CITY COUNCIL MEETING
CITY HALL COUNCIL CHAMBERS
229 MAIN STREET
CONWAY, SOUTH CAROLINA
MONDAY, JULY 16, 2018 – 5:30 PM

PRESENT: Mayor Barbara Blain-Bellamy, Mayor Pro Tem Larry A. White, Council Members William M. Goldfinch IV, Shane Hubbard, Ashley Smith, and Jean M. Timbes ABSENT: Council Member Thomas J. Anderson II (out of town)

STAFF: Adam Emrick, City Administrator; Vicky Lefler, Deputy City Administrator; Kevin Chestnut, Public Works Director; Mary Catherine Hyman, Planning Director; Robert Cooper, Building Official; James Friday, Public Utilities Director; Le Hendrick, Fire Chief; Reggie Jenrette, Solid Waste Director; Dale Long, Police Chief; Taylor Newell, Public Information Officer; Lynn Smith, Human Resources Director; Allison Williams, Finance Director; Timmy Williams, Grounds and Maintenance Director; and Debbie F. Smith, City Clerk

OTHERS: Kenan Walker, Kathy Ropp, and others

The requirements for posting notice of this meeting under South Carolina’s Freedom of Information Act (FOIA) were met.

CALL TO ORDER: Mayor Blain-Bellamy called the meeting to order.

INVOCATION/PLEDGE OF ALLEGIANCE: Mayor Blain-Bellamy gave the invocation. City Council and those in attendance recited the Pledge of Allegiance.

APPROVAL OF AGENDA: Motion: White made a motion, seconded by Goldfinch, to approve the agenda as presented. Vote: Unanimous. Motion carried.

APPROVAL OF CONSENT AGENDA:

A. Final reading of Ordinance #ZA2018-07-16 (A) An Ordinance to annex approximately 1.93 acres of property located at 161 Gardner Lacy Road (TMS 151-00-03-048 | PIN 39901010001) and to rezone the property from Horry County Limited Industrial to City of Conway Light Industrial upon annexation

B. Final reading of Ordinance #ZA2018-07-16 (B) An Ordinance to annex approximately 0.7 acres of property located on Sellers Road (TMS # 123-12-01-023 | PIN 33906020003) and to rezone the property to Low Density Residential upon annexation

C. Acceptance of bids for purchase of one additional recycle truck and a replacement front loader truck for the Solid Waste Department

D. Purchase of nine automated external defibrillators for public spaces throughout the City
E. City Council meeting minutes – July 2, 2018

**Motion:** Timbes made a motion, seconded by Hubbard, to approve the consent agenda as presented. **Vote:** Unanimous. Motion carried.

**PUBLIC INPUT:** Fredricka Higgs stated that she was recently informed that her property on Racepath Avenue had been rezoned to Commercial. She requested that City Council consider rezoning the parcels to Residential. Mayor advised Higgs to contact the Planning Department for the City’s protocol for rezoning property. She further stated that commercial zoning would not allow her to build a home on the property as planned. The City’s Planner was requested to meet with Ms. Higgs on this issue.

**SPECIAL PRESENTATIONS:**

A. **Special event request:** Temporary art installation on Laurel Street, July 17 to August 5, 2018. Barbara Streeter of Conway Glass submitted this special event request to “yarnbomb” a bench, lamp post, tree trunk, and a bicycle located in front of 104 Laurel Street and The Warehouse on Laurel Street. This activity is planned to coincide with the Indie Market. Maps showing the proposed location of the yarnbombed items accompanied the application.  

**Motion:** White made a motion, seconded by Hubbard, to approve the special event application for the art installation on Laurel Street contingent upon Santee Cooper’s approval of use of the lampposts and proof of insurance being provided to the City prior to installation of display.  

**Vote:** All voted in the affirmative; however, Goldfinch elected not to vote. Motion carried.

B. **Employee of the Month Award for July** was presented to Jajuan Woods, Solid Waste Department. The presentation was made by the Solid Waste Director.

**PUBLIC HEARING AND ORDINANCE FOR FIRST READING:** Public hearing and first reading of Ordinance #ZA2018-08-06 (A) An Ordinance annexing approximately 57 acres (portion of a 141-acre tract) of property located on East Cox Ferry Road (portion of TMS 138-00-05-020 | PIN 366000000015) and rezoning the property from Horry County Commercial Forest Agriculture (CFA) to City of Conway Medium Density Residential (R2) upon annexation. Hyman advised Council that this request is being made to accommodate the development of a single-family home subdivision. The parcel is not identified on the current Future Land Use Map. The developer is requesting R-2 in lieu of R-1 for reduced lot width requirements. The 57-acre tract will be required to be subdivided from the 141-acre tract prior to final reading. This request was discussed during the workshop at the July 2nd City Council meeting. The Planning Commission has recommended approval of the request. Staff recommended first reading approval. **Public Hearing:** There was no input from the public. **Motion:** Goldfinch made a motion, seconded by White, to close the public hearing. **Vote:** Unanimous. Motion carried. **Motion:** White made a motion, seconded by Smith, to approve first reading of Ordinance #ZA2018-08-06 (A). **Vote:** Unanimous. Motion carried.

**RESOLUTION:** A resolution authorizing the acceptance of a fee in lieu of open space for the Hughes Student Housing Development. Hyman reported that Mr. Pete Hughes has requested to pay a $13,000 fee, calculated in accordance with UDO regulations, in lieu of providing open space for the Hughes Student Housing Development. The Planning Commission recommended
approval of the request. **Motion:** White made a motion, seconded by Smith, to adopt the resolution authorizing the acceptance of a fee in lieu of open space in the amount of $13,000 for the Hughes Student Housing Development. **Vote:** Unanimous. Motion carried.

**ITEM FOR CONSIDERATION:** Acceptance of construction bid – Magnolia, Maple, and Grainger Streets CDBG/HUD drainage project. Hyman stated that the Magnolia-Maple Drainage Project was enlarged to include Grainger Street to eliminate the possibility of downstream flooding. The drainage project currently has a total budget of $398,337.70. The following bids were received: R. H. Moore Company, Inc. - $366,081.00; Greenwall Construction Services, Inc. - $444,390.36; Cherokee, Inc. - $701,000.00. Staff recommended acceptance of the low bid. **Motion:** Timbes made a motion, seconded by Goldfinch, to accept the low bid in the amount of $366,081.00 submitted by R. H. Moore Company, Inc. **Vote:** Unanimous. Motion carried.

**CITY ADMINISTRATOR’S REPORT:**

- The City has now been funded for Tiers 1, 2, and 3 of the FEMA Buyout Program and the consultant is contacting all applicants to make sure they can participate if interested. To date, 8 of 26 from Tier 1, 5 of 10 from Tier 2, and 2 of 18 from Tier 3, have agreed to participate.
- Staff is currently awaiting the final Environmental Review on the Whittemore School. The largest expense for this project will be for the building’s HVAC system.
- The Youth Membership Program at the Recreation Center has been very successful. The new program has resulted in 336 memberships for kids from April through last week. The Recreation Center has had 4,625 drop-ins during the same time. At the next Council meeting, there will be several items for Council’s consideration that deal with the memberships and fees.
- The resurfacing project on 9th Avenue is underway. At this time, the only area significantly impacted is between Main Street and Elm Street.
- Only a couple of easements need to be obtained for Phase 1 of the 4th Avenue underground utility conversion project and once those are obtained the engineering can be completed and the construction can begin.

**COUNCIL INPUT:**

**Smith**
- Commented on the success of the Youth Membership Program.
- Commented on the impact the police escort had on the girls’ softball team members as they returned from playing in the state championship and requested that all youth teams competing in state championships receive a police escort on their return home.
- Recommended that Council consider naming the Tennis Center after Lynn Stevens.
- Inquired about the application process for the Sports Hall of Fame.

**Timbes** inquired about the removal of illegal “cheater” signs within the city limits.
White inquired about the application process for filling the additional positions at the Recreation Center.

Hubbard thanked Ms. Fredricka Higgs for her service to her country as a veteran and reassured her that staff would assist with her concerns.

Blain-Bellamy
- Commented that Council may want to consider some changes to the youth membership program and that children age 5 may be too young to be included.
- Commented on her attendance of the swearing in of former City Police Officer Jonathan Guiles as a Georgetown County Magistrate.
- Reported that Highway 378 has not been renamed and it remains Wright Boulevard.

WORKSHOP:

A. Discussion on possible amendments to Article 2, Definitions, and Article 5, Specific Use Regulations, of the Unified Development Ordinance relative to accessory structures in residential and non-residential zoning districts. Hyman reported that over the past several years, staff has seen an increase in the number of variance requests being submitted regarding requirements for accessory structures, including location requirements, separation requirements, maximum number permitted, and setbacks. The proposed amendment would exempt accessory structures in non-residential districts from certain requirements. The building permit process requires a zoning review and, to be approved, accessory structures are required to meet minimum separation regulations as specified in the accessory structures ordinance. Staff proposed to amend Article 2 and Section 5.2.1 to allow these structures, including pergolas, gazebos and arbors, to be considered a “garden structure,” and to be exempt from the minimum separation requirements, as long as the exemption is in accordance with the International Residential Code. Hyman noted another issue is that storage buildings (sheds) are currently only permitted in rear yards; however, many lots have large drainage easements in the rear yard and structures such as these are not permitted to be located within the easement area. Sections of the UDO for which amendments are being proposed are 2.2.1, 5.2.1 (A), and 5.2.1 (C). These amendments include changes to definitions as well as to permitted locations, setbacks, and number of structures. Council expressed concerns about easing restrictions for these structures and the impact it would have on neighboring property owners. Council also discussed the need for consideration to be given to location, size, fit, etc., on an individual basis Hucks assisted Hyman in this presentation. OUTCOME: Staff will present this item at a future meeting. Council asked for photographs/renderings to be included in the next presentations.

B. Discussion on a possible amendment to Article 5, Section 5.2.3 – Fences and Walls, of the Unified Development Ordinance relative to fence and wall height limitations on corner lots in residential and commercial zoning districts. Hyman informed Council that, currently, corner lots are considered to have two front yards—a front yard and a corner front yard—and anything prohibited in the front yard is also prohibited in the corner front yard. The current maximum height for fences in front yards (4 ft.) also applies to corner front yards. This sometimes limits the property owner in the privacy and enjoyment of his property. Staff
proposed to change the maximum fence height requirement in corner front yards to 8 ft. (provided the required 10 ft. setback requirement is met. OUTCOME: staff will present this item, accompanied by photographs, to Council at a future meeting.

EXECUTIVE SESSION: Motion: Smith made a motion, seconded by White, to enter into executive session to discuss the employment of the City Clerk. Vote: Unanimous. Motion carried. During executive session, Council engaged in discussion on the hiring of a City Clerk. While in executive session, no decision was made and no votes were taken.

RECONVENE FROM EXECUTIVE SESSION: Motion: White made a motion, seconded by Smith, to come out of executive session. Vote: Unanimous. Motion carried.

ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION:

Discussion on employment of a City Clerk. Motion: White made a motion, seconded by Goldfinch, to promote Barbara Tessier as City Clerk for the City of Conway, effective July 17, 2018. Vote: Council Member Timbes voted in the negative; all others voted in the affirmative. Motion carried. Timbes asked that the record reflect that her opposition was to the process followed by Council to fill this position and in no way was it related to the applicant.

ADJOURNMENT: Motion: White made a motion, seconded by Hubbard, to adjourn the meeting. Vote: Unanimous. Motion carried.

APPROVAL OF MINUTES: Minutes approved by City Council this _______ day of August, 2018.

Barbara A. Tessier, City Clerk