CITY COUNCIL MEETING
CITY HALL COUNCIL CHAMBERS
229 MAIN STREET
CONWAY, SOUTH CAROLINA
MONDAY, NOVEMBER 6, 2017 – 5:30 PM

PRESENT: Mayor Barbara Blain-Bellamy, Mayor Pro Tem Randle L. Alford, Council Members Thomas 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; James Friday, Public Utilities Director; Reggie Gosnell, Police Chief; Le Hendrick, Fire Chief; Mary Catherine Hyman, Planning Director; Reggie Jenerette, Solid Waste Director; Lynn Smith, Human Resources Director; Allison Williams, Finance Director; Timmy Williams, Grounds and Maintenance Director; and Debbie F. Smith, City Clerk

OTHERS IN ATTENDANCE: Drew Basilicato, Tammy Elvis, Devin Parks, Mike Siniscalchi, Barb Eisenhardt, Brian O’Neil, Nancy A. Tindall, Clayton Mauldin, 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 recognized Rev. Leslie McIver of Christ United Methodist Church 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 #ZA2017-11-06 (A) Amending Article 6 and Article 8 of the Unified Development Ordinance to revise parking, curb cut, drive-through, and design requirements for the Professional District (P) and the Upper Main Street Overlay District (MSO)

B. Special event request: 2017 Conway Celebration of Lights, November 24-December 31

C. Acceptance of bid for purchase of 8 inch sewer bypass pump for Public Utilities Department

D. City Council Minutes – October 16, 2017

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

PUBLIC INPUT:

Clayton Mauldin presented complaints regarding Noise Ordinance violations and questioned the delay of final reading of the amended Noise Ordinance.
Beth Workhoven spoke in opposition of the proposed golf cart ordinance.

Leslie McIver requested that the “City of Character” program be reinstated.

Drew Basilicato, owner of Trojan Cow Food Truck, requested that Council consider allowing food trucks to operate in the City and announced that the Trojan Cow Food Truck will be serving lunch at the Chamber of Commerce on Tuesday, November 7th, from noon until 2 p.m.

Tommy Moore commented on the length of time the Main Street Bridge is scheduled to be closed for maintenance and also he expressed his appreciation for the LED lighting at various intersections within the City.

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

SPECIAL PRESENTATIONS:

A. Review of plans and consideration of resolution approving the Municipal State Highway Project Agreement for improvements of US Highway 501 Business over Waccamaw River. SCDOT will begin resurfacing the Main Street Bridge in January 2019, with completion estimated to be in March 2019. The City will be required to remove all conduit, lighting and other fixtures from the bridge prior to the start of construction. Bridge closure was estimated at 6-12 weeks. Motion: Timbes made a motion, seconded by Alford, to adopt the resolution approving the Municipal State Highway Project Agreement. Vote: Unanimous. Motion carried. Stacy Johnson and Rebecca Breland, SCDOT representatives, were in attendance.

B. Achievement in Waste Reduction Award presented to the City’s Solid Waste Department by Horry County Keep America Beautiful Committee. The City of Conway Solid Waste Department participated in the Horry County Community Cleanup Day on Saturday, October 21, 2017. During that event, the City’s Solid Waste Department received the Achievement in Waste Reduction Award from the Keep Horry County Beautiful organization. Nancy Tindall and Beau Ives presented the award to Mayor Blain-Bellamy.

C. Employee Longevity Bonus Awards were presented to Jimmy Davis and Charles Thomas, Fire Department, 5 years. The presentations were made by the Interim City Administrator, accompanied by Council Member Anderson.

D. Employees of the Month Awards for October were presented to Allan Huggins and Shane Carter, Police Department, and Charles Thomas, Ryan Clyde, Mark Miller, Brian Cummings, Chris Price. Matt Oswald, Fire Department (volunteer), was unable to attend. The presentations were made by the Police Chief and the Fire Chief.

E. Employee of the Month Award for November. Kara Gainey, Parks, Recreation and Tourism Department, was recognized as the recipient of this award. Kara was unable to attend this meeting.

PUBLIC HEARING AND ORDINANCE FOR FINAL READING: Public hearing and final reading of Ordinance #ZA2017-11-06 (B) – An Ordinance to annex approximately 2.16 acres of property located at the corner of Allied Drive and US Highway 501 (TMS 151-00-03-062 | PIN 38307010007) and to rezone the property from Horry County Highway Commercial (HC) to City of Conway Highway Commercial (HC) upon annexation. First reading was approved at the October 16, 2017, Council meeting. Hyman noted a second public hearing was being held due to a change of
ownership between first and second readings. **Public Hearing:** There was no input from the public. **Motion:** Alford made a motion, seconded by Goldfinch, to close the public hearing. **Vote:** Unanimous. Motion carried. **Motion:** Alford made a motion, seconded by Goldfinch, to approve final reading of Ordinance #ZA2017-11-06 (B). **Vote:** Unanimous. Motion carried.

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

A. Public hearing and first reading of Ordinance #ZA2017-12-04 (A) An Ordinance to rezone approximately 0.21 acres of property located at 1002 Ninth Avenue (TMS 123-14-06-004 | PIN 33813010036) from Low Density Residential (R-1) to Professional (P). This request is being made to accommodate the construction of a new law office building. The City of Conway Comprehensive Plan identifies this parcel as Existing Residential on its Future Land Use Map. The Planning Commission has recommended approval of the request. Staff recommended first reading approval. **Public Hearing:** There was no input from the public. **Motion:** Anderson made a motion, seconded by Smith, to close the public hearing. **Vote:** Unanimous. Motion carried. **Motion:** Anderson made a motion, seconded by Goldfinch, to approve first reading of Ordinance #ZA2017-12-04 (A). **Vote:** Unanimous. Motion carried.

B. Public hearing and first reading of Ordinance #ZA2017-12-04 (B) – An Ordinance to rezone approximately 1.9 acres of property being a portion of TMS 122-00-05-027 | PIN 33800000008 located on Mill Pond Road from Low Density Residential (R-1) to Highway Commercial (HC). This request is being made to accommodate an overflow parking lot for The Rock Church which is located on the adjacent property. The City of Conway Comprehensive Plan identifies this parcel as Low Density Residential on its Future Land Use Map. 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:** Alford made a motion, seconded by Goldfinch, to approve first reading of Ordinance #ZA2017-12-04 (B). **Vote:** Unanimous. Motion carried.

C. Public hearing and first reading of Ordinance #ZA2017-12-04 (C) - An Ordinance to annex approximately 9.16 acres of property identified as Atlantic Center Parcel 38 (TMS 151-00-04-174 | PIN 38305040021) and to rezone the property from Horry County Highway Commercial/Planned Unit Development (HC/PUD) to City of Conway Light Industrial (LI) upon annexation. This request is being made to accommodate the construction of a new light manufacturing facility. The City of Conway Comprehensive Plan identifies this parcel as Industrial on its Future Land Use Map. The Planning Commission has recommended approval of the request. Staff recommended first reading approval. **Public Hearing:** There was no input from the public. **Motion:** White made a motion, seconded by Anderson, to close the public hearing. **Vote:** Unanimous. Motion carried. **Motion:** White made a motion, seconded by Smith, to approve first reading of Ordinance #ZA2017-12-04 (C). **Vote:** Unanimous. Motion carried.

**ORDINANCE FOR FIRST READING:** Ordinance #2017-12-04 (D) Amending the Code of Ordinances for the City of Conway by adding Chapter 4, Golf Cart Operations, to Title 8, Motor Vehicles and Traffic. During the workshop portion of the October 16th Council meeting, staff presented a proposed ordinance to regulate golf cart operations within the City. The proposed ordinance would regulate the operation of golf carts within the City and would also impose a penalty for violations. There was inquiry from Council referencing the operation of golf carts after dark. Gosnell briefly explained the difference between low-speed vehicles and golf carts and the regulations for each. **Motion:** Alford made a motion, seconded by Smith, to table first reading pending additional information. **Vote:** Smith and Alford voted in the affirmative; all others voted in the negative. The motion failed. **Motion:** White made a motion, seconded by Anderson, to approve first reading of Ordinance #2017-12-04 (D) with additional information on equipment requirements on low speed vehicles vs golf carts to be provided to Council by
staff prior to final reading. **Vote:** Anderson, Blain-Bellamy, Timbes, White, and Alford voted in the affirmative. Motion carried.

**ITEMS FOR CONSIDERATION:**

A. **Eligibility and proposed agreement for participation of 710 Conway LLC / 710 Conway Land LLC in the City’s Cinemas, Bowling Centers and Other Family Entertainment Facilities Incentive Program.** During the workshop portion of the October 16th meeting, Council discussed this request that the commercial bowling facility planned for the property at the corner of Allied Drive and US Highway 501 be considered eligible for the Family Entertainment Facilities Incentive Program. Hyman reviewed the reimbursement overlaps under this incentive program. The proposed agreement shared with Council included reimbursements of one-half (1/2) of the water and sewer capital recovery fees, the building permit fee, the business license fees collected by the City of Conway for five years, the hospitality fees collected by the City of Conway for five years, and the property taxes collected by the City of Conway for five years. Hyman noted that an agreement between the interested party and City Council must be in place prior to the issuance of a business license or building permit. **Motion:** Anderson made a motion, seconded by Goldfinch, to approve the request to certify eligibility of 710 Conway Land LLC/710 Conway LLC for the Cinemas, Bowling Centers and other Family Entertainment Facilities Incentive Program and authorize the Interim City Administrator to execute the agreement as presented. **Vote:** Unanimous. Motion carried.

B. **Law Enforcement Memorandums of Understanding with the City of Myrtle Beach and Horry County.** The Horry County Police Department and Myrtle Beach Police have requested to amend their existing mutual aid MOU’s with the City of Conway to reflect changes in state statutes. Copies of the proposed agreements were shared with Council. Staff recommended approval of the amended agreements. **Motion:** Anderson made a motion, seconded by Timbes, to accept staff’s recommendation and to authorize the Police Chief to execute the documents on behalf of the City. **Vote:** Unanimous. Motion carried.

C. **Memorandum of Understanding between the City of Conway and the Horry County Police Department for the provision of crime scene investigative services.** Gosnell presented to Council a proposed memorandum of understanding which would allow the Horry County Police Department to perform specific and defined duties regarding crime scene investigative services for the City. Staff recommended approval of the memorandum of understanding. **Motion:** Goldfinch made a motion, seconded by Smith, to approve staff’s recommendation and to authorize the Police Chief to execute the documents on behalf of the City. **Vote:** Unanimous. Motion carried.

F. **Proposed contract with First Tryon Advisors to provide financial advisory services.** During the October 2nd meeting, Council approved negotiations with First Tryon to provide financial advisory services to the City. Emrick received a proposed financial services agreement and Work Order to proceed with clarifying funding options, which may include a Tax Increment Financing District, for the Downtown and Riverfront areas. This agreement covers all financial work completed on behalf of the City up to issuance of a bond, which will require a separate agreement. Emrick noted that the agreement with First Tryon is a maximum price contract not to exceed $20,000 and the City will have the option to roll this fee into a bond issuance to avoid any out of pocket expenses at the time services are rendered. Staff recommended approval of the Financial Advisory Services Agreement and the Work Order. **Motion:** Alford made a motion, seconded by Anderson, to approve the agreement and work order contingent upon a revision in the language regarding reimbursement of legal fees to make such reimbursement subject to an approved work order provided such legal work is performed on behalf of the City. **Vote:** Unanimous. Motion carried.
D. Recommendation from Municipal Election Commission for adjustment in pay for election workers. The Municipal Election Commission has recommended that the rate of pay for workers, per election, be increased as follows: Poll Clerks - $160, and Poll Workers - $100. Smith noted that if approved, the cost of a single City election would increase by approximately $550. **Motion:** Timbes made a motion, seconded by Alford, to approve the Commission’s recommendation. **Vote:** Unanimous. Motion carried.

**CITY ADMINISTRATOR’S REPORT:**

- Thanked the City police officers for their participation in Trick or Treat activities.
- Announced that “Lock It or Loose It” signage will be erected in City parks.
- Gave an update on the FEMA Buyout Program. The window to submit applications has closed and the application review process will be approximately 6-12 months. The recipients will be notified by mail.
- Announcements:
  1. Mid-year budget workshop planned for December 11th.
  2. Grounds and Maintenance staff has begun putting up City Christmas decorations.
  3. City Tree Lighting event will take place on November 30th.
  4. A “Can Drive” contest will be held for city departments.
- Expressed gratitude to Foster Hughes, the former Parks, Recreation and Tourism Director, for his work with the City and conveyed best wishes to him in his new position in New Bern.

**COUNCIL INPUT:**

**Alford** requested that staff contact Santee Cooper and inquire about the details of contaminants in Lake Busbee.

**White**
- Inquired about the location of the sidewalk on Whittemore Street in reference to the large oak tree.
- Commented on rumors that the Conway branch of the Social Security office plans to move to Myrtle Beach and inquired if Council or staff could do anything to help keep the Conway branch open. Emrick reported that the Social Security Administration rents the building and that the building is for sale.
- Expressed best wishes to all of the candidates running in the upcoming election.

**Timbes** expressed her concerns that signage does not appear to be having an impact on the number of firearms left in cars and vehicle breaking and entering into.

**Anderson**
- Commended the Police Department and the Fire Department employees.
- Commended Police Officers for their efforts to promote Cancer Awareness by participating in “No Shave November”.
- Requested that the Building Inspector be on the construction job site of the Leyland Grove apartment complex, to verify the time construction begins.
- Expressed excitement about the Christmas lights in the City.

**Goldfinch** commended Conway High School Principal James Lee for advocating for the Conway community as well as Conway High School.
Blain-Bellamy
- Conveyed a report that a local cemetery has a cedar tree that must be removed and asked anyone who would like to have it to contact her.
- Reported that the person who maintains the town clock has suggested that red and green lights be used in the clock during the Christmas season.
- Announced the 2017 Legislative Luncheon will be held on November 28, 2017, from 11a.m. until 2 p.m.
- Encouraged everyone to vote on Tuesday, November 7, 2017.
- Announced that Council Member Anderson’s son has been accepted at the University of South Carolina.

WORKSHOP:

A. Discussion on proposed guidelines for waiver or reduction in rent for events held by non-profit organizations at Fifth & Main. The Pilot Club recently asked Council to consider a reduction in rent for the club to hold its annual meeting at Fifth & Main. Emrick reviewed the current rental rates and the fixed costs per rental. Following a discussion on various options for adjusting rental rates for nonprofit organizations, staff was requested to develop a recommendation regarding such rent adjustments as well as which organizations would be eligible for the reduced rates. OUTCOME: Staff will develop proposed guidelines for rent reductions for nonprofit groups based on Council’s input and present a recommendation at a future Council meeting.

B. Selection of 2017 Christmas Card contest winner. Lefler presented the top three cards selected by staff from the 277 entries in the City’s annual Christmas card contest. Council members were asked to pick their choice for the winning entry. The winning contestant will be notified by the City and invited for recognition at the December Council meeting.

EXECUTIVE SESSION: Motion: White made a motion, seconded by Timbes, to enter into executive session to discuss an offer from Santee Cooper to transfer ownership of Lake Busbee to the City of Conway, to discuss a proposed settlement of legal claim with Coastal Outdoor Billboards, and to discuss the employment of a Parks, Recreation and Tourism Director. Vote: Unanimous. Motion carried.

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

ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION: Motion: Anderson made a motion, seconded by Goldfinch, to approve the proposed settlement agreement with Coastal Outdoor Billboards as discussed in executive session. Vote: Unanimous. Motion carried.

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

APPROVAL OF MINUTES: Minutes approved by City Council this 4th day of December, 2017.

Debbie F. Smith, City Clerk