CITY COUNCIL MEETING  
CITY HALL COUNCIL CHAMBERS  
229 MAIN STREET  
CONWAY, SOUTH CAROLINA  
MONDAY, AUGUST 6, 2018 – 5:30 PM

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

STAFF: Adam Emrick, City Administrator, Kevin Chestnut, Public Works Director; Mary Catherine Hyman, Planning Director; Robert Cooper, Building Official, Le Hendrick, Fire Chief, Reggie Jenerette, Solid Waste Director; Dale Long, Police Chief, Taylor Newall, Public Information Officer; Lynn Smith, Human Resources; Allison Williams, Finance Director; Timmy Williams, Grounds and Maintenance Director; Addison Jarrell, Parks, Recreation and Tourism Director; Debbie Smith, Executive Assistant; Barbara A. Tessier, City Clerk

OTHERS: 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 introduced Rev. Jamey Collins of Jamestown Baptist Church who gave the invocation. City Council and those in attendance recited the Pledge of Allegiance.

APPROVAL OF AGENDA: Motion: Anderson 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 #ZA2018-08-06 (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 36600000015) and to rezone the property from Horry County Commercial Forest Agriculture (CFA) to City of Conway Medium Density Residential (R-2) upon annexation

B. Adoption of resolution recognizing the Riverfront Tennis Center senior ladies’ team as winner of the South Carolina USTA League State Championship

C. Special event request: Snowball Drop, November 10, 2018 – Hillary Howard, Executive Director, Conway Downtown Alive

D. Acceptance of bid for purchase of trailer-mounted vacuum excavator for Public Utilities Department
E. City Council meeting minutes – July 16, 2018

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

PUBLIC INPUT:

Barbara Streeter thanked Council for its support in making the Indie Market a success.

James Brierton requested that City Council consider a $2 membership fee, similar to the membership fee for youth, for senior citizens to participate at the Recreation Center.

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

SPECIAL PRESENTATIONS:

A. Presentation of resolution recognizing the Riverfront Tennis Center senior ladies’ team as winner of the South Carolina USTA League State Championship. Mayor Blain-Bellamy welcomed to the meeting the senior ladies’ Riverfront Tennis Center team, a group of eight local women in the age 70+ division. On behalf of Council, the Mayor then read aloud and presented this resolution to the team.

B. Longevity Bonus Award was presented to Jimmy Hammond, volunteer firefighter, 40 years. Darrell McDowell was unable to attend and will be recognized during the September longevity presentation. The presentations were made by the City Administrator, accompanied by Council Member Hubbard.

PUBLIC HEARINGS AND ORDINANCES FOR FIRST READING:

A. Public hearing and first reading of Ordinance #ZA2018-08-20 (A) An Ordinance to rezone approximately 0.61 acres of property located off Lone Star Street (TMS # 151-42-01-019 | PIN 38302030014) from Heavy Industrial (HI) to Institutional (IN) Hyman advised Council that this request was being made to provide access for the Bellamy Student Housing project. The Bellamy Student Housing Project is located on an adjacent parcel that was annexed into the City in 2017. The Comprehensive Plan identifies this parcel as Industrial. The Planning Commission recommended approval of the request. Staff recommended first reading approval. Public Input: There was no input from the public. Motion: Goldfinch made a motion, seconded by Anderson to close the public hearing. Vote: Unanimous. Motion carried. Motion: Goldfinch made a motion, seconded by Anderson, to approve the first reading of Ordinance #ZA2018-08-20 (A). Vote: Unanimous. Motion carried.

B. Public hearing and first reading of Ordinance #ZA2018-08-20 (B) An Ordinance to annex approximately 116.54 acres of property located at Cox Ferry Lake (PIN 38100000025) and to rezone the property from Horry County Commercial Forest Agriculture to City of Conway Conservation Preservation (CP) upon annexation. Hyman advised Council that the Winyah Rivers Foundation is working with the City to transfer title of this property, known as the “Singleton Tract,” to the City. The Comprehensive Plan identifies this parcel as
Conservation Preservation. The Planning Commission recommended approval of this request. **Public Input:** There was no input from the public. Staff recommended first reading approval. **Motion:** Smith made a motion, seconded by White, to close the public input. **Vote:** Unanimous. Motion carried. **Motion:** Anderson made a motion, seconded by White to approve first reading of Ordinance #ZA2018-08-20 (B). **Vote:** Unanimous. Motion carried.

**ORDINANCES FOR FIRST READING:**

A. **Ordinance #ZA2018-08-20 (C)** An Ordinance to annex approximately 0.35 acres of property located at 154 Lander Drive (TMS #151-28-03-026 | PIN 38315010045) and to rezone the property to Low Density Residential upon annexation. Hyman advised Council that there had been a recent change in ownership of this parcel and this request was being made to allow an existing house on the property to tie into City water services. The Comprehensive Plan identifies the parcel as Low-Density Residential. Staff recommended first reading approval. **Motion:** White made a motion, seconded by Anderson to approve the first reading of Ordinance #ZA2018-08-06 (C). **Vote:** Unanimous. Motion carried.

B. **Ordinance #ZA2018-08-20 (D)** An Ordinance to annex approximately 0.77 acres of property located at 3948 Long Avenue Extension (TMS #111-00-03-145 | PIN 29516040019) and to rezone the property to Low Density Residential upon annexation. Hyman advised Council that request was being made to allow an existing house that recently changed ownership to tie into City water services. The Comprehensive Plan identifies the parcel as Existing Residential. Staff recommended first reading approval. **Motion:** Timbes made a motion, seconded by Smith to approve the first reading of Ordinance #ZA2018-08-06 (D) **Vote:** Unanimous. Motion carried.

C. **Ordinance #ZA2018-08-20 (E)** An Ordinance to annex approximately 0.46 acres of property located at 738 and 742 Highway 905 (TMS #123-16-02-010 and #123-16-02-011 | PIN 33911030003 and 33911030004) and to rezone the properties to Low Density Residential upon annexation. Hyman advised Council that, currently, each of the properties has an existing mobile home but the two properties share one water meter. The annexation request is being made to allow one of the two mobile homes to tie into City sewer services (due to a failing septic system). In addition, the applicant is requesting to upgrade the water meter that currently serves both properties to separate water meters for each property. If annexed, the existing mobile homes will be considered legal non-conforming, and will not be allowed to expand nor may they be replaced. The Comprehensive Plan identifies these parcels as Low Density Residential. Staff recommends first reading approval. **Motion:** Anderson made a motion, seconded by White to approve the first reading of Ordinance #ZA2018-08-06 (E). **Vote:** Unanimous. Motion carried.

**ITEMS FOR CONSIDERATION:**

A. **Take Home Vehicle Program for Police Department.** Council discussed this request at its July 2, 2018, meeting. Under the proposed plan, Class 1 officers who live within 10 miles of the City limits and have no recent disciplinary actions would be permitted to participate in the take home vehicle program. Long informed Council that 26 officers would currently benefit from this policy if approved. He commented that there are sufficient vehicles in the fleet to manage this number of participants and the three officers expected to gain eligibility later this year will be assigned a take home vehicle based on current fleet availability. He estimated additional fuel expense for the program to be $11,000 per year and one additional MDT,
licensing fees, and air card would need to be purchased at a cost of less than $3,000.00. **Motion:** Anderson made a motion, seconded by Hubbard, to approve the Take Home Vehicle Program for the Police Department effective immediately. **Vote:** Unanimous. Motion carried.

**B. Proposal of sole source engineering services from Earthworks, Inc., for infrastructure necessary to facilitate redevelopment of the Lower River Warehouse.** Tripp Nealy and Steve Strickland of Earthworks, Inc., gave a workshop presentation at the June 18th Council meeting on Nealy’s plans to restore/renovate the Lower River Warehouse for use as a restaurant. In accordance with the City’s agreement with the Burroughs Company for riverfront development, the City is to install required public infrastructure necessary to accommodate the development of the site, including parking, landscaping and storm water drainage. Requests for additional accommodations by the City for this project included: a new entrance to the Riverwalk located between the Lower River Warehouse and Bonfire, improvement of the parking in front of the building and near the Peanut Warehouse, a minimal adjustment of the property lines to accommodate the entrances and mechanical/cooling equipment, and a common trash receptacle located in a convenient area that will accommodate trash and recycling from all Riverfront development. As discussed during that workshop session, Earthworks, Inc., has submitted a proposal totaling $21,115 to include design for parking, landscaping and drainage immediately adjacent to the Lower River Warehouse and surrounding the Peanut Warehouse (Phase 2) which, when the building is fully functioning, will be required to accommodate additional vehicles. Emrick advised Council that the proposal fell within the procurement code for sole sourcing as the engineering of the adjacent parking and the building redevelopment are intertwined. Staff recommended that Council accept the proposal from Earthworks, Inc., as presented. **Motion:** Goldfinch made a motion, seconded by Timbes to approve the engineering services proposal, in the amount of $21,115 from Earthworks, Inc., for engineering, design and permitting services for infrastructure that the City will be required provide to facilitate redevelopment of the Lower River Warehouse. **Vote:** Unanimous. Motion carried.

**C. Purchase of 2019 Pierce 107' Ascendant class aerial ladder truck and related equipment.** Hendrick advised Council that the purchase of a new aerial ladder truck was approved in the FY 2018-19 budget. A four-year lease purchase agreement was proposed to purchase the truck and related equipment; the first annual payment, in the amount of $343,631.36, would not be due until FY 2019-20. Staff proposed to utilize the Fire Rescue Government Purchase Option (GPO) Consortium for the purchase of the truck. Pierce Manufacturing was awarded the bid through the consortium and Spartan Fire and Emergency Apparatus, Inc., is the local vendor authorized to sell Pierce Fire Apparatus in South Carolina. The 2019 Pierce Enforcer 7010 Custom 107' aerial ladder truck, to be built in accordance with NFPA 1901 2016 Edition and department specifications, is priced at $950,698.35. A fee of $2,000 charged by the purchasing consortium and an additional $30,836.65 will be needed for loose equipment. A detailed outline of this equipment from the vendor, Spartan Fire and Emergency Apparatus, Inc., was shared with Council. South Carolina sales tax of $500 brought the total purchase amount to $982,035. A pre-payment discount of $32,035 would reduce the final price to $950,000. The proposed four-year finance agreement totaling $1,030,894 has an interest rate of 4.25% and includes an escrow agent charge of $250. Staff recommended approval of the purchase as presented and adoption of the resolution authorizing the Mayor and the City Administrator to execute the lease purchase agreement. **Motion:** Goldfinch made a motion, seconded by Smith, to approve staff’s recommendation. **Vote:** Unanimous. Motion carried.
ITEM FOR INFORMATION: Presentation on results of input received at public meetings for the Whittemore School Project. Rogers reviewed a summary of input on the Whittemore School Project that was received at two recent public meetings hosted by the City. The outcome of the survey showed that participants were interested in educational and enrichment opportunities for adolescents after school and during the summer. There was also interest in adult enrichment after 6:00 p.m. There was desire for the facility to be free of charge, to have topics for the average or special needs children. Specific activities mentioned were art and culinary classes, sports, a museum and health care facility. Rogers estimated that a total of 85 members of the public participated in the surveys. The City is seeking memorabilia, especially of the elementary school, that will be used to remember the history of the school and the Mayor invited the public to contact the City if they have items from the school they would like to be preserved.

CITY ADMINISTRATOR’S REPORT:

• The Tier 3 Application for the FEMA Buyout Program has been approved. The City’s consultant is contacting all applicants to determine participation. A total of 16 applicants have requested appraisals.
• As approved by Council, the City recently purchased nine automatic AEDs which will provide one AED for each City building. Each City department will ensure that someone is trained on CPR/AED over the next few weeks.
• New water valve caps were needed when all of the water meters were replaced in the downtown area. Some of the new valve caps incorporate the City’s logo (at a slightly higher cost) and are being placed in high pedestrian areas.
• Conway rail crossings did not qualify for improvement based on SCDOT’s ranking system; however, improvements being made to the rail will increase the speed of the train. SCDOT anticipates that City rail crossing will move up in rankings in the Spring 2019 reprioritization.
• The Waccamaw River is currently at 9.47’. The water level is not expected to rise much higher but a large storm could cause concern.

COUNCIL INPUT:

Timbes
• Inquired about the timing on the FEMA buyout.
• Inquired about spraying for mosquitoes.
• Suggested the spring cars purchased for Sherwood Park be assembled indoors and be ready to install when weather/soil conditions permit.

Smith thanked Barbara Streeter her efforts in staging the recent Indie Market. He also inquired about the status of the payroll/compensation study for City employees.

Anderson commented on the recent accident on the Main Street Bridge and suggested that a committee be formed to approach SCDOT about replacing the bridge.

Hubbard commented on the success of the recent Indie Market event.

Mayor Blain-Bellamy commented that the portion of fence at Sherwood Forest Park that was reported missing at an early Council meeting has not yet been installed. The Mayor commended Chief Long for representing the City in the Marine Raider Memorial March.
WORKSHOP:

A. Discussion on possible participation in SCDOT’s Turnback Program (voluntary road transfer). Chestnut reported that SCDOT recently approved the implementation of a turnback program, a voluntary road transfer program that includes a one-time funding component. With this program, the City would be paid to accept ownership of roads currently in the SCDOT system. The payment is based on a 40-year life cycle and the condition of the road at the time of transfer. SCDOT has proposed that roads be a minimum of 0.3 miles and in fair condition. Council had previously agreed to consider ownership of Temple Street and Bayside Drive in order to be able to install a 3-way stop intersection. Temple and Bayside are in good condition, and the City would be paid approximately $348,000 to accept them. Chestnut reminded Council that the deadline to submit letters of intent to participate in the turnback program is August 31, 2018. **Outcome**: Council asked for a letter to be sent to SCDOT expressing an interest in the program.

B. Discussion on possible amendments to Title 3, Article D – Special Events in the Code of Ordinances. Hyman reported that the current special events ordinance specifies that applications for permits be filed with the Planning Department; however, for several years, applications for permits for special events to be held in City parks have been handled by the PRT Department. Staff proposed to revise the language in this ordinance to require all special event permit applications to be filed with the PRT Department. **Outcome**: Staff will draft an ordinance to make the changes as discussed for consideration of first reading by Council at its next meeting.

C. 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 and Jessica Hucks, Zoning Administrator, presented this possible amendment at the July 16, 2018, Council workshop. At that time, council members requested that staff provide examples of existing “garden structures” on lots throughout the city as well as particular instances where variance requests were needed for such structures. Hyman advised that, based on input provided by Council during the July 16th workshop, the proposed amendment has been revised to remove provisions that would have permitted storage buildings/sheds to be located in side yards. No other changes were proposed. Staff provided additional photographs and renderings of the impact these changes could have. **Outcome**: The proposed amendments will be presented to the Planning Commission, then put on an upcoming agenda for a public hearing and consideration of first reading by Council.

D. 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. This issue was also presented by Hyman and Hucks at the last Council workshop. As requested by Council, staff shared photographic examples of residential lots with fencing installed in corner front yards at different heights (4 ft and 6 ft) as well as lots that have fences installed in accordance with the current ordinance. The amendment as proposed by staff would allow fences and walls on corner lots in commercial and residential districts to be up to 6 ft. in height, provided that the fence or wall meets the existing requirement for a 10-ft setback from the public right-of-way or lot line. **Outcome**: The proposed amendment will be presented to the Planning Commission, then put on an upcoming agenda for a public hearing and consideration of first reading by Council.
E. **Discussion on possible options for fees – Conway Recreation Center pickleball program.**
Jarrell informed Council that, based on public input during recent Council meetings, staff had explored possible changes to the Conway Recreation pickleball program to encourage growth in the number of players using the facility. The current fee for pickleball program is $5.00, which is the same for other “drop-in” classes. Carolina Forest Recreation Center charges at a rate of $1.00 per person per day. Three options were discussed: (1) reduce the rate for pickleball to $1 per day, (2) offer a membership without a yearly commitment, and (3) make no changes. **Outcome:** There appeared to be support for the option of a monthly fee for pickleball. This issue will be presented for consideration at an upcoming Council meeting.

F. **Discussion on proposed addition of full-time staff for the Conway Recreation Center and revision of regulations for youth memberships.** Jarrell discussed with Council the need for three additional front desk members due to the increased number of patrons attending the facility. He also proposed implementing a requirement for all youth under the age of 8 to be accompanied by an adult at all times. Although there is not a large number of youth under the age of 8 attending the facility, the youth membership program allows children ages 5-8 to use the basketball courts. The process currently in place to deal with youth who break Recreation Center rules or procedures was also reviewed. **Outcome:** Proposed regulations requiring children 8 and under to be accompanied at all times by a parent/guardian at the Recreation Center will be considered by Council at a future meeting. Staff was also requested to provide job titles and job descriptions inclusive of all responsibilities for the requested additional Recreation Center staff.

**EXECUTIVE SESSION:** **Motion:** White made a motion, seconded by Smith, to enter into executive session to consider appointments to Accommodations Tax Advisory Committee [pursuant to SC Code § 30-4-70(a)(1)], consider Grievance Committee recommendations on grievances filed by two employees in the Grounds & Maintenance Department [pursuant to Section §30-4-70(a)(1)], discuss pending legal claim against the City [pursuant to SC Code §30-4-70(a)(2)], and discuss negotiations incidental to potential acquisition of property [pursuant to SC Code §30-4-70(a)(2)]. **Vote:** Unanimous. Motion carried. While in executive session, no decisions were made and no votes were taken.

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

**ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION:**

**Appointment to Accommodations Tax Advisory Committee. Motion:** Hubbard made a motion, seconded by Goldfinch, to appoint Denise Blackburn-Gay and Wes Harris to the Accommodations Tax Advisory Committee for three-year terms ending December 31, 2020. **Vote:** Unanimous. Motion carried.

**Consideration of Grievance Committee Recommendation. Motion:** White made a motion, seconded by Anderson, to reject the recommendation of the Employee Grievance Committee and to reinstate Brian Williams and Josh Avant to their former positions with the Grounds & Maintenance Department; that they be denied pay in the period between their firing and the overturning of the firing and that the period be considered a disciplinary suspension; and that they be placed on six-month probation during which time any infractions will be dealt with swiftly and severely. **Vote:** Unanimous. Motion carried.
Negotiations incidental to potential acquisition of property. **Motion:** Anderson made a motion, seconded by Smith, to authorize the offer of $20,000 for the purchase of property at the corner of 9th Avenue and Hwy. 378, (owner of record, Kevin McCray and TMS# 1370110001), contingent upon the conveyance of clear title, and should legal action to clear the title be necessary, the offer shall be reduced by all costs incurred to clear the title. **Vote:** Unanimous. Motion carried.

**ADJOURMENT:** **Motion:** Goldfinch made a motion, seconded by Smith, to adjourn the meeting. **Vote:** Unanimous. Motion carried.

**APPROVAL OF MINUTES:** Minutes approved by City Council this 20th day of August, 2018.

Barbara A. Tessier, City Clerk