CITY COUNCIL MEETING
CITY HALL COUNCIL CHAMBERS
229 MAIN STREET
CONWAY, SOUTH CAROLINA
MONDAY, DECEMBER 2, 2019 – 5:30 PM

PRESENT: Mayor Blain-Bellamy, William Goldfinch, Mayor Pro Tem, and Council Members Tom Anderson, Shane Hubbard, Jean Timbes. ABSENT: Larry White (illness)

STAFF: Adam Emrick, City Administrator; Dale Long, Police Chief; Reggie Jenerette, Solid Waste Director; Ashley Smith, Recreation Director; Timmy Williams, Director of Parks and Ground Maintenance; Braxton Fleming, Public Works Superintendent; Lynn Smith, Human Resources Director; Jeremy Carter, Assistant Fire Chief; James Friday, Public Utilities Director; Kent Bitting, Public Utilities Superintendent; Mary Catherine Hyman, Deputy Administrator/Planning & Development Director; John Rogers, Deputy Administrator/Grants & Special Projects Director; Kevin Chestnut, Public Works Director; David Crotts, Assistant Finance Director; Jessica Hucks, Planner; Robert Cooper, Building Official; Alex Cook, Plans Reviewer; Taylor Newell, Public Information Officer; and Barbara Tessier, City Clerk

OTHERS: Alex Hyman, Justin Jordan, Jimmy P. Jordan, Brooklyn Ruggerio, Barb Eisenhardt Media: Kathy Ropp, Tyler Fleming, photographer WPDE

CALL TO ORDER Mayor Blain-Bellamy called the meeting to order. Pastor Seth Farrior of Sea Coast Church gave the invocation and City Council and those in attendance recited the Pledge of Allegiance.

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

APPROVAL OF AGENDA: Motion: Hubbard made a motion, seconded by Anderson, to approve the December 2, 2019 meeting agenda. Vote: Unanimous. Motion carried.

CONSENT AGENDA

A. Final reading of Ordinance #ZA2019-12-2-19 (A) An Ordinance to annex approximately 0.61 acres of property located at 604 Dunn Shortcut Road (TMS 122-00-02-035 | PIN 337-08-02-0026) and request to rezone from Horry County Commercial Forest Agriculture (CFA) to City of Conway Low/Medium Density Residential District (R-1).

B. Purchase of Phase 2 SCADA System for Lift Stations

C. Rosehaven 3 amended Letter of Credit
D. Minutes of City Council Workshop –November 4, 2019. and City Council Meeting –November 18, 2019

Motion: Blain-Bellamy made a motion, seconded by Goldfinch, to approve the Consent Agenda with the exception of moving Item IV.A - Final Reading of Ordinance #ZA2019-12-2-19 (A) from the Consent Agenda to Items for Consideration as Item VIII.D. Vote: Unanimous. Motion carried.

PUBLIC INPUT: Barb Eisenhardt asked Council to consider not rezoning the property located at Wild Wing as presented in Public Hearing and First Reading #B and to allow the property to be used as non-compliant (nonconforming). Her concern was that if the intended project did not come to fruition, any type of use that was included in the Institutional Zoning would be allowed.

Motion: Goldfinch made a motion, seconded by Hubbard, to close Public Input. Vote: Unanimous. Motion carried.

SPECIAL PRESENTATIONS

A. Recognition of Brooklyn Ruggerio artist of the 2019 City of Conway Christmas Card. Brooklyn Ruggerio was recognized as the artist of the 2019 Christmas card for the City of Conway. Brooklyn is the 9-year old daughter of Jessica Ruggerio and is in the fourth grade at Waccamaw Elementary School. On behalf of Council, Mayor Blain-Bellamy presented Brooklyn with a gift certificate and a framed edition of her Christmas card.

B. Special Event Request – National Health & Nutrition Examination Survey Mobile Units. Rogers informed Council that this request was to allow for the Center of Disease Control to place mobile medical trailers at Horry Georgetown Technical College located at 2050 Hwy. 501 for a period of three months starting on December 18, 2019 through March 12, 2020. The medical information collected will be strictly confidential. Motion: Anderson made a motion, seconded by Timbes, to approve the special event request as presented. Vote: Unanimous. Motion carried.

C. Employee Longevity Awards – Michael Clark – Police Department – 5 years & Dan Reardon – Public Utilities – 5 years. Emrick and Council Member Timbes presented Clark with his award. Dan Reardon was not able to attend.

PUBLIC HEARING AND FIRST READING

A. Public hearing and first reading of Ordinance #ZA2019-12-16 (A) to amend Article 2 – Definitions, Article 4 – Use Tables and Article 5 – Specific Use Regulations, of the Unified Development Ordinance (UDO), regarding Short Term Rentals (STR’s). Hucks advised Council that the City did not currently regulate short term rentals. Airbnb, VRBO and Home Away are home sharing sites that have become very popular for people to rent unused rooms in their home or their entire home to earn income. Staff researched the issue and those findings were presented at the September 16, 2019 Planning & Development Committee meetings. Staff was
directed to draft an ordinance regarding short term rentals. At the October 21, 2019 Planning & Development Committee meeting, staff was directed to bring the ordinance to the Planning Commission.

The purpose of the proposed ordinance is to define Short Term Rentals (STR’s) and related terms, and to provide regulations for the short term rental of immovable property for lodging and sleeping purposes. The ordinance would require that short term rentals obtain a City business license and be subject to all applicable taxes (i.e. accommodations, sales). The ordinance would not create a separate application process, but instead would be reviewed by the Planning Department once the business license has been applied for to insure compliance with the ordinance. The Planning Commission reviewed the draft at their November 7th meeting and recommended approval. Staff also recommends approval of the first reading of the proposed ordinance.

Hucks advised Council that a letter had been received from an owner of an Airbnb on Ninth Avenue and was in front of them.

**Public Input:** Barb Eisenhardt informed Council that she had recently stayed at an Airbnb and it had been the worst travel experience she ever had. She later discovered that the city in which they were staying was not aware of people listing their homes with Airbnb. Eisenhardt noted that this home did not meet proper egress requirements. **Motion:** Blain-Bellamy made a motion, seconded by Hubbard, to close Public Input. **Vote:** Unanimous. Motion carried.

Hucks commented that there were issues, but a business license would be required, and if it was not applied for and approved, there would be penalties imposed.

A lengthy discussion followed regarding inspection of all the homes, personal property tax issues, how short-term rentals could be regulated and not long-term rentals, and protection for neighboring homes. Pros and cons were considered by Council of regulating short-term rentals with a concern that there were possibly more issues that had not been addressed.

**Motion:** Goldfinch made a motion, seconded by Anderson, to defer this item until the January 6, 2020 meeting to allow for incoming Council members to have the ability to weigh in on the issues. **Vote:** Unanimous. Motion carried.
B. Public hearing and first reading of Ordinance #ZA2019-12-16 (B) Amending the existing Wild Wing Planned Development (PD) to include the Institutional Zoning classification (including its uses and height restrictions) and allow shifting of densities between parcels (PIN 38313020072, PIN 38416010030, PIN 38300000321, PIN 38313020070, and PIN 38300000337) (DEFFERAL REQUESTED). Hyman noted that the applicant had requested that the public hearing and first reading be deferred. **Motion:** Anderson made a motion, seconded by Hubbard, to defer the public hearing and first reading at the applicant’s request. **Vote:** Unanimous. Motion carried.

ITEMS FOR CONSIDERATION

A. **Consideration of replacement of vehicle extrication tool.** Rogers informed Council that an RFP had been sent out on September 24, 2019 and sealed bids were received on October 24, 2019 for one full set of tools, and a list of secondary items. A full set of tools and an additional pump was needed from the option list. Two bids were received. The bid from Tiles in Style, LLC was the lowest bid; however, staff was not able to make contact with them. The company is also not listed as an authorized retailer for Genesis Extrication tools.

Staff recommends accepting the bid from Safe Industries in the amount of $30,844.80. Although this bid is over budget, the overage can be accommodated for in other areas of the budget.

**Motion:** Anderson made a motion, seconded by Timbes, to approve the purchase of the replacement vehicle extrication tool from Safe Industries in the amount of $30,844.80. **Vote:** Unanimous. Motion carried.

B. **Consideration of replacement of vehicle involved in a collision.** Long informed Council that in August of this year, a City detective was involved in a collision on Church Street when another vehicle struck hers. The City vehicle was declared a total loss. The City received $8,007.00, and withheld our $1,000 deductible. The at-fault party and insurance are in litigation, and the City intends to subrogate the claim back to them and will make our total recoupment $9,007.00.

No bids were received from Ford or Chevrolet dealers. State contract pricing for a Dodge Charger is $26,518.00.

Staff recommends the acceptance of the state contract price, to apply the $8,007.00 received from insurance reserve fund, and will be taken from the department capital fund.

**Motion:** Hubbard made a motion, seconded by Timbes, to accept the state contract pricing and approve the purchase of a Dodge Charger as a replacement vehicle for the Police Department. **Vote:** Unanimous. Motion carried.

C. **2020 City Council Dates.** Emrick advised Council that the 2020 calendar being proposed was the same as for 2019 with a meeting on the first and third Mondays of each month with
the exception of those Mondays on which a holiday fell. **Motion:** Blain-Bellamy made a motion, seconded by Goldfinch to approve the proposed 2020 Council meeting calendar with the exception that there would be no meeting on December 21, 2020. **Vote:** Unanimous. Motion carried.

D. **Final reading of Ordinance #ZA2019-12-2-19 (A) An Ordinance to annex approximately 0.61 acres of property located at 604 Dunn Shortcut Road (TMS 122-00-02-035 | PIN 337-08-02-0026) and request to rezone from Horry County Commercial Forest Agriculture (CFA) to City of Conway Low/Medium Density Residential District (R-1).** This item was moved to Items for Consideration from the Consent Agenda by approval of Council. Hyman informed Council that the applicant was in the application process for a grant that would assist with the financial aspect of connecting to public utilities; however, this grant is not permitted if the property is within City limits. Hyman recommended that Council defer the final reading until such time as the grant had been approved and the sewer connection installed. **Motion:** Blain-Bellamy made a motion, seconded by Hubbard, to defer the final reading until the sewer issue was resolved. **Vote:** Unanimous. Motion carried.

**CITY ADMINISTRATOR’S REPORT:**

- A committee meeting to discuss Residential Design Standards will be held tomorrow. The committee, formed by the Planning Commission, is comprised of builders, developers, realtors, and others in the industry. Once reviewed and recommendations have been made, the ordinance will go back to the Planning Commission for review.
- The Riverfront playground is taking shape, and is still on schedule to open before Christmas.
- A Christmas to Remember is December 7th from noon to 3 p.m. Anyone interested in participating to shop with the children should meet at the Public Safety Complex at noon.
- The first weekend of Celebration of Lights saw just under 1,000 cars and grossed $4,724 at the gate.
- The City’s Christmas Tree Lighting is Thursday evening at 6 p.m. If Council members wish to record a Christmas greeting, Taylor will be in the lobby of City Hall between 5 and 5:30 p.m.
- The closing on the building on Main Street adjacent to City Hall was completed last week.
- The Riverwalk is now lit and is very pretty. It will be the setting for the Under the Lights 5k, which is next week. The Reindeer Run is this Saturday morning and the Regatta in the evening.
- The wiring is still being installed in the conduit on the Main Street Bridge. Staff still hopes to have the wreaths up before Christmas, but it will be cutting it very close.
COUNCIL INPUT:

Hubbard noted that he had missed several meetings due to illness and hoped all would bear with him.

Timbes commented that the City was beautiful with all the Christmas decorations.

Anderson noted that the train that was built by staff was incredible.

Goldfinch also commented on the wonderful Christmas lights and the train.

Blain-Bellamy noted that Kingston Park had been receiving lots of great comments, but she had recently received a compliment on how the entire City had a lot of energy. Congratulated Brooklyn Ruggerio again for being the artist of the 2019 City of Conway Christmas card and hoped that this would be the best Christmas ever.

EXECUTIVE SESSION: Motion: Anderson made a motion, seconded by Timbes, to go into Executive Session to Consideration of the employment of an employee [pursuant to SC Code §30-4-70(A)(1)]. Vote: Unanimous. Motion carried.

RECONVENE FROM EXECUTIVE SESSION: Motion: Hubbard made a motion, seconded by Anderson, to come out of Executive Session. Vote: Unanimous. Motion carried.

POSSIBLE ACTION ON MATTER DISCUSSED IN EXECUTIVE SESSION: No action was taken.

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

APPROVAL OF MINUTES: Minutes approved by City Council this 16th day of December, 2019.

Barbara A. Tessier, City Clerk