

**CONWAY CITY COUNCIL MEETING
CITY HALL COUNCIL CHAMBER
MONDAY – JANUARY 22, 2007 – 5:30 P.M.
MINUTES**

PRESENT: Gregory K. Martin, Mayor; Randle L. Alford, Mayor Pro Tem; Vivian E. Chestnut; Alys C. Lawson; Irby L. Koon, Jean M. Timbers; Thomas J. Anderson II

STAFF: Bill Graham, City Administrator; Karen Godin, Director of Planning; Michael Hardee, Finance Director; Greg Richardson, Special Projects Coordinator; Larry Schilling, Grants Coordinator; Tim Williams, Beautification Director; Jerry Barnhill, Public Works Director; Ken Senn, Parks & Recreation Director; Freddie DuBose, Public Utilities Director; Reggie Gosnell, Chief of Police; Billy Joe Sawyer, Building Official

OTHERS: Horry Independent; Tonya Root, Sun News; Eddie Streeter, Chairman Conway Jazzfest Committee

CALL TO ORDER

Mayor Martin called the meeting to order at 5:30 p.m.

INVOCATION/PLEDGE OF ALLEGIANCE

Reverend Cheryl Adamson, Pastor of Palmetto Baptist Church gave an inspiring prayer for guidance, and the audience recited the Pledge of Allegiance.

Introduction of Newly Appointed Assistant City Administrator

Mayor Martin introduced and welcomed Barbara Blain-Olds who was recently hired as the Assistant City Administrator. Olds thanked Graham and the Council for having confidence in her to complete the city staff.

PRESENTATIONS

Eddie Streeter - advised that the Jazzfest is scheduled for May 5, 2007. He requested approval from Council to close Norman Alley, 3rd Avenue from Kingston Street to 4th Avenue all day, and close Main Street from 4th Avenue to 3rd Avenue from 4:00 p.m. to 10:00 p.m. for the main stage event. Streeter stated the committee has received approval from the SCDOT to close the street. The stage will be assembled at 2:00 p.m. Koon asked if the Police Chief has looked at the plan. Gosnell said yes, and it was discussed with the committee. He said the traffic plan is workable. Lawson asked if chairs would be provided or would people have to bring their own. Streeter said some chairs will be provided; however, people could also bring their own chairs. Alford inquired on the sale of alcohol. Streeter advised that there will be only one beer cart that will be located

**City Council Meeting
January 22, 2007**

towards Main Street. Mayor Martin asked Streeter and Gosnell to provide a traffic flow plan at the next meeting.

Scott Gallimore, Executive Director, City of Character

Gallimore thanked the Council for supporting the Character program. He noted the plans are to have another resolution signed to re-introduce the program. Larry Biddle noted the resolution is needed to recommit the city's support and launch to Character program to the next level. The resolution will be presented at the next meeting. Biddle requested approval to hang some Character Trait banners on the light poles along the Main Street and downtown. The SCDOT has given permission for placement of the banners. Biddle will coordinate with Williams and Barnhill to obtain brackets and set a time to hang the banners.

John Weaver, Horry County Attorney, Concerning a new System of Taxation on Real Property in Horry County that is Permissible Pursuant to South Carolina Code Sec 12-37-670/Kost Bill

Weaver presented information to Council on the matter referenced above. He stated that there some question on uniformity, and the County will see if the constitution issue will be cleared up by the Legislature before they proceed with the new taxing structure. Alford noted that there was a case similar to this on uniformity and a similar statute was unconstitutional. Anderson asked how he could get his county taxes reduced to receive an adjustment for services not received from the County. Weaver noted he would have to present Anderson's question to the County Council. He will also come back to the City Council and discuss the Court's decision.

PUBLIC INPUT

No one spoke during this portion of the meeting.

ORDINANCES FOR FINAL READING

Ordinance #2007-01-11(A) – Authorizing the Purchase of 0.34 Acres (more or less) of Land on Norton Street From Thomas E. McCarthy

Graham requested that this matter be deferred due to a need for a survey clarification.

Motion: Chestnut made a motion, which was seconded by Alford to defer the matter referenced above. **Vote:** The vote in favor of the motion was unanimous. The motion carried.

**City Council Meeting
January 22, 2007**

Ordinance #2007-01-22(E) – Amending the Existing Planning Department Fee Schedule

Godin noted that one change has been made with an additional \$2.00 that brings the fee for subdivision plan review to \$212 to come closer to the average fees for the area.

Motion: Lawson made a motion, which was seconded by Koon to give final reading approval to Ordinance #2007-01-22(E), and to approve the revised Planning Department Fee Schedule with February 1, 2007 as the effective date. **Vote:** The vote in favor of the motion was unanimous. The motion carried.

Ordinance #2007-01-22(F) – Amending the Code of Ordinances of the City of Conway, South Carolina, Title 3, Public Works, Article C, Sec. 3-1-23 – Drainage Regulations, responsibilities, Penalty and Placing a Revised Section 3-1-23 (a through g) in its Stead

Council requested that Sec. 3-1-23 (e) should be revised to clarify which costs would be paid by property owners. The proposed ordinance would adjust the cost for the tile share program to reflect current cost. It would also allow the cost to be adjusted in the future to reflect cost changes as they occur.

Barnhill noted that the City will honor requests that were made before the adoption of this revision. The revision also clarifies the 50% reduction which only applicable to existing residential homes, five or more years old. There is a recommendation to increase the permit fee for drainage tile projects from \$5 to \$10. Additionally, the proposed ordinance will require all new developments, residential or commercial to provide adequate drainage along their property.

Motion: Timbes made a motion, which was seconded by Koon to approve final reading of Ordinance #2007-01-22(F). **Discussion:** Anderson said he is opposed to the change and prefers to leave it as is. Mayor Martin asked what the new number would be after the change. Barnhill said on a 100' lot the new price would be about \$600, currently the price is \$440. Mayor Martin said he supported the adjustment, but the City should evaluate the response to the change after six months. Timbes said she supports what Barnhill is doing and we should keep as current as possible. **Vote:** Voting in favor: Lawson, Koon, Martin, Chestnut, Timbes, and Alford. **Opposed:** Anderson. The motion carried.

Ordinance #2006-12-11(G) – Amending the City of Conway to Purchase 30.75 acres of Property Owned by Burroughs and Chapin Company, Located in Horry County Near S.C. Hwy. 378

**City Council Meeting
January 22, 2007**

First reading approval of the ordinance referenced above was passed on November 27, 2006; however, it was discovered that this ordinance was inadvertently omitted from the December 11 meeting for final reading. It was also found that it will be necessary to purchase an additional .41 acre parcel from Burroughs and Chapin to provide access to the property from Hwy. 378.

Motion: Koon made a motion, which was seconded by Lawson to give final reading approval to Ordinance #2006-12-11(G). **Discussion:** Anderson asked how much fill dirt would be required because this area has a very bad drainage problem. Barnhill explained that a road would have to be constructed. Anderson noted that it would be gross negligence if the city did not check to see if the four lanes could be extended past the shop. Barnhill said he has mentioned this several times, but because it was a tedious task securing property for the shop this is the best we can do at this time. Anderson said he would like for staff to contact the SCDOT within days to ascertain the possibility of extending the four lanes as well as a decell lane. **Vote:** The vote in favor of the motion was unanimous. The motion carried.

ORDINANCES FOR FIRST READING

Ordinance #2007-02-12(A) – Adopting an Amended Budget for Fiscal Year 2005-2006

Hardee noted that the FY2005-06 budget was amended on December 11, 2006; however, it was determined that an additional amendment would be necessary. The amendment is related to the refinancing of General Obligation Bonds, Revenue Bonds and additional Street and Drainage expenditures.

Motion: Chestnut made a motion, which was seconded by Timbes to give first reading approval to Ordinance #2007-02-12(A). Discussion: Anderson asked how much savings the city is realizing from refinancing. Hardee noted it is right at \$98,000. **Vote:** The vote in favor of the motion was unanimous. The motion carried.

Ordinance #2007-02-12(B) – Amending Ordinance #2006-08-28(A) of the Code of Ordinances for the City of Conway, South Carolina By adding Section 3(B) – Non-Competitive Purchasing

Schilling noted that the current purchasing policy be revised to include a noncompetitive purchasing clause. Non-competitive purchases that have a value in excess of \$2,500 where services required are for professional or artistic skill; maintenance and servicing of equipment with the work can best be performed by the manufacturer of authorized service agent; and when competitive purchasing would not otherwise be in the best interest of the city, subject to the approval of the City Administrator.

**City Council Meeting
January 22, 2007**

Motion: Timbes made a motion, which was seconded by Anderson to give first reading approval to Ordinance #2007-01-12(B). **vote:** The vote in favor of the motion was unanimous. The motion carried.

ITEMS FOR CONSIDERATION

Presentation of the Proposed Budget Calendar for FY2007-2008

Graham presented a budget calendar that Council will review and make changes if necessary. The Budget Retreat is scheduled for March 8-10 at Pinopolis.

Lawson noted that the information Council received looks good, and recommended that the calendar remains the same. She also asked if the department heads are going to make their presentation at the retreat. Graham said the department heads would give their presentations on the Friday during the retreat.

This item was received as information

Consideration of City Participation in a Force Main Upgrade from Conway Ford to Conway High School in Order to Properly serve Tiger Grand Development and Future Development in this Corridor

DuBose noted that the City extended a force main on property that was purchased from Moses Johnson and connected to the nearest manhole located in front of Conway Ford. Since this extension was done, and to the present time, there has been enormous growth in this corridor. The sewer force main connection at Conway Ford is upstream of a sewer line extending from the Pepsi-Cola plant which has significant flows.

After explaining the dynamics of the sewer system, DuBose advised that engineering costs on this upgrade is approximately \$85,000. He said it would be beneficial for the city to participate in a portion of the cost of this project.

Motion: Anderson made a motion, which was seconded by Chestnut that the City contribute to the cost of the force main with funding not to exceed \$10,000. **Vote:** the vote in favor of the motion was unanimous. The motion carried.

Review of Building Department Fees

Sawyer noted that the permit fees were increased in January 2006. After comparing current fees with other jurisdiction, he recommended that the City's current fees remain the same.

No action was taken by Council.

**City Council Meeting
January 22, 2007**

Consideration of Designation of Professional Seats on the City's Community Appearance Board

Godin advised that the Zoning Ordinance addresses the membership of the CAB in the following manor: it is the declared policy of the City Council that it will consider and approve only those persons who have demonstrated their civic interest, general knowledge of the community, independent judgment, and ability to prepare for and attend meetings. Members shall have a demonstrated interest in, and/or competence and knowledge of, architecture, landscape architecture, and urban design. The term of office for all seats on the Board shall be four years. Board members may be appointed to succeed themselves for a maximum of two successive terms. She said the membership of the Community Appearance Board at all times shall include not less than one (1) member nor more than three (3) members who are licensed architects, landscape professional or sign professions. Also, it was requested that a preserving in the designated professional seat be permitted to serve beyond the maximum term limit until a replacement member meeting the professional designation qualifications is found. It was decided that a revised ordinance be prepared and presented for discussion at the next meeting.

Motion: Timbes made a motion, which was seconded by Chestnut to approve the request of the CAB to have designated professional seats.

Update on Proposed Drainage Improvements in the area of the Horry County Judicial Complex and Elm Street

Barnhill said he does not have much information to present today because he is waiting for a report from the engineering firm and a meeting with the County.

This was received as information.

Sidewalk Repair Contract

Barnhill noted that the current sidewalk contract has expired. The contractor has agreed to extend his current unit prices for a period of 12 month through December 31, 2007.

Motion: Chestnut made a motion, which was seconded by Anderson to extend the current contract with Benton Concrete and Utilities to December 31, 2007. **Vote:** The vote in favor of the motion was unanimous. The motion carried.

**City Council Meeting
January 22, 2007**

Report on CTC Funding Approval for Street Improvements

Barnhill informed the Council that the CTC approve the first ten streets listed on City's resurfacing list in the amount of \$124,626. In addition, \$19,450 for Thermoplastic marking of crosswalks in the downtown area was awarded to the City. In response to a request by the SCDOT, CTC approved \$150,000 toward the Hwy. 501 median barrier project.

This matter was received as information.

Consideration of Drainage Improvements for 12th Avenue Near Snow Hill Drive.

Barnhill gave the cost for the City to provide drainage pipe and material for this project not including the labor and equipment would be \$4,105. If the project is done under the tile share program, the cost for the home at 1009 Snow Hill Drive would be \$965.75. The cost for the vacant lot would be \$2,178.50.

Council discussed the matter and Chestnut suggested we don't do anything to the second lot. Anderson said he is not asking the City to fill the ditch by his house; but he would like to see the donut hole on 12th Avenue filled. Timbes said she looked at several areas in the neighborhood and observed several open ditches that could be tiled. The Mayor asked if there is any money designated to fill in ditches in the capital improvement fund. Barnhill said there is a bond, and \$153,000 is designated in the stormwater utility funding to capital improvements fund.

Timbes we should not tile a ditch on a vacant lot. Koon said he is in favor of tiling ditches, but let us keep it equitable and fair in the tile share program. Mayor Martin said we need a priority list to allocate some money to tile ditches. This will be discussed at the budget retreat.

Abandonment of a Water Line Easement on Lot 6 Bradford Drive at Maple Hill Subdivision

Graham advised that an easement was obtained on the lot referenced above to loop water service from Bradford Drive to Hwy. 813 to maintain water quality. The Maple Ridge Subdivision has been built and the easement is no longer needed and can be abandoned.

Motion: Chestnut made a motion, which was seconded by Anderson to approve the abandonment of the 10" water line easement and return property to current owner Brent Barker. **Vote:** in favor, Anderson, Lawson, Koon, Chestnut, Timbes, Alford.
Abstained: Mayor Martin.

**City Council Meeting
January 22, 2007**

Update on Proposed Investment Policy

Hardee explained that staff researched Alford's request to revise the City of Conway's investment policy. He said the document presented tonight was not implemented into the City of Conway as it was discussed at a budget retreat and not adopted. Alford said he wrote this policy recently. Alford commented on the policy, and requested that a 5th category delineating CD's, Bonds, Securities, etc.

It was the consensus that staff continues to work with Alford to refining an ordinance to implement an Investment Policy.

Council received this issue as information.

FY 2006-2007 City Council and Department Goals – Mid-year Progress Report

Graham noted that he provided a copy of the goals and mid-year report to Council describing what progress has been made. He said the department heads uses the document in day-to-day operations and completing the current year's goals.

Lawson said it is helpful to see some action on most of the goals. Graham expressed his appreciation to staff and department heads for their work.

Report on Crime Statistics – Chief of Police Reggie Gosnell

Gosnell presented a print out of the statistics on crime to Council to review. Mayor Martin thanked Gosnell for the information. Chief noted that one of the new cars with the new colors and decals is parked out front for the Council to view.

BIDS

Acceptance of Contract Bid on Two (2) Vehicles for the Public Utilities Department

Council authorized Public Utilities to move forward with the addition of an Operation Supervisor and Construction Supervisor, and the purchase of two vehicles for these positions. The state contract dealer Vic Bailey Ford Inc. presented the bid for the vehicles. The vehicles are two F-150 pickups at a cost of \$15,570 each or \$31,140.00.

Motion: Chestnut made a motion, which was seconded by Timbes to approve the state contract bid submitted by Vic Bailey Ford, Inc. **Discussion:** Anderson asked if any of the local dealers were asked to bid on this or did we go directly to state contract. Graham advised that only the state contract was utilized. **Vote:** The vote in favor of the motion was unanimous. The motion carried.

**City Council Meeting
January 22, 2007**

Approval of State Contract Bid to Purchase Two (2) Lawnmowers for the Recreation Department

Bids were received for the purchase of two lawnmowers for the Recreation Department. One of the mowers will need to be upgraded to include a collection system at an additional cost of \$1,496. These mowers will replace two Skag mowers that are eleven years old. Powell Brothers Tractor and Equipment (State Purchasing) bid \$7,139.00; Cannon's Small Engine bid- \$9,240 each.

Motion: Chestnut made a motion, which was seconded by Lawson to approve the purchase of two lawnmowers from Powell Brothers for \$7,139. Chestnut as if Cannon's could bid on this equipment. Senn explained that Cannon did submit a bill which was high than Powell Brothers. Anderson asked if it is ethical to approach a local vendor and let the know we plan to use the state contract price without informing them of the state contract amount; to see if they could come close to the state contract price. Schilling said we cannot let them know the state contract price; however, they are at liberty to search the internet to see how competitive they should bid. Lawson also noted that we need to be careful about being too precise in specifications and name brand equipment; we should not exclude local vendors because of the type of equipment, but to open it up to all brands. Schilling explained that we did check with some local vendors and they did not carry the brand.

Consent Agenda

The consent agenda contained the following information: Special Meeting – 1/2/07; City Council Min -1/8/07; CAB Min – 12/13/06; Planning Comm. Min. – 12/7 & 19/06; Departmental Monthly Reports; Financial Summary; Lakeside Min. 1/15/07.

Motion: Koon made a motion, which was seconded by Anderson to approve the consent agenda with the noted corrections. **Vote:** The vote in favor of the motion was unanimous. The motion carried.

ADMINISTRATOR'S REPORT

New Employee

Graham advised that Steve Tanner has been hired as the Senior Planner in the Planning Department and is scheduled to start working January 29, 2007. Tanner will spearhead the updating of the Comprehensive Plan. Mayor Martin asked if we are required to redo the Comprehensive Plan by this year. Godin said yes, and the plan is required to be updated during this year.

**City Council Meeting
January 22, 2007**

Council Input

Impervious Surface Ratio – State Ordinance on Annexation

Alford - asked Graham if there is a way to keep the impervious surface ratio down to about 15% and discuss this at the retreat as one of the Council goals. Graham said staff will be working with the Stormwater Commission and will inform him on this matter.

Alford inquired about the state ordinance on annexation. Graham said he would research this process further and inform him on what the law for closing donut holes is.

Positions in City of Conway

Timbes – thanked staff for filling positions in the city and looking forward to working with everyone.

Comments about City of Conway

Chestnut – stated that several comments have been received from people who say they are proud of Conway and the downtown area.

Aesthetics of City Buildings

Koon – said he noticed some weeds growing around the police department and finance, and there are some areas inside the buildings that need the carpets cleaned. Koon noted this could be one goal to look at the facilities as the retreat. Graham advised staff will take care of these issues.

Street Light – Gates at Cemetery – Sidewalks

Lawson – advised hat a street light is out on Elm St. and 7th Avenue and on 5th Avenue. She also requested that the possibility of constructing sidewalks on Country Club Drive be revisited

Manhole Covers- Drainage

Anderson - noted that the area on 12th Avenue and Main Street the drain needs to be raised or smoothed. He asked Barnhill to investigate the matter. Anderson also advised there is a manhole cover floating out of pipe on Lakeside Drive, and the patching crew should look at this area.

**City Council Meeting
January 22, 2007**

Executive Session

Mayor Martin noted there is a personnel matter to make appointments to the Boards and Commissions. Graham noted he wanted to add a personnel matter to discuss disciplinary actions to a city employee. **Motion:** Timbes made a motion, which was seconded by Anderson to go into executive session. **Vote:** The vote in favor of the motion was unanimous. The motion carried.

Motion: Koon made a motion, which was seconded by Anderson to come out of executive session. **Vote:** The vote in favor of the motion was unanimous. The motion carried.

Appointments to Boards and Commissions

Rose Hill Cemetery Committee

Motion: Chestnut made a motion, seconded by Timbes to reappoint Joann McKnight and Dianne Davis and appoint Tarence Johnson to serve three terms on the Rose Hill Committee: **Vote:** The vote in favor of the motion was unanimous. The motion carried.

Smith –Jones

It was the consensus of Council to delay appointing to this committee. It was decided that a letter is forwarded to the S-J Board to hold meeting here and that staff will set the dates and times of the meetings.

A-Tax Committee

It was the consensus of Council to appoint Cyndi Smith, owner of the Rivertown Bistro to the A-Tax Committee, subject to her consent to serve.

Construction Board of Appeals

Council agreed to reappoint Edwin McKiever and Roy Owens to this board.

Lakeside Cemetery

Bob Scarborough and Fran Burroughs were reappointed to serve three year terms on this committee.

Planning Commission

Jose Guidera was appointed to the Planning Commission; Larry Foye and Terry Watson were reappointed.

**City Council Meeting
January 22, 2007**

Recreation Advisory Committee

Carlton Terry was reappointed to serve another term on this committee.

Tennis Advisory

It was the consensus of Council to reappoint all members, after contact has established to ascertain their intent to continue serving on this committee.

Collins Park

Lawson said a new committee needs to be formed, because Collins park is in need of cleaning. Timbes volunteered to serve as ex-officio. It was discussed to check with an outside crew to do some landscape work and let the city's beautification crew maintain it.

Zoning Board of Appeals

John Cassidy and Scott Sayre were reappointed to serve on this board. David Nye was appointed pending contact with him to see if he would serve on this board.

CAB

Duc Watts was reappointed to serve another term. It was Council's decision to leave the other seat vacant until the CAB ordinance has been changed.

Storm Water Quality Commission

Hamp Shuping was reappointed to serve on this committee; Council recommended that the committee members could refer someone with a specialty in stormwater management for appointment to this board.

Motion: Koon made a motion, which was seconded by Chestnut to make the appointments to the Boards and Commissions as stated above. **Vote:** The vote in favor of the motion was unanimous. The motion carried.

ADJOURNMENT

Motion: Koon made a motion which was seconded by Timbes to adjourn. **Vote:** The vote in favor of the motion was unanimous. The motion carried.

Minutes approved by Council this _____ day of _____, 2007
_____, City Clerk

