

CITY COUNCIL MEETING
CITY HALL COUNCIL CHAMBERS
229 MAIN STREET
CONWAY, SOUTH CAROLINA
MONDAY, MARCH 18, 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; Mary Catherine Hyman, Planning Director; Robert Cooper, Building Official; James Friday, Public Utilities Director; Addison Jarrell, Parks, Recreation and Tourism Director; Reggie Jenrette; Solid Waste Director; Dale Long, Police Chief; Timmy Williams, Grounds and Maintenance Director; Taylor Newell, Public Information Officer; Le Hendrick, Fire Chief; Allison Williams, Finance Director; and Barbara Tessier, City Clerk

OTHERS: James Hood, Russell Shepard, Steve Robertson, Brad Whittaker, Joe Grummel, Patrick Howle, Delane Stevens, Anna Barnhill, Kyle Berry, Travis Patrick, and media representatives – Kathy Ropp and Sabrina Shuttters

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 Amanda Roderman, Youth Pastor with Crossroads Community 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.

CONSENT AGENDA:

- A. **Final reading of Ordinance #ZA2019-03-18 (A) Amending to *Article I, Chapter 5 – Redevelopment Enhancement Incentive*, of the City of Conway Municipal Code to extend the Redevelopment Enhancement Incentive Program, which provides incentives for development or redevelopment of properties located within the Central Business District (CBD), Core Commercial (CC), or commercial properties located on Highway 378 or Highway 701 in the City of Conway.**
- B. **Final reading of Ordinance #ZA2019-03-18 (B) Amending Article 5 Specific Use Regulations of the Unified Development Ordinance (UDO) to allow mobile food trucks on private property in the City of Conway and remove the pilot program status.**

- C. **Final reading of Ordinance #ZA2019-03-18 (C) amending *Article 2 and Article 11 of the Unified Development Ordinance (UDO)*, Electronic Message Centers (EMCs) / L.E.D. Digital displays (LEDs).**
- D. **Final reading of Ordinance #ZA2019-03-18 (E) to annex approximately 1.04 acres of property located at 3760 Highway 813 (TMS: 110-00-02-117 / PIN: 32403010002) and to rezone the property from Horry County SF40 to City of Conway Low Density Residential (R) upon annexation**
- E. **Public Works Department purchase of a tractor with boom side cutter (budgeted item)**
- F. **Special Event Request - 2019 Earth Day Celebration- April 22, 2019 – Collins Park**
- G. **Special Event Request – 2019 Farmers Market – May 4, 2019 through October 26, 2019 –**
- H. **Minutes of City Council meeting – February 18, 2019**

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

PUBLIC INPUT:

Patrick Howle was present to represent the tennis community and asked Council to consider short-term and long-term solutions to the tennis court issues, such as two pickleball courts and four tennis courts at Collins Park as short-term solutions. Long-term solutions suggested would be to partner with Horry County Schools and USTA grant funding to build a 12 court facility with a clubhouse, small pro shop and restrooms.

Joe Grummel spoke to Council concerning the growing sport of pickle ball and the need for the City to have pickle ball courts.

Brad Whittaker also spoke to Council concerning pickle ball. He commented that Smith Jones was hardly used and asked why the pickle ball courts could not be there.

Russell Shepard gave the Mayor a petition signed on behalf of the pickle ball community. They asked the City to provide outdoor pickle ball courts. Council accepted the petition to be included with the minutes.

Shepard also thanked the City for their help during the 2018 flooding. He thanked the City for their support as well as food, cleaning supplies and the waving of permit fees for repairs. He also thanked the Public Works Department for their fine clean-up efforts.

James Hood spoke to Council concerning speeding on County Club Drive, trailers not having working lights, and people talking on cell phones or texting while driving.

Kyle Berry, District 5 Engineering Administrator for SCDOT, gave Council an update on the Main Street Bridge repair. The bridge was to be cleaned and repainted; however, structural issues were found that will need to be repaired, thus causing a delay in the reopening of the bridge from mid-March to Memorial Day. There will be lane closures on the bridge once open until the end of June. The 24/7 repair work on the bridge will begin this week. Berry noted that SCDOT will continue to give the City email updates.

Anna Barnhill, Residential Construction Engineer for SCDOT, gave an update on several paving projects. The resurfacing of Main Street will begin on Sunday night, March 24 from the bridge to Fifth Avenue (skipping Fourth Avenue). There will be 3-4 weeks of concrete work and then 2-3 days of paving. After that section is finished, work will begin during daytime hours from Fifth Avenue to Sixteenth Avenue. There will be road closures during this time. Cultra Road paving will begin sometime at the end of May or early June. This project is a reclamation project which is slower and messier, but will produce a brand new road that is 2' wider. The work will span at least a month.

Mayor Blain-Bellamy thanked Berry and Barnhill for their updates and asked them to return at either the April 1st or 15th meeting to provide another update.

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

SPECIAL PRESENTATIONS:

- A. Recognition of educational achievement by employee – Le Hendrick, graduation from the South Carolina State Firefighters’ Association Leadership Institute.** Emrick informed Council that this was a prestigious invitation only institute for fire departments in South Carolina. Emrick noted it was a proud moment for not only Hendrick, but the City as well.
- B. Employee Longevity Awards – Ryan Clyde, Fire Sergeant – 20 years; Chris Price, Firefighter II – 5 years; William Mitch Rabon, Superintendent of Fleet Maintenance – 20 years.** Council Member Goldfinch and Emrick presented the awards.
- C. Employees of the month - Gary Mahaffey, Shane Carter, and Allen Huggins – Street Crimes Division.** Chief Long expressed thanks to the officers for their hard work.

PUBLIC HEARING AND FIRST READING:

- A. Public hearing and first reading of Ordinance #ZA2019-04-01 (A) An Ordinance to rezone approximately 2.02 acres of property located at Pine Street and Thirteenth Avenue (TMS #137-01-22-009 | PIN 33814010027 and TMS# 123-13-04-042 | PIN 33814010026) from Professional (P) to Medium-Density Residential (R2).** Anderson noted that Council had received written notice from the applicant requesting that his application for rezoning be withdrawn. **Motion:** Anderson made a motion, seconded by Smith, to accept the request of the applicant to withdraw the application request for rezoning approximately 2.02 acres of property located at Pine Street and Thirteenth Avenue

(TMS #137-01-22-009 | PIN 33814010027 and TMS# 123-13-04-042 | PIN 33814010026) from Professional (P) to Medium-Density Residential (R2). **Vote:** Unanimous. Motion carried.

- B. Public hearing and first reading of Ordinance #ZA2019-04-01 (B) An Ordinance to annex approximately 2.21 acres of property located on Cates Bay Highway and Johnson Street (TMS 136-11-04-001 | PIN 36912020036) and request to rezone from Horry County Single Family SF20 to City of Conway Low/Medium Density Residential District (R-1).** Hyman informed Council that there were three buildings located on the property, two homes and an accessory dwelling. The property has been sold and the new owner intends to subdivide the property to allow for the three homes to be on individual lots and an additional lot for a future home. In order to provide meter and services to the three existing homes, the property would have to be annexed.

There was no public input. **Motion:** White made a motion, seconded by Timbes, to close the public hearing. **Vote:** Unanimous. Motion carried. **Motion:** Timbes made a motion, seconded by Hubbard, to approve first reading of Ordinance #ZA2019-04-01 (B). **Vote:** Unanimous. Motion carried.

- C. Public hearing and first reading of Ordinance #ZA2019-04-01 (C) An Ordinance to rezone a portion of the property located at 2809 4th Avenue (TMS 136-00-06-020 | PIN 36808030002) from Low/Medium Density Residential (R-1) to Highway Commercial (HC).** Hyman advised Council that this property is owned by Bucksport Water and it is their intent to move to another location with the intent to sell this property. The lot is zoned Highway Commercial with a small portion of the lot zoned as Low Density Residential. When the property was purchased by Bucksport Water in 1995, the entire parcel was zoned as Highway Commercial, but unknown to them, this small portion of the property was subsequently rezoned to Low Density Residential by the former owner of the property. A letter from the City Planner in 1995 indicates the entire parcel was Highway Commercial. They are requesting that the portion that is currently zoned Low Density Residential be rezoned to Highway Commercial.

Public Input: Pat Taylor and another resident of the Wild Rose subdivision, object to the rezoning over concerns of a commercial use being built on that part of the property.

Ashley Proctor, an employee of Bucksport Water, informed Council that the rezoning was done in error and not by Bucksport Water. The error was discovered when Bucksport Water went to get the lot and structure appraised for sale.

There was discussion as to whether or not a new owner of the property could expand into that small section of the lot. Hyman noted that there would have to be a 15' landscape buffer as well as a 20' setback. Hyman said there was not enough space to meet the requirements to build another commercial structure on the space in question. Goldfinch commented that there was a road between the property and the subdivision. Hyman was not certain of that and will have that information before the final reading. Goldfinch noted that it was the City's legal obligation to rectify the error in the rezoning of that portion of the property.

Motion: White made a motion, seconded by Smith, to close the public hearing. **Vote:** Unanimous. Motion carried. **Motion:** White made a motion, seconded by Hubbard, to approve first reading of Ordinance #ZA2019-04-01 (C). **Vote:** Unanimous. Motion carried.

- D. **Public hearing and first reading of ordinance #ZA2019-04-01 (D) An ordinance amendment to *Article 4 – Use Tables* and *Article 5 – Specific Use Regulations*, of the Unified Development Ordinance (UDO), regarding Community Support Services in the LI and HI zoning districts.** Hyman informed Council that adult daycare is not a permitted use in HI or LI zoning districts. At the February workshop it was decided that instead of permitting adult daycare services to use the term Community Support Services which would create a new use. While drafting the amendment, staff realized there were also no provisions for outpatient treatment facilities and that this was the best opportunity to include it. Hyman noted that this had allowed staff to review the industrial uses and remove some that were currently permitted and to allow others that were not currently permitted giving the City a chance to clean up the ordinance.

Public Input: Cheryl Wingard was present in support of the amendment. **Motion:** Goldfinch made a motion, seconded by White, to close public input. **Vote:** Unanimous. Motion carried. **Motion:** Goldfinch made a motion, seconded by Anderson, to approve first reading of ordinance #ZA2019-04-01 (D). **Vote:** Unanimous. Motion carried.

- E. **Public hearing and first reading of ordinance #ZA2019-04-01 (E). An ordinance amendment *Article 4 – Use Tables, Article 2 – Definitions, and Article 3 – Zoning Districts* of the UDO regarding vocational schools, specifically hair academies, in Core Commercial.** Hyman informed Council that staff discovered after denial of the business license of the hair academy in the Core Commercial District that vocational schools were not permitted in the district. The proposed amendment would allow vocational and trade schools as an accessory use to an already permitted use in the district. This would not permit heavy industrial/mechanical type schools.

Public Input: Gregory and Shaneka Brown were present in support of this amendment. **Motion:** Goldfinch made a motion, seconded by Smith, to close public input. **Vote:** Unanimous. Motion carried. **Motion:** White made a motion, seconded by Hubbard, to approve first reading of ordinance #ZA2019-04-01 (E). **Vote:** Unanimous. Motion carried.

ITEMS FOR CONSIDERATION

- A. Consideration of amendment to Marina Management with Waccamaw Outfitters/Matt Varnadore.** Jarrell informed Council that the main changes were that Varnadore would now be in charge of boat slips as well as ordering gas when the tanks were low. For the additional items Varnadore would be assuming, he would receive 25% of the proceeds on the rental of the marina boat slips and 25% on the sale of gasoline. **Motion:** Goldfinch made a motion, seconded by Anderson to approve the amendment to the Marina Management contract with Waccamaw Outfitters/Matt Varnadore. **Vote:** Unanimous. Motion carried.
- B. Consideration of bid for the Riverwalk boards.** Jarrell advised Council that there had been an earlier bid that did not include a request for the specific percentage for Copper Azole, which is injected into the wood to keep it from rotting. Three vendors responded to the re-bid. Jarrell explained that typically warranties were not given for commercial projects, but Builders First Source was able to get a limited warranty from the supplier. The American Wood Protection Association noted because Thomas Supply's levels of Micronized Copper Azole was higher than Builder's First Source that the warranty would be a wash. White asked if the pilings would be cleaned prior to installing the new boards. Jarrell commented that the Building Department would be installing the boards and would take care of it. **Motion:** Anderson made a motion, seconded by Goldfinch, to accept the bid from Thomas Supply in the amount of \$56,352.46. **Vote:** Unanimous. Motion carried.
- C. Consideration of bid for softball infield.** Jarrell informed Council that this bid was for new softball field located on the existing multi-purpose field located behind Big Lots that would satisfy a Parks and Recreation Development (PARD) grant. The funds must be used and staff recommends accepting the bid from the low bidder, Wilson and Associates. The City will be providing a 50% match funds of for this project. Another part of the grant, for a softball backstop, will be coming before Council at a future meeting. Jarrell was asked since there was such a large difference between the bidders, was he comfortable that the quality of the work done by Wilson and Associates. Jarrell commented that he had used Wilson and Associates in the past and was confident of their quality of work. **Motion:** Anderson made a motion seconded by Smith, to accept staff's recommendation to accept the bid from Wilson and Associates in the amount of \$12,900.00. **Vote:** Unanimous. Motion carried.
- D. Asphalt patching contract.** Chestnut advised Council that the existing contract would expire at the end of March. Bids were received from three vendors. The majority of the contract will be for the 2" asphalt patch and staff recommended accepting the bid from Coastal Asphalt who is the lowest bidder. Chestnut was asked if speed humps were as good as speed bumps. Chestnut commented that speed humps should slow traffic down to 10 mph. **Motion:** Goldfinch made a motion, seconded by Smith, to accept staff's recommendation to accept the bid from Coastal Asphalt. **Vote:** Unanimous. Motion carried.

RESOLUTIONS

Resolution authorizing King Construction Services, Inc. to secure a Letter of Credit guaranteeing the installation of infrastructure at Oak Glen Phase III Subdivision. Hyman informed Council that the developer's engineer had provided a cost estimate for the required

infrastructure and improvements at Oak Glen Phase III. This estimate has been approved by the Public Works Director. **Motion:** Anderson made a motion, seconded by Goldfinch, to accept a Letter of Credit from King Construction Services, Inc. guaranteeing the installation of infrastructure at Oak Glen Subdivision Phase III in the amount of \$530,025.00. **Vote:** Unanimous. Motion carried.

CITY ADMINISTRATOR'S REPORT:

- 18 properties have been purchased as part of the FEMA buyout with 6 of those already demolished
- To date, neither FEMA or SCEMD have contacted the City about adding additional properties that were not included in the original application
- Staff met with County Councilman Orton Bellamy concerning residents just outside the City limits without water or sewer availability. Some residents will be serviced by GSWSA as they are outside the City's utility service area, while other residents are quite a distance from City water/sewer infrastructure
- The Recreation Center was unanimously chosen for the Inclusive Playground and pieces of equipment were selected. An RFP will be forthcoming to begin this work
- Staff met with Keep South Carolina Beautiful about becoming a Keep America Beautiful affiliate. Staff is in the process of preparing the City's application. If accepted, this will also serve as the litter task force that was requested by Councilman Smith.
- 14 responses were received from the RFQ for architectural services for a new City Hall. They are currently being reviewed
- 51 resumes have been received for the Deputy City Administrator position. They are currently being reviewed
- The train mural has been started at Kingston Park. Landscaping will begin in several weeks and be ready for a grand opening in May.
- On March 28, there will be a drop-in review of the Conway Perimeter Road at the Conway Rec Center from 5-7 pm
- Staff thanked Council for a very productive budget retreat

COUNCIL INPUT:

White was pleased that the Inclusive Playground would be located at the Rec Center and that additional pieces of equipment would be placed in other parks in the City, expressed concern over moving the basketball courts and the noise the neighboring properties would experience, and asked if the theater wall adjacent to Kingston Park might be painted.

Timbes spoke of Conway's history being preserved signifying the value of the people who have impacted the City. She suggested a visual, uniform way to recognize Mayor and Council Members upon their retirement be established by a plaque or medallion before the end of the year.

Anderson echoed Timbes comment and welcomed Police Chief Long back from FBI training.

Goldfinch encouraged speed bumps.

Smith apologized publicly for being tough on SCDOT at the last meeting and was happy to see all the people at the meeting tonight in support of tennis and pickle ball.

Mayor Blain-Bellamy related that she had met with 100 students from Waccamaw Elementary School who thought Council owned City Hall and the streets. She informed them that they, as citizens of Conway, owned them. She expressed delight with the mural being painted at Kingston Park. And on a somber note, thanked everyone for their support and kind words at the passing of her mother.

WORKSHOP:

- A. Discussion on request to annex 4 parcels, approximately 2.49 acres of property located at Burning Ridge Medical Park, Lots 2, 3, 4 and 6 on 8002-8016 Myrtle Trace Drive (TMS 151-26-01-002 | PIN 383-15-01-0009, TMS 151-26-01-003 | PIN 383-15-01-0006, TMS 151-26-01-004 | PIN 383-15-01-0010, TMS 151-26-01-006 | PIN 383-15-04-0007) and request to rezone from Horry County Highway Commercial (HC) to City of Conway Institutional (IN).** Hyman informed Council that the four parcels are located on Myrtle Trace Drive and are owned by Conway Hospital Community Services. Conway Medical Center intends to remove the existing building and build a resident intern facility, and wants the annexation for consistency since the facility will be part of the CMC campus. The parcel is not within the City's utility service areas making annexation voluntary. However, the development will still be subject to all sections of the UDO. Hyman was asked if annexing these parcels would open the City up to further annexations in that area. Hyman responded that no other parcels were contiguous. **Outcome:** Staff will prepare for the public hearing and first reading.
- B. Discussion on possible amendments to 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. Upon review of the architectural 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. Currently, under the Use Tables section of the UDO (Article 4), most office uses, including real estate offices, are not permitted uses, conditional uses, or even an accessory use to a permitted use in the Waccamaw Riverfront District (WRD). It appears that an error was made and that the original intent was to allow office space. **Outcome:** Staff will prepare for the public hearing and first reading at a future meeting.
- C. Discussion of new Emergency Operations Plan.** Hendrick informed Council that the plan needed to be updated. Hendrick was given a plan from a member of the FEMA taskforce and he is certain this plan will work well for the City. It is broader in nature so that it does not have to be updated all the time. Hendrick explained the various parts of the plan, which included information about the City and the vulnerabilities the City might have from floods, air crashes, hazardous materials, and other issues. One major change is that when the fire chief becomes the Emergency Operations Manager, the Assistant Fire Chief will become the Fire Chief. Emergency operation drills should be done annually and this has already been put in place. Public information is a key part during an emergency. Having one voice provide information is necessary. A change at the state level concerning Opcon levels has made the levels easier to understand, which will take effect in the County and City in the

upcoming fiscal year. The Plan also discusses post-disaster duties, and provides for the compensation of overtime for non-exempt and exempt employees. The Plan also provides for the feeding of employees, which was an issue with FEMA during Florence. There is also a section on the role of the elected officials. Hendrick was asked to add a section that explained the acronyms. **Outcome:** Staff will present the Emergency Operations Plan at an upcoming Council meeting for approval.

EXECUTIVE SESSION: Motion: Hubbard made a motion, seconded by Smith, to enter into executive session to consider appointments to boards, commissions and committees. **Vote:** Unanimous. Motion carried. While in executive session, no decisions were made and no votes were taken.

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

ACTION TAKEN 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 Timbes, to approve the following appointments are discussed in executive session. **Vote:** Unanimous. Motion carried.

Smith Jones Joint Venture Committee - Jada Hudson-Dewitt as of March 18, 2019 with term expiration on December 31, 2022.

Conway Housing Authority Committee - Ballery Skipper. Term begins April 24, 2019 and expires April 24, 2024

Board of Zoning Appeals - Lindsay Wallace, filling Blake Hewitt's seat. Term will expire December 31, 2021.

Grievance Committee - Le Hendrick was reappointed. Term expires March 24, 2022.
Tasha Sherman. Term expires March, 24, 2022.
June Wood (filling the unexpired term of Jessica Stalvey). Term expires March 24, 2020.

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

APPROVAL OF MINUTES: Minutes approved by City Council this 15th day of April, 2019.


Barbara A. Tessier, City Clerk