BIDS & SOLICITATIONS:

- Intent to Award the Fishing Creek WWTP Improvement Project
City Manager Dalton Pierce stated that the Bid opening was held last week, and 3 contractors responded with various bid amounts. The following bids were received:

Haren Construction	\$11,892,000.00
State Utility Contractors	\$13,299,000.00
North American Construction Co.	\$8,801,332.66

Pending RIA approval, the engineer of record, Davis & Floyd, and City staff recommends awarding this contract to North American Construction company in the amount of the base bid, \$8,801,332.66 for Fishing Creek WWTP Improvement Project. City Manager Pierce stated that he is requesting the approval of the base bid, but also the increase in local funding of \$653,424. The funding will come from Capacity Fees. The City should have no issue completing this project financially with these conditions. The project will take 18 months, but the budget will cover one Fiscal Year, rather than multiple Fiscal Years.

Councilmember Brewer made a Motion to accept the Bid from North American Construction Company for the base Bid of \$8,801,332.66, along with the increase in local funding of \$653,424 contingent upon approval of Rural Infrastructure Authority, which was Seconded by Councilmember Jarrett. In Discussion, Council inquired if the local funding would have to be paid if another bidder was awarded, in which City Manager Pierce stated that well over \$2.5million would be needed and that it is just the base. The city is trying to bridge the gap and get the plan back to where it needs to be. Although there are alternates, there is not enough funds for the alternates. Since this is the Wastewater Treatment Plant, the base bid will be getting this, and the City may have to come back and do additional work. For the alternates, the City can pursue grant funding or build it into the Capital Improvement Project plan with Capacity Fees and try to address those as well. With no other Discussion, the Motion was adopted unanimously.

10.2 SPECIAL EVENT APPLICATIONS:

- Carriage Rides
Community Engagement Director Becky Mestas stated that Dream Carriage will be at City Market on February 14th, 16th, and 17th offering rides from 5:00pm-9:00pm. The parking lot will not be closed for this event.
- International Women's Day
Community Engagement Director Becky Mestas stated that several businesses in the downtown area will be hosting an event, International Women's Day, which will be held on March 9th from 10:00am-4:00pm. Roads are not expected to be closed. A mobile mammography will be set up in City Market. For the bus to get into the parking lot, the lot will be temporarily closed until the bus is in place. Carriage rides may be there for this event as well. Council inquired if the mammograms will be provided to every citizen if they choose to have that done, in which it was clarified that citizens have that ability. Also, insurance is accepted, but they also have a cash price for the

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uninsured. The only requirements are that the participants must be 35 years of age and have had no concerns in the past year from previous mammograms.

- **March for the Heart 5k**

Community Engagement Director Becky Mestas stated that on March 9th, the March for the Heart 5k will be held and that there should not be a conflict with the International Women's Day which is held the same day. The runners are expected to be cleared out by 9:00am. The route is the same route as last year, which will go through the neighborhoods, up Congress Street, and back to Blackburn Street. The 5k begins with a Fun Run at 8:00am, and everything should be concluded by 10:00am.

Councilmember Hickey made a Motion to approve the March for the Heart 5k, which was Seconded by Mayor Pro Tem Brown. With no Discussion, the Motion was adopted unanimously.

- **Juneteenth Celebration**

Community Events Coordinator Chloe Jones stated that on June 15th, a Juneteenth Celebration will be held at York Recreation Complex from 4:00pm-9:00pm and 200 people are expected to attend. Inflatables, games, a band and DJ will be there for entertainment, and this is a great way to celebrate the African-American community in York.

Councilmember Hickey made a Motion to approve the Juneteenth Celebration, which was Seconded by Mayor Pro Tem Brown. With no Discussion, the Motion was adopted unanimously.

- **Summer Concert Series**

Community Events Coordinator Chloe Jones stated that the Summer Concert Series will be on the Second and Fourth Thursdays, except for the first one due to the new school schedule. Also, with school starting earlier, there will only be 6 concerts. The road will be closed beginning at 6:00pm. Inflatables and food trucks, along with the entertainment, will be provided. The following are the Summer Concert Series dates:

May 30th

June 13th

June 27th

July 11th

July 25th

August 8th

Each concert will be held from 7:00pm-10:00pm.

Councilmember Hickey made a Motion to approve the Summer Concert Series, which was Seconded by Councilmember Ramsey. With no Discussion, the Motion was adopted unanimously.

- **4th of July Celebration**

Community Events Coordinator Chloe Jones stated that she has placed an application through the School District to request use of the Middle School again, but she has not received a response yet. She stated that there should be no reason why it does not get approved. Also, the time this year will be 6:30pm-10:00pm. Games, inflatables, a DJ, band, and food trucks will be provided.

Councilmember Ramsey made a Motion to approve the 4th of July Celebration, which was Seconded by Councilmember Hickey. With no Discussion, the Motion was adopted unanimously.

10.3 ORDINANCES:

- **First Reading Ordinance 24-714, Subdivision Speed Limit Standard**

City Manager Dalton Pierce stated that Ordinance 24-714 has been discussed by Council at the Work Session in January, and the Planning Commission provided a recommendation in December. Staff have working with the Police Department and a third-party engineer to provide the safest speed limit for the subdivision communities. Statute 56-5-710 allows the City to set this speed limit. Signs will be placed at the entrances of the subdivisions.

Councilmember Hickey made a Motion to approve First Reading Ordinance 24-714, Subdivision Speed Limit Standard, which was Seconded by Mayor Pro Tem Brown. In Discussion, Council

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inquired about other neighborhoods with State owned roads and how they could get the speed limits dropped down to 20mph. State owned roads require citizens to contact the State for speed limit changes, including reductions for safety concerns. More than likely a traffic study would have to be conducted to warrant a change. With Council inquiring about traffic combing in a previous meeting, then this could be a first step and a policy can be added. Traffic combing is more than a speed table. It involves narrowing of roadways, street parking, islands, and remaining conscientious to public safety. With no other Discussion, the Motion was adopted unanimously.

- **First Reading Ordinance 24-715, Urban Camping**

City Manager Dalton Pierce stated York Police Department suggested the Urban Camping requirements and discussion was put forth by officers, the attorney, and the Planning Dept. This will allow the City's public safety officials to do their job more effectively.

Councilmember Ramsey made a Motion to approve First Reading Ordinance 24-715, Urban Camping, which was Seconded by Councilmember Hickey. In Discussion, Council inquired about utility/storage buildings being placed on private property. Officer Bailey stated that a utility/storage building would not be an issue. With no other Discussion, the Motion was adopted unanimously.

- **First Reading Ordinance 24-716, Construction Debris Chapter 36 Article II Sec. 36-46 (a) 5 Amendment**

City Manager Dalton Pierce stated that this section of City Code mentions construction debris in and demolition debris from remodeling exceeding \$1,000. With the amount being difficult to define, staff is requesting an amendment to be made to the Code. The City will pick up the debris as long as the debris is cut to a certain size.

Councilmember Ramsey made a Motion to approve First Reading Ordinance 24-716, Construction Debris Chapter 36 Article II Sec. 36-46 (a) 5 Amendment, which was Seconded by Mayor Pro Tem Brown. In Discussion, Council stated that there is still an issue with debris on the corner of Highway 321 and Green Street. It was clarified that those parcels are in the county, so Public Works Director Chris Wallace will contact the county regarding this debris. With no other Discussion, the Motion was adopted unanimously.

10.4 POLICIES:

- **Anti-Fraud Policy**

City Manager Dalton Pierce stated that the auditors made recommendations during the FY21-22 audit. The recommendations involved housekeeping, accountability, and setting the standard of internal controls. This enables a clear process for anyone suspected of fraud.

Councilmember Hickey made a Motion to approve the Anti-Fraud Policy, which was Seconded by Councilmember Ramsey. With no Discussion, the Motion was adopted unanimously.

- **First Amendment Auditor Policy**

City Manager Dalton Pierce stated that a trend came to existence a few years ago where individuals enter an organization and video employees and what goes on within the organization. Precaution, such as locked doors and how employees interact, is necessary when faced with these individuals. Adopting a policy is an excellent way to manage liability and risk.

Councilmember Brewer made a Motion to adopt First Amendment Auditor Policy, which was Seconded by Mayor Pro Tem. With no Discussion, the Motion was adopted unanimously.

- **Street Acceptance Policy**

City Manager Dalton Pierce stated that the Street Acceptance Policy has previously been discussed and that the Surety Program Requirements recently adopted will be integrated into the Street Acceptance Policy. The policy covers warranty and liability. The street will not be accepted until approved and accepted by City Council. This will be reflected in the Meeting Minutes and acceptance approved and adopted by City Council. All the data in the application will be submitted.

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This will enable staff to know what the City owns, provides an asset development and management tool, and ensures that the developers are doing what they need to do. Fort Mill has a similar policy. Councilmember Ramsey made a Motion to approve the Street Acceptance Policy, which was Seconded by Councilmember Hickey. With no Discussion, the Motion was adopted unanimously.

- **Capital/Fixed Asset Policy**

City Manager Dalton Pierce stated that the Capital/Fixed Asset Policy allows staff to control and monitor assets that the City is taking over and the monetary value according to GASB protocol. Also, this allows staff to know what the long-lived assets are and proper disposal technique. The data will be available for auditors annually.

Councilmember Brewer made a Motion to adopt the Capital/Fixed Asset Policy, which was Seconded by Councilmember Hickey. With no Discussion, the Motion was adopted unanimously.

10.5 DISCUSSIONS:

- **FY24-25 Budget Schedule**

City Manager Dalton Pierce provided a summary of the upcoming dates to discuss the FY24-25 Budget with Council.

Councilmember Ramsey made a Motion to adopt the FY24-25 Budget Schedule, which was Seconded by Mayor Pro Tem Brown. With no Discussion, the Motion was adopted unanimously.

- **First Tryon Advisors**

City Manager Dalton Pierce stated that he and Financial Director Jeff Wilkins spoke to First Tryon about a Capital Planning Model, which allows First Tryon to look at the General Fund, Enterprise Fund, Tourism, Capacity Fees, Impact Fees, audits, and future growth of the City. Once this is integrated, the next step is to have debt service roll off and then obtain a stand alone credit rating. A stand alone credit rating will be beneficial for the public and private market and for bond referendums.

Councilmember Ramsey made a Motion to adopt First Tryon Advisors, which was Seconded by Mayor Pro Tem Brown. In Discussion, Council inquired if First Tryon Advisors specialized in municipalities, in which it was confirmed that they do, and they have 40-50 municipalities as their clients in the state. Also, Council inquired about the funding that would be used to pay them. City Manager Dalton Pierce stated the money is in the budget and that the funds would come out of non-departmental (Administrative) budget. The City had a similar set up through Willdan Financial Services but will be cancelled if First Tryon Advisors is approved. With no other Discussion, the Motion was adopted unanimously.

11. MAYOR'S REPORT

- Mayor Fuesser stated that Council, along with the City Manager, will be in Columbia tomorrow, February 6th, for Hometown Legislative Action day, which will comprise of a full day of learning and listening to legislators to be informed of what is going on in the Statehouse in Columbia. Councilmembers Brewer, Harrold, and Hickey will begin the Advanced courses for Municipal Elected Officials Institute.
- Mayor Fuesser stated that next litter pick up will be held on Saturday, April 13, 2024. A local Cub Scout Troop is interested in participating with this event.

12. EXECUTIVE SESSION

12.1 Discussion of Negotiations Incident to Proposed Contractual Arrangements

12.2 Discussion of Negotiations Incident to Proposed Contractual Arrangements

12.3 Discussion of Proposed Sale or Purchase of Property

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Councilmember Jarrett made a Motion to go into Executive Session, which was Seconded by Mayor Pro Tem Brown. With no Discussion, the Motion was adopted unanimously.

Mayor Pro Tem Brown made a Motion to exit Executive Session and enter back into Regular Session, which was Seconded by Councilmember Jarrett. The Motion was adopted unanimously.

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

Councilmember Hickey made a Motion to exercise the termination provision (section 8) of the agreement in order to consider future discussions with the School District, which was Seconded by Councilmember Brewer. In the Discussion, the Council stated that since they were unable to identify a vote encompassing the will of the Council to execute the 2019 Agreement with the School Board for Jefferson Field, and as such City resources should not be dedicated to a potentially challengeable agreement. With no other Discussion, the Motion was adopted 6-1, with Mayor Pro Tem Brown voting in opposition.

14. ADJOURN

Mayor Pro Tem Brown made a Motion to Adjourn, which was Seconded by Councilmember Ramsey. With no Discussion, the Motion was adopted unanimously. The Meeting Adjourned at 7:42pm.

Respectfully Submitted,



Amy Craig
Municipal Clerk