CITY COUNCIL MEETING  
CITY HALL COUNCIL CHAMBERS  
229 MAIN STREET  
CONWAY, SOUTH CAROLINA  
MONDAY, OCTOBER 1, 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; Vicky Lefler, Deputy City Administrator; Kevin Chestnut, Public Works Director; Jessica Hucks, Zoning Administrator; Robert Cooper, Building Official; James Friday, Public Utilities Director; Le Hendrick, Fire Chief; Addison Jarrell, Parks, Recreation and Tourism Director; Reggie Jenrette; Solid Waste Director; Dale Long, Police Chief; Taylor Newell, Public Information Officer; Lynn Smith, Human Resource Director; Allison Williams, Finance Director; Jeff Leveille, Technology Coordinator; and Barbara 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 Barbara Blain-Bellamy called the meeting to order.

INVOCATION/PLEDGE OF ALLEGIANCE: Mayor Blain-Bellamy introduced Josh Finklea from the Rock Church who gave the invocation. City Council and those in attendance recited the Pledge of Allegiance. A moment of silence was observed for the victims of Hurricane Florence and the City Department head who recently lost his son.

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

CONSENT AGENDA:

A. Final reading of Ordinance #ZA2018-09-17 (A) An Ordinance to rezone approximately 0.34 acres of property located on Racepath Avenue (TMS #137-05-09-009 | PIN 36802020020, TMS #137-05-09-010 | PIN 36802020021, and TMS #137-05-09-011 | PIN 36802020022) from Neighborhood Commercial (NC) to Low-Density Residential (R-1)

B. Final reading of Ordinance #ZA2018-09-17 (B) An Ordinance to annex approximately 0.99 acres of property located at 4331 Siwel Road (TMS #111-00-02-049 | PIN 29516010017) and to rezone the property to Low Density Residential (R-1) upon annexation

C. Final Reading of Ordinance #2018-09-17 (D) An Ordinance to revise Title 3, Chapter 2, Article A, Section 3-2-5 Recreation Fees, of the Code of Ordinances to remove the annual membership commitment requirement for the Conway Recreation Center
D. Special event requests:

1. Falktoberfest – Saturday, October 13, 2018
2. First Baptist Church Trunk or Treat – October 31, 2018

E. Purchase of sports utility vehicle for Police Department (budgeted item)

F. Purchase of three new Motorola radios for Police Department (budgeted item)

G. Purchase of water meters for the Public Utilities Department (budgeted item)

H. Minutes of City Council meetings – September 4, 9, 12, 16, 17, 20, and 23, 2018

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

PUBLIC INPUT:

Jimmy Hammond spoke about the impact flooding from Hurricane Florence had on businesses and homes in Conway. He urged Council to be more proactive to get another bridge built over the Waccamaw River in Conway.

Debbie Long commented that residents in the flood areas might not be able to move back into their houses and would need to find new housing. She asked if new flood maps would be available so those residents would know which areas are safe from flooding. The Mayor responded that the City would take into account what happened and look at ways that might help prevent flooding of new dwellings in the future.

Councilman Tom Anderson informed Council that a student from Conway, Arkansas, who was very briefly enrolled in Conway Christian School here through a computer error. This student is collecting funds for the City’s flood victims through a program called “Conway Helps Conway.”

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

SPECIAL PRESENTATIONS:

A. Special event request: First United Methodist Church Trunk or Treat – Sunday, October 28, 2018 – Lynn J. Hammond, First Methodist United Church. The closure of Fifth Avenue from Laurel Street to Main Street has been requested for this event for the tree sales lot. The event would take place from 3 p.m. to 7 p.m. on October 28, 2018. Lynn Hammond spoke in support of the request and informed Council that the church had contacted bank representatives to make them aware of the event. Motion: Timbes made a motion, seconded by Hubbard to approve the special event request as presented. Vote: Unanimous. Motion carried.
B. Special event request: Sertoma Club Christmas Tree sales - November 23 through December 21, 2018. Emrick informed Council that the former location for the tree sales was now slated for redevelopment and the Sertoma Club would like to use 110 Laurel Street. This property was the site of the former Todd Electric building and is now city-owned property. Timbes and the Mayor voiced concern about setting a precedent and Timbes asked that this request be deferred until it could be determined if this use of public property was appropriate. Emrick stated that the Sertoma Club was a non-profit organization and all the proceeds from the tree sales were gifted back to the community. Goldfinch spoke in support of the request. **Motion:** Anderson made a motion, seconded by Smith, to approve the special event request as presented. **Vote:** Timbes voted in the negative; all others voted in the affirmative. Motion carried.

C. Employees of the Month Awards for September were presented to Tony Campagna, Vehicle Maintenance, and Charlie Crosby, Information Technology. Leveille made the presentation.

D. Employee Longevity Awards were presented to Mike Brazier, Solid Waste Department – 10 years, Antwan Nesmith, Fire Department – 10 years; Chris Jones and Josh Scott, Police Department – 15 years. Emrick and Goldfinch made the presentations.

RESOLUTIONS:

A. Resolution endorsing the 2018 Horry County Solid Waste Management Plan. Jenerette informed Council that the Solid Waste Management Plan is updated every three years. He reviewed the proposed resolution which is an endorsement by Council of the 2018 update of the 2015 Horry County Solid Waste Management plan. The 2018 plan update was developed with input from the County and all local municipalities. **Motion:** Anderson made a motion, seconded by White, to approve the resolution endorsing the 2018 Horry County Solid Waste Management Plan. **Vote:** Unanimous. Motion carried.

B. Resolution of commitment to provide a local match for a Municipal Association of South Carolina Hometown Economic Development Grant. Emrick reported that the City has been approached by the Theatre of the Republic regarding a possible partnership in which the City would build an outdoor amphitheater and the Theatre of the Republic would provide public performances. Staff requested that application be made for a Municipal Association of South Carolina Hometown Economic Development Grant to help fund a proposed feasibility study, at an estimated cost of $35,000, for this venture. The maximum grant award is $25,000 and requires a 15% local match ($3,750) which may be satisfied with cash or in-kind contributions. With a $25,000 grant award, $10,000 from local funds would fulfill the match requirements. As part of the application, MASC requires a resolution of commitment to provide the minimum match of $3,750. Staff recommended that Council adopt the proposed resolution of funding commitment for the MASC Hometown Economic Development Grant for the feasibility study. **Motion:** White made a motion, seconded by Timbes, to adopt the resolution as recommended by staff. **Vote:** Unanimous. Motion carried.

ORDINANCE FOR FINAL READING: Ordinance #2018-09-17 (C) An Ordinance adopting an amended budget for Fiscal Year 2018-19. A. Williams informed Council that the General Fund would be increased approximately $132,000 to allow for the employment of three additional recreation assistants and the Utility Fund would increase approximately $12,000 for two personnel
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changes. Timbes spoke in opposition to the budget amendment and stated that the money could be better used for other things due to the hurricane, and additional recreation employees are not needed now that school is in session. **Motion:** Goldfinch made a motion, seconded by White, to approve the final reading of Ordinance #2018-09-17 (C). **Vote:** Timbes voted in the negative all others voted in the affirmative. Motion carried.

**ORDINANCE FOR FIRST READING:** Ordinance #2018-10-15 (A) Authorizing the City of Conway, South Carolina, to enter into a Lease Purchase Transaction Relating to the Financing of Solid Waste Equipment; Authorizing the Execution and Delivery of an Equipment Lease Purchase Agreement in an amount not to exceed $1,260,000; Delegating Certain Authority to the City Administrator; and Other Matters Relating Thereto. A. Williams informed Council that the FY18-19 budget approved a lease purchase for Solid Waste equipment. Council had approved the lease purchase of 5 additional pieces of equipment at the July 16th and August 20th Council meetings. This ordinance will authorize the City’s Administrator to cause a Request for Proposals to be distributed to prospective banks for funding and to accept the bid which is in the best interest of the City. **Motion:** Anderson made a motion, seconded by Goldfinch, to approve the first reading of Ordinance #2018-10-15(A). **Vote:** Unanimous. Motion carried.

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

A. **Public hearing and first reading of Ordinance #ZA2018-10-15 (B) An Ordinance to rezone approximately 0.21 acres of property located at 1703 Singleton Street from Neighborhood Commercial (NC) to Medium-Density Residential (R-2).** Hucks informed Council that this parcel currently is the site of an apartment building that is a legal nonconforming structure as the current zoning does not allow for residential use. If the structure should ever be demolished or damaged over 50% of its value, a new apartment building would not be permitted. The Future Land Use Map identifies this parcel as High Density Residential. The Planning Commission approved the rezoning request. Staff recommended approval of first reading. Willie Simmons, representative of the owner, said the apartment building had been there since approximately 1926 and it was not until they decided to sell the property that they found out about the zoning. **Motion:** Hubbard made a motion, seconded by White, to close the public hearing. **Vote:** Unanimous. Motion carried. **Motion:** Hubbard made a motion, seconded by Anderson, to approve first reading of Ordinance #ZA2108-10-15 (B). **Vote:** Unanimous. Motion carried.

B. **Public hearing and first reading of Ordinance #2018-10-15 (C) Granting a franchise to Richard and Donna Grow, owners of Let’s Ride BBQ Food Truck, to operate at designated locations in downtown Conway.** Hucks informed Council that the owners of the Let’s Ride BBQ Food Truck had requested a franchise agreement to operate within the City limits during the hours of 11 a.m. to 2:00 p.m. on Wednesdays at the parking lot at the corner of Fourth Avenue and Laurel Street, and on Mondays and Fridays at the tennis center parking lot. The times will be coordinated with the Trojan Cow food truck, who already has a franchise agreement, so that only one truck will be at an approved location at a time. **Motion:** Goldfinch 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 #2018-10-15 (C). **Vote:** Unanimous. Motion carried.
C. Public hearing and first reading of Ordinance #ZA2018-10-15 (D) Amending Article 2, Definitions and Article 5, Specific Use Regulations of the City of Conway Unified Development Ordinance relating to accessory structures in residential and non-residential districts. Hucks informed Council that this proposed amendment would help reduce variance requests due to the inconsistencies in the accessory structure ordinance and the Design Guidelines. For non-residential zoning districts, this would omit the requirement regarding the number of accessory structures permitted on a single parcel. The Planning Commission approved of the proposed text amendment. Staff recommended approval of this ordinance. Motion: Anderson made a motion, seconded by Timbes, to close the public hearing. Vote: Unanimous. Motion carried. Motion: Anderson made a motion, seconded by White, to approve the first reading of ZA#2018-10-15 (D). Vote: Unanimous. Motion carried.

D. Public hearing and first reading of Ordinance #ZA2018-10-15 (E) Amending Article 5, Section 5.2.3 Fences & Walls of the Unified Development Ordinance relative to height limitations on corner lots in residential and commercial zoning districts. This amendment would permit 6’ high fences on corner lots provided they meet a 10’ setback from the public right-of-way or lot line. Planning Commission approved the amendment request, but requested that language be added to require fencing to remain clear of all sight triangles. Staff recommended the approval of first reading. Motion: Blain-Bellamy made a motion, seconded by White, to close the public hearing. Vote: Unanimous. Motion carried. Motion: White made a motion, seconded by Timbes, to approve the first reading of #ZA2018-10-15 (E). Vote: Unanimous. Motion carried.

E. Public hearing and first reading of Ordinance #2018-10-15 (F) An Ordinance to close and abandon a 50’ unimproved public right of way located between 1402 and 1404 Church Street, running from US Highway 501 to Pine Street, and amending the official map of the City of Conway. Hucks said the owners of Popeye’s Louisiana Kitchen and Pizza Inn are requesting the closure of the unimproved 50’ right of way between their respective properties. The two property owners have requested that the right of way to be closed and the property be split equally between them. Motion: Blain-Bellamy made a motion, seconded by Goldfinch, to close the public hearing. Vote: Unanimous. Motion carried. Motion: Goldfinch made a motion, seconded by White to approve the first reading of Ordinance #2018-10-15(F). Vote: Unanimous. Motion carried.

CITY ADMINISTRATOR’S REPORT:

Emrick gave an update on conditions that followed Hurricane Florence. SCDOT took severe and costly precautions to keep Highway 378 and Highway 501 Bypass open, and the traffic snarl was tremendous, but not unexpected. Nearly 100 traffic control points were manned with National Guard, State Troopers, City Police and other area police departments. Volunteers went door to door to nearly 500 homes and businesses to warn of the impending flood. The City operated a help line at the EOC and information was constantly being posted and updated on the City’s Facebook page.

Emrick stated that he is proud of all City employees, especially those who stayed on the job even when their own houses were in danger of flooding. He closed his report by saying, “We are Conway Strong.”
COUNCIL INPUT:

Ashley Smith commented that he is proud of Emrick and Hendrick for their efforts before, during, and after the storm.

William Goldfinch agreed with Smith and commented that the same energy and passion was needed to fight for this side of the waterway. He further remarked that he hopes this event forces a long overdue conversation about infrastructure needs.

Tom Anderson praised staff for their efforts during Hurricane Florence. Expressing his displeasure with the way the City was treated, he suggested that the City have a workshop and invite Senator Tim Scott, Senator Lindsey Graham, and Governor McMaster to discuss the need for better roads.

Jean Timbes commended staff and the citizens of Conway. She commented that, for as long as she has been on Council, there has been a need for another bridge across the Waccamaw, but it has never been a priority. She also stated a concern about the safety of Main Street Bridge with the number and size of vehicles forced to use Highway 501 Business because of flood water and construction of the barriers on Highway 501 Bypass. Timbes stated that a new four-lane bridge, at a minimum, is needed and Council should use this event as an opportunity to show the needs of the City.

Larry White concurred with all Council members’ comments. He thanked staff and citizens who have stepped up and helped each other.

Shane Hubbard concurred with all comments and he thanked City employees for all their hard work.

Blain-Bellamy read from a prepared speech giving a brief overview of Hurricane Florence which left the City of Conway a disaster area. She spoke of the hundreds of residents displaced by flood waters and the enormous traffic issues. She further remarked that she had asked the City Administrator to research the areas of expertise needed to help ensure good decisions are made for the best adjustments to current land use standards.

The Mayor recognized City staff who have worked diligently and unselfishly; neighbors and strangers who helped each other for days on end; State, Federal and other municipalities who came to help; and the President of the United States who came to Conway to personally assess the City’s situation and offer assurances to residents.

WORKSHOP:

Discussion on possible revision of zoning standards for new residential developments (lot size). Emrick noted that staff had developed a proposal for zoning changes based on input from Council regarding lot sizes. The City’s largest residential lot (R-1) requirement is 7,500 square feet or roughly 1/6 of an acre, and Emrick informed Council there has been a dramatic increase in the number of new subdivisions that have requested smaller lot sizes such as R-2 (6,000 square feet) or R-3 (5,000 square feet). Emrick reviewed issues associated with small lot subdivisions, including on-street parking, speeding, lack of parking space for recreational vehicles, fencing,
accessory structures, trampolines, playhouses, inflatable pools, and drainage easement and their access, etc.

To address these issues, staff proposed that new zoning districts be created and the old districts (R-1, R-2, R-3, and R-4) be retired. Existing lots of record would keep their existing zoning and standards, but new lots or major subdivisions would be required to rezone to one of the new districts. New districts would be based on lot size, similar to Horry County zoning. The new default zoning district would be SF-15, with a minimum lot size of 15,000 square feet and a minimum frontage of 100 feet. This default zoning district would carry all of the other current development standards, including street width, curb and gutter, sidewalks on both sides of the street and street trees every 50'. Other proposed zoning districts were reviewed as listed below. Emrick also reviewed with Council items that could be considered as “additional standards.”

- SF-7.5 (formerly R-1) – minimum of 7,500 sq. ft., all base requirements (as listed above) and perhaps 3 additional standards.
- SF-6 (formerly R-2) – a minimum of 6,000 sq. ft., all of the base standards (as listed above) and perhaps 6 additional standards.
- SF-5 (formerly R-3) – a minimum of 5,000 sq. ft., all of the base standards (as listed above) and perhaps 9 additional standards.
- SF-0, which would carry with it no minimum lot size and only be concerned with fire code. This would be a district which could accommodate tiny houses and this district would require the most additional standards.
- A new zoning district for Multi-Family would be established with design criteria to replace the former zoning districts.
- A change to the Institutional Zoning District would also be considered to remove student housing developments as an accessory to the university and require them to be multi-family designation.

Emrick pointed out any subdivision of SF-7.5 or smaller could be required to include a neighborhood storage area for boats, campers and trailers, etc. This storage area would be required to be owned, fenced and maintained by the community’s HOA.

The proposed new changes would require significant amendments to the existing Unified Development Ordinance. The Planning Commission would need to review the proposal, a public hearing held, and the UDO would need to be amended by ordinance

**DISCUSSION:** Goldfinch asked that the record reflect his comments on this issue. He stated that he fully supported business and commerce, but not to the detriment of the community. Out of town builders come in and build less expensive houses which he said imports a different type of people who impact the community. Goldfinch said that Council needs to find a way to increase our median income, and that did not happen by allowing developers to import that type of people. He asked that it be noted he was not talking about people who live here. Goldfinch further stated that it was not just housing, it was our community, city, and schools and that this conversation did not come about because of the flooding, but had been building for a long time.

During the discussion on this issue, Council inquired about possible amendments to the flood prevention ordinance in view of the record flooding from Hurricane Matthew. Emrick noted that no houses built to the new standards that were adjusted after Hurricane Matthew flooded in
Hurricane Florence. He also noted that Pecan Grove and Sedgefield subdivisions, both of which experienced severe flooding in this storm, were built before Hurricane Matthew. There was a short discussion on elevating existing houses, the costs involved, and if FEMA funds are available for this type of mitigation. Timbes commented on the poor response to the FEMA buyout program, and suggested this was because it was not presented to the homeowners as well as it could have been. At the end of the discussion, Emrick reminded Council that revision of the UDO would mean virtually a complete re-write and that would not be a speedy process. Until the ordinance is changed, major subdivisions (5 or more lots) would still be able to develop under the current residential zonings. Some developments that have already been annexed have vested rights.

In response to concerns expressed by Council that, before zoning changes could be incorporated into the UDO, developers could submit a petition for annexation/rezoning to R-1, Emrick suggested a moratorium be considered on annexing and/or rezoning of major residential subdivisions at the next Council meeting. He also suggested that Council consider appointing a committee to include developers to discuss this issue. Mayor Blain-Bellamy asked that a hydrologist also be involved. **OUTCOME**: Emrick will prepare a proposed ordinance to implement a moratorium for consideration at the next Council meeting.

**EXECUTIVE SESSION: Motion**: Anderson made a motion, seconded by Goldfinch to go into executive session to discuss negotiations incident to proposed contractual arrangements, negotiations incidental to potential acquisitions or property, and employment of an employee. **Vote**: Unanimous. Motion carried. While in executive session, no decisions were made and no votes were taken.

**RECON VENE FROM EXECUTIVE SESSION: Motion**: White made a motion, seconded by Anderson, to reconvene from executive session. **Vote**: Unanimous. Motion carried.

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

A. **Negotiations incident to proposed contractual arrangements.** Emrick recommended that Council retain Charles Rhodes to provide legal assistance with quiet title actions for heirs’ properties, effective immediately, at the following rates plus expenses: Fewer than 4 heirs - $1,250; 4-12 heirs - $1,500; 12-20 heirs - $1,750; 20 or more heirs - $2,500. **Motion**: Anderson made a motion, seconded by Hubbard, to approve the City Administrator’s recommendation. **Vote**: Unanimous. Motion carried.

B. **Negotiations incidental to potential acquisitions of property.** **Motion**: Anderson made a motion, seconded by Hubbard, to authorize the City Administrator to offer $200,000 for the purchase of property discussed in executive session. **Vote**: Unanimous. Motion carried.
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**ADJOURNMENT:** **Motion:** Anderson made a motion, seconded by Hubbard, to adjourn the meeting. **Vote:** Unanimous. Motion carried.  

Minutes approved by City Council this 15th day of October, 2018.  

[Signature]
Barbara A. Tessier, City Clerk