CITY COUNCIL MEETING
CITY HALL COUNCIL CHAMBERS
229 MAIN STREET
CONWAY, SOUTH CAROLINA
MONDAY, MAY 6, 2019 – 5:30 PM

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

STAFF: Adam Emrick, City Administrator; Kevin Chestnut, Public Works Director; Braxton Fleming, Construction Inspector/Stormwater Assistant; Mary Catherine Hyman, Planning Director; Bess Harry, Building Assistant; James Friday, Public Utilities Director; Kent Bitting, Dale Long, Police; Jeremy Carter, Assistant Fire Chief; Allison Williams, Finance Director; David Crotts, Assistant Finance Director; Lynn Smith, Human Resources Director; Taylor Newell, Information Officer; and Barbara Tessier, City Clerk

OTHERS: Amber Wall, Brian Bates, Tom Garigen, Henry Porter, George DeBusk, Howard Richardson, April O’Leary, Sudie Thomas, Cammy Dou, Kathy Ropp, Patrick Floyd, Sabrina Shutters, Nick Papantonis, 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. She introduced Debra Dixon, Conway Police Chaplin, 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 Timbes, to approve the May 6, 2019 agenda with Item VI.D to be removed. Vote: Unanimous. Motion carried.

CONSENT AGENDA:

A. Resolution authorizing the acceptance of a letter of credit from P3 Construction LLC, guaranteeing the installation of sidewalks in Carsen’s Ferry Subdivision Phase II and IV.

B. Resolution authorizing opting out of the Intergovernmental Agreement for the Urban County Entitlement CDBG Program

C. Minutes of City Council meeting – April 15, 2019

Motion: White made a motion, seconded by Timbes, to approve the Consent Agenda as presented. Vote: Unanimous. Motion carried.
PUBLIC INPUT:

Henry Porter would like the proposed development at Country Club to be in line with the existing neighborhood, and has a concern about stormwater runoff and traffic.

George DeBusk has concerns about traffic, stormwater runoff and quality of life relating to the proposed development at the former Country Club.

April O’Leary has concerns about water quality and the proposed amount of impervious surfaces at the proposed former Country Club development.

Sudie Thomas has concerns relating to water quality and traffic at the proposed former Country Club development.

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

SPECIAL PRESENTATIONS:

A. Presentation of Proclamation for Willow Holmes, Benevolent Community Worker. Mayor Blain-Bellamy asked Willow Holmes to come forward and then read aloud and presented the proclamation to her, announcing that Tuesday, May 7, 2019 would be Willow Holmes Day in the City of Conway.


C. Employee Longevity Award – Jerry James – Volunteer Firefighter – 20 years. Emrick and Council Member White presented James with the award.

D. Special Event Request - Conway Strong Festival – June 14th and 15th – Removed from agenda by unanimous vote of Council.

FINAL READING:

Final reading of Ordinance #ZA2019-04-15 (I) An Ordinance to annex approximately 62.42 acres of property, formerly the Conway Country Club Golf Course located on Country Club Drive (TMS 123-00-02-079 | PIN 324-00-00-0017), and request to rezone from Horry County Single-Family SF20 to City of Conway Low/Medium-Density Residential (R-1). Hyman informed Council that staff also had concerns about flooding and storm water until this afternoon when they heard what information the engineers provided. Hyman advised Council the decision for them tonight was to decide whether to approve the Low Density Residential (R) or the Low/Medium Density Residential (R-1) zoning for the
property. Another option would be not to annex the property; however, development of this property would have stricter requirements in the City than if left to be developed in the County.

Goldfinch acknowledged the amount of emotion this annexation was causing the public, but that development was going to happen and it should be done correctly. Goldfinch suggested tabling the request to allow Council to amend the Low Density (R) zoning district. Anderson was also concerned about the loss of open space and storm ponds if the property was zoned Low Density Residential. Timbes commented that Council could not change the rules at this point.

**Motion:** Timbes made a motion, seconded by Smith, to approve final reading of Ordinance ZA2019-04-15 (I) with a zoning of Low Density Residential (R). **Vote:** Timbes, Mayor Blain-Bellamy, Smith, and White voted in the affirmative. Anderson, Goldfinch, and Hubbard voted in the negative. Motion carried.

**PUBLIC HEARING and FIRST READING**

A. Public hearing and first reading of Ordinance ZA#2019-05-20 (A) An Ordinance to Raise Revenues and Adopt Budgets for the General Fund, Enterprise/Public Utility Fund, Street/Drainage Fund, Storm Water Fund, Tax Increment Financing (TIF) Fund, Accommodations Tax Fund, Community Development Fund, and Hospitality Fee Fund, City of Conway, South Carolina, for the Fiscal Year Beginning July 1, 2019, and Ending June 30, 2020. A. Williams reviewed the proposed budget for FY2019-2020 which totals $45,837,240. An increase of 6.05% over the current year’s budget includes a 2.2% Cost of Living salary increase for qualifying employees, increased pay for those employees found to be below the minimum and the addition of three new full-time positions. The current millage will be adjusted once the reassessment values are known. Water and sewer rates will increase by 4%, and business license renewals will now be due April 30th each year instead of June 30th. Staff recommended approval of first reading. **Public Hearing:** there was no comment from the public. **Motion:** Goldfinch made a motion seconded by White, to close the public hearing. **Vote:** Unanimous. Motion carried. **Motion:** Anderson made a motion, seconded by White, to approve first reading of Ordinance ZA#2019-05-20 (A). **Vote:** Unanimous. Motion carried.

B. Public hearing and first reading of Ordinance #ZA2019-05-20 (B) An Ordinance to annex approximately 1 acre of property located at 3973 Long Avenue Ext. (TMS 110-00-03-068 | PIN 294-13-02-0006) and request to rezone from Horry County Commercial Forest Agriculture (CFA) to City of Conway Low/Medium Density Residential District (R-1). Hyman informed Council that this request was to allow an existing house that had recently changed ownership to tie into City water services. Staff recommends approval of this request. **Public Hearing:** there was no comment from the public. **Motion:** Timbes made a motion seconded by Anderson, to close the public hearing. **Vote:** Unanimous. Motion carried. **Motion:** White made a motion, seconded by Timbes, to approve first reading of Ordinance #ZA2019-05-20 (B). **Vote:** Unanimous. Motion carried.
C. Public hearing and first reading of Ordinance #ZA2019-05-20 (C) An Ordinance to annex approximately 152.02 acres of property located on Academy Drive off of Highway 501 (TMS 150-00-02-001 | PIN 382-00-00-0001) and request to rezone from Horry County Commercial Forest Agriculture (CFA) to City of Conway Conservation Preservation (CP). Hyman informed Council that this property was known as the Westmoreland II Tract. The City, in association with the Open Space Institute, is working on grant funding to purchase and preserve the property. A Duke Energy Water Resources grant has already been approved. The property will eventually be transferred to the City. In the future, the City may transfer title to the Waccamaw Refuge as part of the Waccamaw Conservation Corridor. Staff recommends approval of this request.

Public Input:

Cammy Dou because of a language barrier, provided a written copy of her concern which the Mayor read aloud. Her concerns about the annexation of this property were environmental issues.

Ruth Calone asked Council why the City wanted to annex this property and what this would do to the residents on Academy Drive.

Doug McCray explained to Council that, while he had no issue with protecting the property, if it were to be annexed, he would have to either sign a Restricted Covenant or annex the parcel that he recently purchased which would now be adjacent to City property. The reason he did not want to be annexed was the loss of his mother, who was murdered with the City limits. Hyman noted that Council did not have to annex the property when that time came. Emrick commented that McCray’s property was not a priority area for annexation as it would not be filling in any doughnut holes in the City.

Motion: Mayor Blain-Bellamy made a motion, seconded by White, to close the public hearing. Vote: Unanimous. Motion carried. Motion: Anderson made a motion, seconded by White, to approve first reading of Ordinance #ZA2019-05-20 (C). Vote: Unanimous. Motion carried.

D. Public hearing and first reading of Ordinance #ZA2019-05-20 (D) An Ordinance to rezone a portion (0.921 acres) of the property adjacent to 1200 Hemingway Chapel Road (PIN 36912010047*) from Low/Medium Density Residential (R1) to Medium Density Residential (R2). *Since the application was received, the PIN number has changed due to a parcel split. Hyman informed Council that the applicant intends to develop a multi-family residential project on the adjacent parcel on Hemingway Chapel Road. Staff noticed that the size of the parcel was not large enough to accommodate the proposed 30 units. The applicant requested a variance for the lot size and was denied. In order to meet the minimum lot size requirements, the developer is requesting to purchase to adjacent tract, rezone it to R2, and combine it with the primary parcel to allow for the proposed density. This 0.921 of an acre lot will need to be subdivided from the larger tract prior to a final reading of the annexation and rezoning requests. The majority of this parcel is wetlands. Staff recommends the approval of this request.
Public Hearing: Davis Inabnit informed Council that he was present to answer any questions they might have about this rezoning. Inabnit commented that this rezoning and combination of the parcels would allow for the project to progress without increasing the density. Motion: White made a motion, seconded by Anderson, to close public hearing. Vote: Unanimous. Motion carried.

Motion: Smith made a motion, seconded by Anderson, to approve first reading of Ordinance #ZA2019-05-20 (D). Vote: Unanimous. Motion carried. Hymn noted that this may not be on the agenda for final reading at the next meeting because the two parcels have to be combined before a final reading can be held.

E. Public hearing and first reading of Ordinance #ZA2019-04-20 (E) to amend Article 4 and 6 of the Unified Development Ordinance (UDO), regarding office-related uses in the Waccamaw Riverfront Zoning District (WRD 1). Hyman advised Council that the Lower River Warehouse is currently proposed to be demolished and redeveloped into a restaurant. During the architectural review of the plans for the restaurant, staff noticed that one side of the building is proposed to be an office space for a realty company, owned by the same people who own the restaurant. The Use Tables section of the UDO, most offices, including real estate offices, are not permitted uses, conditional uses or even an accessory use in the Waccamaw Riverfront District. A footnote in the Use Table states permitted uses and conditional uses under the WRD column shall meet the mixed use requirements in Section 6.4.1 if located in the WRD 1 sub-district. Staff believes that in a previous amendment, dating back to 2011, the changes made to the ordinance in the rewrite of the UDO inadvertently mislabeled certain sections of Section 6.4.1, including subsection D - Mixed Use Requirements for WRD-1. This subsection currently lists no standards beneath it and instead jumps to subsection E. Staff believes that Item E was mislabeled and should have been labeled #1 under item D. Staff recommends amendments to Article 4 and Article 6 to clear up the inconsistencies related to the permitted used in the Waccamaw Riverfront District as well as amending the permitted and/or conditional uses in WRD to allow office uses in buildings which contain a permitted, principal use verses requiring office uses to be located on the second floor of buildings only. Staff proposes no changes to the multi-family residential requirements in WRD at this time. In addition, staff noticed a discrepancy in the UDO with jewelers and leather shops, and has addressed this as well with the proposed amendment. Timbes asked Hyman if this would permit stand-alone offices, to which Hyman replied it would not.

Public Hearing: there was no comment from the public. Motion: Goldfinch made a motion seconded by Mayor Blain-Bellamy, to close the public hearing. Vote: Unanimous. Motion carried. Motion: Anderson made a motion, seconded by White, to approve first reading of Ordinance #ZA2019-04-20 (E).

ITEMS FOR CONSIDERATION:
A. **Acceptance of bid for Fireman’s Clubhouse, Tennis Center & Tennis shed demolition.** 

Harry, Building Assistant, informed Council that six bids have been received for the removal of asbestos from the Fireman’s Clubhouse and demolition of it as well as the Tennis Center and tennis shed. Of the six bids, JMEC, was the lowest at $15,750. The funds will be charged to the Hurricane Florence account. Staff recommends the acceptance of the bid from JMEC. **Motion:** Goldfinch made a motion, seconded by Smith, to approve the acceptance of the bid from JMEC for the removal of asbestos from the Fireman’s Clubhouse and demolition of it as well as the Tennis Center and tennis shed. **Vote:** Unanimous. Motion carried.

B. **Acceptance of RFP Bid for hiring a playground design/construction firm for the Inclusive Playground.** Jarrell informed Council that the City had advertised for proposals to design/build an Inclusive Playground at the City’s Recreation Complex. Proposals were ranked on company qualifications, management and staffing, and cost with a possible total score of 100 points per submittal. A team consisting of members of City Council, the Recreation Department, and members of the community reviewed the five proposals that were received. Two of the submittals were scored with a high score of 73.6 points. These were Kompan, Inc. with a bid of $197,293.98 and Chuckich Recreation with a bid of $149,984.92. Anderson, who sits on the playground committee, noted that Kompan, Inc. provided more equipment which accounted for their bid being higher. Jarrell informed Council that there was a grant available that would provide funds toward the playground. **Motion:** Anderson made a motion, seconded by White, to authorize staff to negotiate a contract with Kompan, Inc. to design/build the City’s Inclusive Playground. **Vote:** Unanimous. Motion carried.

**CITY ADMINISTRATOR’S REPORT:**

Emrick deferred his comments due to the lateness of the meeting.

**COUNCIL INPUT:**

**Hubbard** mentioned two great events over the past week, the Rivertown Music & Beer Festival and the Shepherds’ Table Gospel Brunch fundraiser.

**Timbes** suggested a formal presentation be made when the new plaque was installed on the City’s clock, and that the Low Density Residential (R) zoning district should be reviewed and strengthened immediately.

**Anderson** commented that he had seen the Lion King, Jr. put on by the Conway Elementary School and Conway High this past weekend and it was well worth seeing.

**Goldfinch** asked staff to review the City’s ordinance relating its status as a bird sanctuary and amend it to allow for hunting, as permitted by South Carolina law.
Smith agreed with Anderson’s comments on the Lion King, Jr. and noted that the Conway High School Golf Team finished 5th in the lower state and would be going to the state tournament for the first time in 17 years.

Mayor Blain-Bellamy commented that the Lion King was fabulous. She and Council Member White attended a dinner of gratitude at which the City was thanked for its role in helping with the Whittemore Community summer jobs program.

EXECUTIVE SESSION: Motion: White made a motion, seconded by Timbes, to enter into executive session to consider appointments to boards, commissions and committees, a pending legal claim and employment of an employee. Vote: Unanimous. Motion carried.

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

ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION:

Appointments to boards, commissions and committees [pursuant to SC Code §30-4-70(a)(1)]. Motion: Goldfinch made a motion, seconded by Smith, to approve the following appointments as discussed in executive session. Vote: Unanimous. Motion carried.

The Coast RTA Board of Directors – Ivory Wilson, whose term will expire on April 30, 2022.

Community Appearance Board – Jamie McLain, whose term will expire on December 31, 2023.

Consideration of the employment of an employee [pursuant to SC Code §30-4-70(a)(1)] Motion: White made a motion, seconded by Mayor Blain-Bellamy, to authorize the City Administrator to dismiss the Recreation Director from his position effective immediately. Vote: Unanimous. Motion carried.

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

APPROVAL OF MINUTES: Minutes approved by City Council this 20th day of May, 2019.

Barbara A. Tessier, City Clerk