PRESENT: Mayor Barbara Blain-Bellamy, Mayor Pro Tem Randle L. Alford, Council members Thomas J. Anderson II, William M. Goldfinch IV, Ashley Smith, Jean M. Timbes, and Larry A. White

STAFF: Adam Emrick, Interim City Administrator; Vicky Lefler, Deputy City Administrator; Kevin Chestnut, Public Works Director; James Friday, Public Utilities Director; Reggie Gosnell, Police Chief; Le Hendrick, Fire Chief; Foster Hughes, Parks, Recreation & Tourism Director; Reggie Jenerette, Solid Waste Director; Robert Cooper, Building Official; Lynn Smith, Human Resource Director; Allison Williams, Finance Director; Timmy Williams, Grounds and Maintenance Director; and Debbie F. Smith, City Clerk

OTHERS IN ATTENDANCE: Elizabeth Rainbow, Miltonette Clardy, George Ulrich, Hillary Howard, Carol Hoyt, Miracle Lewis, Blake Lanford, Devin Parks, Mary Catherine Hyman, Kristen Jacos, Nigel Horonzy, Pete Hughes, Brian O’Neil, Barb Eisenhardt, Larry Biddle, C. N. Brown, Steve Robertson, 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 recognized Chaplain Tony Martin of the Conway Fire Department who gave the invocation. City Council and those in attendance recited the Pledge of Allegiance.

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

APPROVAL OF CONSENT AGENDA:

A. Final reading of Ordinance #ZA2017-08-07 (A) Accepting the petition of Michael and Stephanie Fazio to annex approximately .42 of an acre of property located at 106 Erskine Drive (TMS 151-21-01-004/PIN 38213040016) and to rezone the property to Low Density Residential (R-1) upon annexation

B. Final reading of Ordinance #2017-08-07 (B) Amending the salary pay grades and positions schedule of the City of Conway

C. First reading of Ordinance #ZA2017-08-21 (A) Accepting the petition of Michael T. and Ashley H. Rouhselang to annex approximately 2.08 acres of property located at 178 Long
Road (TMS# 123-00-02-013 / PIN 32400000015) and to rezone the property to Low Density Residential (R-1) upon annexation

D. First reading of Ordinance #ZA2017-08-21 (B) Accepting the petition of Dereck Taillefer to annex approximately 0.58 acres of property located at 283 Wedding Lane (TMS #137-16-01-011 / PIN #36713010022) and to rezone the property to Low Density Residential (R-1) upon annexation

E. Purchase of replacement mobile data terminal (MDT) computers

F. Special event requests:
   1. Conway Fall Festival – Saturday, October 7, 2017
   2. Snowball Drop, November 11, 2017 – Conway Downtown Alive, Hillary Howard, Executive Director
   3. Rivertown Christmas Celebration 2017 – Conway Downtown Alive, Hillary Howard, Executive Director

G. City Council Minutes – July 17, 2017

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

PUBLIC INPUT:

Lee James, Conway High School Principal, introduced Kristen Jacobs and Savannah Vickery, Conway High School teachers, who gave a brief summary of the Animal Science Program offered to students at Conway High School. James expressed concern regarding zoning regulations which do not allow chickens, which are part of a project for this program, to be kept on campus and asked Council to consider amending these regulations. Emrick reported that this topic will be on the upcoming agenda for workshop discussion. Mayor Blain-Bellamy noted that the keeping of chickens in residential areas should be a part of this discussion.

Forrest Beverly expressed concerns with the increase in “cut-thru” traffic and speeding on Graham Road and the resulting safety issues. Beverly noted that it appeared the 3- and 4-way stop intersections being implemented in the City are successful in slowing traffic. He asked Council to approve similar traffic calming measures for this street and that the neighborhood would be willing to purchase the needed stop signs. John Sawyer, who also resides in the Graham Road neighborhood, reiterated Beverly’s comments.

Blake Lanford, Clemson Extension Coastal District Director, thanked Council for the City’s past support of the Farmers Market and requested that the amount of financial support allotted for the Conway Farmers Market in the current budget be reconsidered. He noted that this allotment is $3,000 and asked Council to consider an allotment commensurate to what is given by other local jurisdictions to their farmers markets, which ranged from $4,400 to $7,000. Miracle Lewis,
Farmers Market Board member, commented on the Conway Farmers Market and spoke in support of the request.

**Larry Biddle**, citing an August 2016 article in *The Horry Independent* newspaper regarding the transfer of property by The Burroughs Company to the City, commented that no one had the authority to give away this property because it belonged to the shareholders and not the Chairman or the Board. Biddle then informed Council he was "wanded" upon entry to this meeting but the City’s metal detector wand must not be working because, in his right rear pocket, he had a pistol and a knife. Walking toward the rear of Council Chambers, Biddle stated he would take the pistol and knife to his car and then he would be back. In response to concerns expressed by Goldfinch, Mayor Blain-Bellamy advised that Biddle would be screened when he returned.

**Nigel Horonzy** introduced himself to Council as the President of The Burroughs Company and he assured Council that the company does indeed have the right to transfer the Riverfront property to the City.

**Motion:** White made a motion, seconded by Anderson, to close public input. **Vote:** Unanimous. Motion carried.

**SPECIAL PRESENTATIONS:**

A. **Conway Pizza Run, October 28, 2017 — Conway Downtown Alive, Hillary Howard, Executive Director.** Hillary Howard of Conway Downtown Alive submitted this special event request. The event will take place on Saturday, October 28, 2017, from 10 a.m. until noon. The applicant has requested road closures at Fourth Avenue and Laurel Street, Second Avenue and Laurel Street, Third Avenue and Main Street and Elm Street and Main Street on the day of the event. A map depicting the street closures accompanied the special event application. Staff recommended approval of the special event application. This event will replace the annual Big Wheel Race. **Motion:** Anderson made a motion, seconded by White, to approve the special event application for Conway Pizza Run as presented. **Vote:** Unanimous. Motion carried.

B. **Employee Longevity Awards for July.** Vili Schwenke, Police Department, and George Griffin Jr, Solid Waste Department, were unable to attend this meeting and will be recognized at the September Council meeting.

C. **Riverfront/downtown master plan.** Tripp Muldrow, Arnett Muldrow and Associates, presented a power point presentation of the Riverfront/Downtown Master Plan his company developed for the City of Conway. The presentation included views of the current condition and proposed enhancements for the City’s gateways as well as downtown, in certain alleyways, and along the Riverfront. Muldrow advised Council that final refinements of the plan are underway and invited Council to contact him should they have questions.

**PUBLIC HEARINGS AND ORDINANCES FOR FIRST READING:**

A. **Public hearing and first reading of Ordinance #ZA2017-08-21 (C) Accepting the petition of Robert E. Todd to rezone approximately .303 acres at 1710 Fourth Avenue (TMS #137-05-13-030/PIN #36803040068) and the adjacent parcel (TMS #137-05-13-019/PIN...**
#36803040069) from Low Density Residential (R-1) to Highway Commercial (HC). Emrick advised Council that the request is being made for the purpose of constructing a multi-tenant commercial structure. Emrick noted that the Planning Commission reviewed the rezoning request at its July 6, 2017, meeting and the motion to approve did not pass. A similar request in 2006 was denied by City Council due to concerns raised by the community. **Public Hearing:** Elizabeth Rainbow expressed her concerns with the increase in traffic should this request be approved and requested that the zoning remain residential. **Motion:** White made a motion, seconded by Alford, to close the public hearing. **Vote:** Unanimous. Motion carried. **Motion:** White made a motion, seconded by Alford, to deny the rezoning request. **Vote:** Alford, White, Timbes, and Blain-Bellamy voted in the affirmative; all others voted in the negative. Motion carried.

B. **Public hearing and first reading of Ordinance #ZA2017-08-21 (D) Accepting the petition of Shawn Babwah to rezone approximately .08 acres of a property located at 613 Wright Boulevard (TMS #137-05-11-043/PIN #36803010009) from Low Density Residential (R-1) to Highway Commercial (HC).** Emrick reported that improvements to make parking and access safer were required for this property as a condition of utilization of the building (former TV repair business). The applicant acquired the adjoining residential property and seeks to add parking adjacent to the commercial building. This requires subdividing and recombining of the lots and also re zoning this portion of the residential lot to Highway Commercial. The Planning Commission recommended approval of the request. Staff recommended first reading approval. **Public Hearing:** There was no public input. **Motion:** Anderson made a motion, seconded by White, to close the public hearing. **Vote:** Unanimous. Motion carried. **Motion:** Timbes made a motion, seconded by Anderson, to approve first reading of Ordinance #ZA2017-08-21 (D). **Vote:** Unanimous. Motion carried.

C. **Public hearing and first reading of Ordinance #ZA2017-08-21 (E) Accepting the petition of Venture Engineering on behalf of N.B. Hughes and Lesia Hughes to annex approximately 5.60 acres, composed of four parcels, located on Highway 544 and Todd Road (TMS #1500006079/PIN #38205040048; TMS #1500006035/PIN #38205040044; TMS #150006032/PIN #38205040047; and TMS #1501710002/PIN #38205040117) and to rezone the properties from Horry County General Residential (GR) and SF 6, and Highway Commercial (HC) zoning to a combination of City of Conway Institutional (IN) and Mixed Use (MU) upon annexation.** The rezoning request was made in order to build student housing. A portion of the property is currently zoned Horry County General Residential. It is intended to be combined with the parcel currently zoned Horry County Highway Commercial and is being requested to be zoned Mixed Use at the time of annexation to support residential housing over retail commercial use. If approved, the Future Land Use Map will need to be amended to show Mixed Use as the Future Land Use for this combined parcel. The Comprehensive Plan identifies all subject parcels as Highway Commercial. The remaining parcels would all be rezoned to Institutional to accommodate student housing. Emrick noted that there have been some concern from the community regarding student housing accessing both Todd Boulevard and Carter Lane and about the impact of student housing on the quality of life in the community. The Planning Commission reviewed the annexation and rezoning request at its July 6, 2017, meeting and gave unanimous approval of the annexation and rezoning, but recommended restricting access to Carter Lane for emergency ingress/egress only. **Public Hearing:** Miltonette Clardy commented that she is not against student housing; however, she expressed concern with opening Carter Lane to Highway 544.
She inquired who would maintain the road and who would be responsible for public safety issues. **Michelle (no last name given)** expressed her concern with the increase in traffic and break-ins should the student housing come to fruition. She presented a petition (to the Interim City Administrator) signed by residents in opposition of the housing project. **Sharon Reiley** reported there was never a problem in the community with loud music and parties until Coastal Carolina University students moved into the community. She reported on a medical emergency involving her mother and EMS was unable to get to her residence due to construction. **Denise Baker** expressed her concern with the increase in traffic. **Steve Powell**, Venture Engineering, proposed a drive-way leading out to Highway 544 which would have less of an impact on the neighborhood. **Motion:** Anderson made a motion, seconded by White, to close public hearing. **Vote:** Unanimous. Motion carried. **Motion:** Anderson made a motion to approve first reading of Ordinance #ZA2017-08-21 (E). The motion failed due to the lack of a second. **Substitute Motion:** Timbes made a motion, seconded by Anderson, to table this request and discuss it at a future workshop. **Vote:** Unanimous. Motion carried.

D. Public hearing and first reading of Ordinance #ZA2017-08-21 (F) Accepting the petition of Beverly Homes LLC to annex approximately 1.26 acres of property, consisting of two parcels (PIN #36912010002 and PIN #36912010004), located on Hemingway Chapel Road, and to rezone the property from Horry County CFA to City of Conway Medium Density Residential (R-2) upon annexation. **Forrest Beverly** was present in support of the request. He informed Council that the property would be split into four parcels and three to four houses would be constructed. The Comprehensive Plan identifies these parcels as low density residential on the Future Land Use Map. The Planning Commission has recommended approval of the request. **Staff recommended first reading approval.** **Public Hearing:** **Phil Eisenheimer** inquired about the number of houses to be constructed. **Motion:** Goldfinch made a motion, seconded by Anderson, to close public hearing. **Vote:** Unanimous. Motion carried. **Motion:** **Alford** made a motion, seconded by Anderson, to approve first reading of Ordinance #ZA2017-08-21 (F). **Vote:** Unanimous. Motion carried.

**RESOLUTIONS:**

A. **Authorizing the acceptance of a letter of credit from Beverly Homes LLC guaranteeing the installation of infrastructure in the Rivertown Row Subdivision Phase II-B.** On February 2, 2017, the Conway Planning Commission approved Phase II-B of the Rivertown Row Subdivision. City regulations require that a financial guarantee equal to 125% of the value of the infrastructure work remaining must be approved by City Council. **Emrick** reported that the estimate to complete the required infrastructure improvements provided by the developer’s engineer and approved by the Public Works Director is $301,081.00; 125% of this value is $376,351.64. This amount includes water, sewer, drainage, streets, sitedrainages, erosion control, as-builts, sidewalks, ADA accessible ramps, and shade trees. **Staff recommended that Council adopt the resolution accepting the letter of credit in the amount of $376,351.64 from Beverly Homes LLC, to financially guarantee the installation of infrastructure in Rivertown Row Subdivision Phase II-B. Motion:** Anderson made a motion, seconded by Timbes, to adopt the resolution as recommended by staff. **Vote:** Unanimous. Motion carried.

B. **Authorizing the acceptance of a letter of credit from Beverly Homes LLC guaranteeing the installation of infrastructure at Woodland Lakes Subdivision Phase I.** On May 3,
2007, the Conway Planning Commission approved the Woodland Lakes Subdivision. The subdivision was not constructed and was presented to the Planning Commission again on February 2, 2017 with modifications that brought the subdivision into conformity with the UDO. City regulations require that a financial guarantee equal to 125% of the value of the infrastructure work remaining must be approved by City Council. Emrick reported that the estimate to complete the required infrastructure improvements provided by the developer’s engineer and approved by the Public Works Director is $460,200.00; 125% of this value is $575,250.00. This amount includes water, sewer, drainage, streets, site drainage, erosion control, as-builds, sidewalks, ADA accessible ramps, and shade trees. Staff recommended that Council adopt the resolution accepting the letter of credit in the amount of $575,250.00 from Beverly Homes LLC, to financially guarantee the installation of infrastructure in Woodland Lakes Subdivision Phase I. **Motion:** Anderson made a motion, seconded by Goldfinch, to adopt the resolution as recommended by staff. **Vote:** Unanimous. Motion carried.

**C. Authorizing the acceptance of certain parcels of property in the Central Business District and Waccamaw Riverfront District from the Burroughs Company.** In August 2016, the City of Conway and The Burroughs Company entered into a Riverfront/Downtown Development agreement. The terms of this agreement would transfer certain parcels of property in the Central Business District and Waccamaw Riverfront District from The Burroughs Company to the City of Conway for the sum of $5.00 and mutual obligations and benefits. Council was provided a map of the Central Business District and the Waccamaw Riverfront District depicting the parcels to be transferred to the City as well as the parcels to be retained by The Burroughs Company. The agreement further explains that all properties are to be transferred simultaneously and clear insurable titles to the properties must be conveyed to the City by The Burroughs Company. The City has obtained surveys for all properties to be transferred to the City and those to be retained by The Burroughs Company. **Motion:** Anderson made a motion, seconded by White, to accept title to the properties from The Burroughs Company. **Vote:** Unanimous. Motion carried.

**ITEM FOR INFORMATION: Plans for change in collection of yard waste by City Solid Waste Department.** Jenrette reported that the Horry County Solid Waste Authority will no longer accept leaves and yard trimmings in plastic bags at its recycling center effective June 1, 2017. Therefore, in order for the City to collect yard waste, all yard waste must be piled neatly by the curbside or placed in paper bags. Staff recommended the elimination of plastic bags for the collection of yard waste. **Motion:** Anderson made a motion, seconded by Timbes, to accept staff’s recommendation. **Vote:** Unanimous. Motion carried.

**CITY ADMINISTRATOR’S REPORT:**

- Recognized Roko, the City’s K-9 police officer, which was wearing the bullet proof vest that was donated to the City by Vested Interest in K-9’s, LLC, a charity located in East Taunton, MA.
- Reported on the Hometown Economic Development grant opportunity through the MASC. The maximum grant amount is $25,000 and a local match is required.

**COUNCIL INPUT:**
Anderson suggested that staff advertise the request for residents to place the handle of their trash can toward the road to assist Solid Waste employees.

Timbes suggested that future controversial agenda items be discussed in workshop before being placed on the agenda for consideration.

Blain-Bellamy
- expressed her satisfaction of the Municipal Association of South Carolina’s annual meeting recently in Hilton Head, S.C.
- Congratulated Foster Hughes and his staff on the success of the annual Conway Superstar competition.
- Commented on the large crowd that attended the Indie Market and the great way this event supports the arts.

WORKSHOP:

A. Discussion on the purchase of a new fire engine. The amount of $400,000 was included in the FY 2017-18 budget for the purchase of a new aerial apparatus as part of the on-going apparatus replacement program. However, permission is being requested to purchase a fire engine in lieu of a new ariel ladder truck based on current needs. Funds from the sale two older fire engines is to cover the total cost of a new fire engine. The apparatus in operation out of Fire Station #3 is sixteen years old and is in constant need of repair. Staff also requested to utilize the services of the Fire Rescue Government Purchase Option Consortium, a national purchasing organization, to purchase the new fire engine. Pierce Manufacturing was awarded the bid through this process. Spartan Fire and Emergency Apparatus, Inc., is the local vendor authorized to sell Pierce fire apparatus in North and South Carolina. The cost of the 2018 Pierce Enforcer 6010 Custom Pumper is priced at $495,123 which includes the $2,000 fee for the GPO purchase. In addition, loose equipment, bid through the same process, totals $21,230 and sales tax of $500 brings the total to $516,853. Hendrick noted that the City could save $12,058 by making a 50% pre-payment, reducing the purchase price to $504,795. OUTCOME: This item will be put on a future agenda for Council consideration.

B. Discussion on possible amendment of City ordinances pertaining to fireworks. During the July 17, 2017 meeting, Chief Gosnell reported on the high volume of complaints involving the discharge of fireworks received on the recent July 4th holiday and requested guidance from Council regarding possible amendments to the City’s regulations on fireworks. Based on Council’s input, Gosnell presented a draft ordinance to revise these regulations: Section 7-4-11 Use and sale within the city generally – (a) As authorized in Sections 7-4-12 and 7-4-13 (b) The discharge of fireworks shall be permitted on New year’s Eve from 10:00 a.m. until 10:00 p.m.; and (c) The discharge of fireworks shall be permitted on July 4th from 10:00 a.m. until 10:00 p.m.; Section 7-4-12 Permitted fireworks – change the wording to consumer fireworks from the current ICC Class C common fireworks; Section 7-4-13 Permit and license required for public displays or exhibits – (a) revise the wording to read special event permit as opposed to the current wording of written permit as well as remove the wording and the mayor, as Council is one body consisting of the mayor and city council members; Section 7-4-15 Certain acts prohibited- revise the age requirement to purchase fireworks from age 14 to 16; and finally State Law Reference: State Board of Pyrotechnic Safety, SC Code sec. 40-56-20, et seq.- staff recommended that Section 9-1-21 (h) (16) in the City’s noise ordinance that pertains to
firworks on July 4th and December 31st be repealed. **OUTCOME:** First reading of the proposed ordinance will be put on a future agenda for Council consideration.

C. **Discussion on transfer of funds from the Public Utilities Restricted Fund to support the extension of a fire protection water line to the rear of Langston Heights Subdivision.** Friday reported that the Langston Heights Subdivision is now contiguous to the City limits on two sides. Most of the lots will be annexed into the City before utilities are offered. Therefore, the Fire Department has requested that fire protection water be provided to the rear of the subdivision. In order to provide that protection, the existing 6-inch water main will need to be extended 850 feet and a fire hydrant will need to be installed at the rear of the subdivision. Staff proposed to continue the loop with a 2-inch water line back to the existing 6-inch water line on the right side of the subdivision. Friday noted that if the proposal is acceptable, a budget amendment in the amount of $90,000, the estimated cost of the project, will be required. **OUTCOME:** First reading of the proposed ordinance will be put on a future agenda for Council consideration.

D. **Discussion on request from Horry County to reduce business license fees on manufacturing uses throughout the City.** On July 17, 2017, the Mayor, Interim City Administrator and the City Attorney met with representatives of Horry County and the Myrtle Beach Regional Economic Development Corporation to discuss a new industrial use at the Atlantic Center Industrial Park. Emrick reported that Horry County is woking with a new company to come into the Atlantic Center and was not aware that the parcel would need to be annexed into the City to obtain water service nor was the manufacturing business aware that it would need to pay City Business License fees rather than County Business License fees. The difference in fees is approximately $10,000. Horry County requested that the City consider reducing business license fees for manufacturing uses to make the City’s rate more in line with the County’s rate. Emrick noted that the City would lose $3,418.86 annually from existing uses if the City were to alter its rates on manufacturing uses. The new manufacturing facility would also pay $9,906.72 less annually in business license fees under a new fee structure, for a total annual shortfall of $13,325.58 for the City. Josh Kay of the Myrtle Beach Regional Economic Development Corporation was present and offered clarification of the request. **OUTCOME:** Council was in consensus that a special-called meeting was necessary in order to discuss this request further prior to making any decisions.

E. **Discussion on suspending the annexation of property in the Atlantic Center.** Emrick reported that Horry County has begun the process of creating a Multi-County Business Park for all parcels in the Atlantic Center that are not already annexed into the City of Conway. Currently there are 44 parcels in the Atlantic Center, 5 are in the City, 39 are not. The County’s creation of a Multi-County Business park will substitute a fee-in-lieu of property taxes for all County parcels. Therefore, should the City annex these parcels, the City will receive no payment of property taxes. The City ordinance states that an entity seeking water from the City shall be required to annex. Emrick noted that there is a provision that indicates that the City can choose not to annex at the time of petition, but nothing that would allow an entity to petition for annexation. Horry County has asked the City to consider not requiring annexation petitions from parcels in the Atlantic Center. **OUTCOME:** Council was in consensus that a special-called meeting was necessary in order to discuss this request further prior to making any decisions.
EXECUTIVE SESSION: **Motion:** Goldfinch made a motion, seconded by White, to enter into executive session to discuss negotiations incident to proposed contractual arrangements. **Vote:** Unanimous. Motion carried.

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

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

APPROVAL OF MINUTES: Minutes approve by City Council this __________ day of September, 2017.

Debbie F. Smith, City Clerk