

**CITY COUNCIL MEETING
CONWAY CITY COUNCIL
MONDAY- FEBRUARY 12, 2007 - 5:30 P.M.
MINUTES**

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

STAFF: Bill Graham, City Administrator; Barbara Blain-Olds, Assistant Administrator; Cyndi Gore, City Clerk; Michael Hardee, Finance Director; Jerry Barnhill, Public Works Director; Larry Schilling, Grants Coordinator; Greg Richardson, Special Projects Coordinator; Tim Williams, Beautification Director; Wanda Lilly, Arborist; Reggie Gosnell, Chief of Police; Freddie DuBose, Public Works Director; Karen Godin, Planning Director

OTHERS: Tonya Root, Sun News; Reverend George Olive; Leslie H. McIver, Sr., Reverend Randy Riddle; Scott Gallimore; Larry Biddle, all representing the City of Character; Kathy Ropp, Horry Independent; Bob Calliham

CALL TO ORDER

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

INVOCATION/PLEDGE OF ALLEGIANCE

Reverend Olive of Poplar Methodist Church gave an inspiring invocation. The audience recited the Pledge of Allegiance.

PRESENTATIONS

REAFFIRMATION OF CITY OF CHARACTER - APPROVAL OF RESOLUTION

In 1999, City Council approved a resolution designating Conway as a City of Character. The Character initiative has changed information to develop more of a focus on Communities of Character. This program is reaching out to neighborhoods and into the unincorporated areas. Scott Gallimore, Executive Director of the Conway Character Council, asked Council to consider the approval of a resolution reaffirming that Conway is a City of Character.

Reverend Riddle, Co-Chairman of the City of Character Council, gave an overview of the City of Character program and expressed gratitude to Council to reaffirm its commitment to the Character program. He asked that a member of Council consider volunteering to serve on the City of Character Board.

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Leslie McIver, Chairman of the City of Character Council, asked that Council consider funding the Character program during budget deliberations. He presented a book that has been published on the Character program, and states the Character Council would like to get one book in every home in Conway to educate them on this endeavor. McIver requested that Council reaffirm its support and commitment to the Character Initiative. A resolution was prepared for Council review and approval.

Motion: Anderson made a motion, which was seconded by Lawson to approve the resolution as submitted. **Vote:** The vote in favor of the motion was unanimous. The motion carried.

2006 City of Conway Financial Audit Report - Bob Calliham with Smith, Sapp, Bookout, and Calliham

Calliham report that the City is in very sound financial Condition. He noted the total net assets are approximately \$50,784,688, including \$38M in Capital assets. Additionally, the city's revenues exceeded expenditures by \$3M which is a positive. The general fund Unreserved balance is approximately \$7,200,000. Calliham advised this report is for the Fiscal Year ending June 2006. The City should be able to operate three to six months should a major catastrophe occur. He suggested that Conway put a little more funds in reserve in addition what is available and would last for a longer period of time.

Alford stated he noted that there has been a drop in grant funds. Chestnut thanked Calliham for working with the City. Mayor Martin reiterated gratitude and thanked Calliham for all that he does.

Public Input

No one spoke.

ORDINANCES FOR FINAL READING

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

Council gave first reading approval to the ordinance referenced above at the meeting held January 22, 2007. **Motion:** Chestnut made a motion, which was seconded by Timbes to give final reading approval to Ordinance #2007-02-12(A). **Vote:** The vote in favor of the motion was unanimous. The motion carried.

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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 Paragraph 3(B) - Non-competitive Purchases that have a Value in Excess of \$2,500 to the Purchasing Rules and Regulations for the City of Conway

The ordinance referenced above was discussed and given first reading approval at the last meeting. **Motion**: Chestnut made a motion, which was seconded by Koon to give final reading approval to Ordinance #2007-02-12(B). **Vote**: The vote in favor of the motion was unanimous. The motion carried.

ORDINANCES FOR FIRST READING

Ordinance #ZA2007-02-26(A) - Annexing Approximately 1.5 Acres Located on Bradford Drive and Zone the Property Low Density Residential

Brent Barker has requested to annex the property referenced above. **Motion**: Alford made a motion which was seconded by Anderson to give first reading approval to Ordinance #ZA2007-02-26(A). **Vote**: The vote in favor of the motion was unanimous. The motion carried.

Ordinance #ZA2007-02-26(B) - Annexing Approximately 59.9 Acres located on Dunn Shortcut Road and zone the property Low Density Residential (R-1)

Fred Majors on behalf of F & S Holdings, Inc., has requested the annexation of the property referenced above.

Motion: Anderson made a motion, which was seconded by Alford to give final reading approval to Ordinance #ZA2007-02-26(B). **Vote**: The vote in favor of the motion was unanimous. The motion carried.

ITEMS FOR DISCUSSION

Proposed Storm Drainage Capital Improvement Projects

Barnhill advised that \$153,000 is budgeted for Capital Drainage Improvements. In 2004, 10 projects were identified and six have been completed. A summary was provided for the remaining four projects. He requested that once the project by the Courthouse has been completed that the remaining four projects be completed. He noted the County agreed to share a drainage project to correct a flooding problem on 2nd Avenue. The department is in the process of trying to work out the details of this project with engineers and hope to have some

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information to Council. At this point, the plan is for the County to contribute \$300,000 for materials and for the City to provide the labor and equipment to install the improvements. If the County funds are not sufficient to cover material costs, the City will have to use some of its Capital Drainage Improvement Funds.

Motion: Chestnut made a motion, which was seconded by Timbes to approve the recommended projects for construction.(attached as part of minutes). **Discussion:** Mayor Martin asked if a list of smaller projects could be compiled for Council to review. Barnhill noted this information is scheduled to be discussed during the budget retreat. **Vote:** The vote in favor of the motion was unanimous. The motion carried.

Improvements to Brown's Alley

Richardson stated the City took the initiative to improve Brown's Alley in the late 1970's. the City owns a 20' easement down the center of the alley for traffic. Businesses have contacted the City to assist in addressing some concerns that currently exist in this area. The fence around the dumpster in the alley would be repaired. The parking spaces on the west side of the alley needs to be reversed to flow in the direction of the City dumpster service. Staff can place striping that will be uniform and effective. All owners have agreed to the improvements. The stormwater drains in the alley are recessed too low. Richardson said the grates could be raised to a level that will make the driving path smoother and still allow the drains to work. There are two curbed/planters that were installed in the 1980. The planters have not been maintained and are overgrown. The arborist has recommended that a tree is in very poor condition and should be removed. The project has been reviewed by Jerry Barnhill and woody Richardson, the estimated material cost should be approximately \$200 dollars. All property owners have been contacted and are in agreement with the improvements.

Motion: Koon made a motion, which was seconded by Timbes to allow the Public Works Director to move forward with the improvements to Brown's Alley. **Vote:** The vote in favor of the motion was unanimous. The motion carried.

Request for New Personnel in the Solid Waste Department

Barnhill noted that the rapid growth is making an impact on the Solid Waste Department. He said there are no vacant positions in that department; however, new personnel is needed to operate equipment and alleviate some overtime. The Finance Director provided information with the projected revenue of approximately \$100,000 beyond what was projected for the budget year. This revenue will be enough to cover the cost to add three new employees.

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Alford asked if the department's vehicles are on the replacement schedule. Barnhill noted that most of the equipment does not last longer than five years, and most pieces are on the replacement schedule. **Motion:** Koon made a motion, which was seconded by Chestnut to approve three new positions. **Vote:** The vote in favor of the motion was unanimous. The motion carried.

Government Access Channel Programming

Richardson noted that the City's Access Channel had an increase in the viewing audience. Time Warner informed the City that they were eliminating a public access channel for the Conway area due to a lack of programming. Many civic clubs and churches have contacted the city requesting to be on the Government Access Channel. He said we are in complete control of the management of the channel. Richardson said a policy needs to be developed and staff needs direction from Council. Mayor Martin stated the City needs to look at adding a talk show, and civic clubs as well as churches could be considered to be added for viewing on the channel. He said it could be possible to allow two churches to run on our channel. Martin also suggested that a committee be formed to discuss the endeavor, and asked if any Council member would be willing to serve. Koon volunteered as well as Mayor Martin. Richardson was instructed to get information on similar programs for other government entities.

Fountain Installation at Rose Hill Memorial Gardens

Richardson stated the Rose Hill Memorial Gardens Committee was given a fountain that was found at the City Shop in storage. The committee was well underway with staff to install the fountain when a local garden club claimed ownership of the stored fountain. The staff was instructed to locate another suitable fountain and present the project for approval. Timothy Williams, Beautification Director, has determined that the project will cost \$802.90 for material. An estimate of \$70 would be recurring for electrical service. Staff will furnish all labor. The Beautification Fund for the cemetery has \$300.91, and the Cemetery Maintenance account has \$778. The project could be placed in the 2007-2008 budget.

Lawson noted that a fountain that is easy to maintain should be placed in the cemetery. Koon said someone would probably have to periodically put oil in the pump and clean out the filter.

Motion: Lawson made a motion, which was seconded by Koon to approve the installation of a fountain at Rose Hill Memorial Gardens. **Vote:** The vote in favor of the motion was unanimous. The motion carried.

Recommendation from Business Procedures Review Committee to Adopt a Formal Community Appearance Board Application Policy

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Godin advised that the CAB application procedure has been reviewed and commended by both committees referenced above. The following procedures are recommended: Thursday before the CAB meeting 5:00 p.m. Advertised application deadline; Friday before CAB meeting - agenda is set, photos of projects are taken, CAB packages are prepared and mailed.; Monday before the CAB meeting - staff will accept missing material items only, if the applicant is missing samples, paint colors, etc., staff will allow those items to be submitted to the Planning Department until 5:00 p.m. on Monday; Tuesday before the CAB meeting, agenda is revised to reflect only complete applications with paperwork and material samples physically in the Planning Department; Wednesday, CAB meeting is held.

Motion: Timbes made a motion, which was seconded by Lawson to accept the policy as written.

Vote: The vote in favor of the motion was unanimous. The motion carried.

ASI Engineers, Inc., Request Approval for a Commercial Curb Cut Sharing Frontage with a Residential Neighborhood on Radio Lane

Godin stated that a Wilco Hess gas station is being designed for the site at the corner of Highway 378 and Radio Lane. The applicant is requesting approval for one (1) curb cut onto Radio Lane to access the development. There are two additional curb cuts proposed on Hwy. 378. Godin read from Section 10.1045 of the Zoning Ordinance. A curb cut shall be reviewed and approved by the Planning Commission and City Council. Radio Lane is a residential local street and also provides frontage to a residential neighborhood. The Planning Commission recommended approval of this request.

Motion: Anderson made a motion, which was seconded by Koon to approve the request as stated above. **Discussion:** Timbes asked if trucks would be going down that street into the neighborhood. Godin said they would; if it a curb cut is allowed it would be limited to traffic from Hwy. 378. Mayor Martin asked if the residents were notified of this. Godin said yes there are only two residents that would be affected. It was noted that small children would be playing and this is dangerous. Koon noted that most trucks would not go down Radio Lane because it is a dead end road.

After some discussion on notification, Anderson withdrew his motion, and Koon his second to approve.

Substitute Motion: Timbes made a motion which was seconded by Chestnut to table this request pending notification to residents regarding the request, and that it be placed back on the agenda in two weeks. **Vote:** The vote in favor of the motion carried.

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Construction of New T-Ball Field at Recreation Complex

Senn advised that the Parks and Recreation Department hosted the Dixie Youth State Tournament. The revenue from the tournament was allocated to construct a new T-ball field at the complex. Bids were received from Radd Dew Fence and Conway Fence. Conway Fence bid \$10,000. The money from the tournament is in the Parent's Club banking account and they will pay the expenses.

Motion: Lawson made a motion, which was seconded by Chestnut to approve the bid of Conway Fence for the construction of the new T-Ball Field. **Vote:** The vote in favor of the motion was unanimous. The motion carried.

Donation Request by the Horry County Humane Society For Assistance with Proposed Fencing for "Get Acquainted" Adoption Areas

Cindy Ott, Executive Director of the Horry County Humane Society, noted that in July 2006, the Horry County Humane Society took over operation of the Horry County Animal Shelter. The shelter will take in approximately 12,000 homeless and abandoned animals this year including those brought in from the City of Conway. The City transported 381 animals to the Horry County Shelter in 2006. She said the organization would like to construction a garden area which will have three areas for people to interact with pets. She requested that the city assist with the cost of the fencing which is \$5,200. Graham advised there is approximately \$3,750 available in the Council's general fund contingency account.

Mayor Martin asked if there other anticipated needs for the available funds. Chestnut asked if we could donate \$2,000. Koon asked Ott if she made a request from other cities. Ott responded not yet. Mayor Martin suggested allocating the \$2,000 and look at it again at the end of the fiscal year to see what else could be done. Lawson said if this is something that could be funded in stages she would be willing to do that. Martin stated that the City could give \$2,000 this year and another \$2,000 next year. A clarification was made on the amount requested of \$2,600.00.

Motion: Lawson made a motion, which was seconded by Koon to give one half (\$2,600) of the request this year and one half at the beginning of the next fiscal year. **Vote:** The vote in favor of the motion was unanimous. The motion carried.

Presentation of Preliminary Estimates for Future Underground Utility Projects

Graham reminded Council that Donald Alford, CEO of Jerry Cox Company requested the City consider relocating utility lines underground on Norman Alley and Kingston Street. Santee Cooper estimates the cost for those projects along with the three segments of Laurel Street total

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\$825,000. Mayor Martin asked if this would have an effect on the construction of side walks on Laurel Street. Graham said at this point work is going on at Elm Street and Laurel Street which is being included in the Riverfront project; Santee Cooper said many of the areas will be given a open cuts and edges free. Graham noted that Phase I - Laurel Street cost estimates are about \$300,000, and there may be some additional expenses to bury Verizon's conduit lines which could come out of the Santee Cooper Franchise Fund. Mayor noted there is enough money in the fund to do the projects at one time. Koon noted that the lines at the rear of City Hall should be placed on a priority list.

It was the consensus of the Council to do the rest of phase I, all of phase II, then do all the alleyways. The Mayor asked the Administrator to obtain more accurate cost amounts and bring this information back to Council. Graham said he would talk with Verizon to ascertain what costs the City may incur and how far they would go in the project.

Rivertown Jazz and Arts Festival Traffic Flow Patterns

Gosnell noted that Main Street USA have requested that Main Street be closed to all vehicular traffic from 3rd Avenue to 4th Avenue during the hours of 4:00 p.m. - 10:00 p.m. The Police Department developed several traffic flow patterns to accommodate and facilitate the requested closure while maintaining and ensuring the safety of participants, vendors and the motoring public. Timbes asked if any sign regarding the festival would be posted at the foot of the bridge on the Hwy. 90 side. Gosnell noted there will be signs.

Motion: Koon made a motion, which was seconded by Anderson to approve the traffic flow plan for the Jazz and Art Festival as outlined by Chief Gosnell. **Vote:** The vote in favor of the motion was unanimous. The motion carried.

Habitat for Humanity Home

Chief Gosnell noted that Habitat for Humanity along with local builders and volunteers, will undertake construction of a HFH Home on Robert Laney Drive in the near future. The Police Department requests that Council support this project by allowing Police Department Personnel to participate in this effort while on work time. The project would be considered a part of the Police Department's Community Outreach Program.

Motion: Chestnut made a motion, which was seconded by Timbes to approve the request as stated above. **Vote:** The vote in favor of the motion was unanimous. The motion carried.

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Grants

Approval to Submit an Application for the Palmetto Pride Enforcement Grant

The Police Department would like to apply for the Palmetto Pride Enforcement Grant to aid them in enforcing litter laws. The grant will pay for up to \$5,00 for a mobile vision camera and handheld digital camera. The City has partnered with Palmetto Pride for the last two years.

Motion Timbes made a motion, which was seconded by Chestnut to approve the application for the Grant referenced above. **Vote**: The vote in favor of the motion was unanimous. The motion carried.

BIDS

Approval to Purchase Equipment for 2007 Youth Baseball and Softball

Bids were mailed to several sporting goods companies to provide various equipment for the Youth baseball and softball programs offered through the City's Recreation Department. The following bids were received: Todd-Moore \$6,378.29; T & T Sports \$120.96; Jeffers Co. - \$6,026.22; Batter's Box - \$1,217.90.

Motion: Koon made a motion, which was seconded by Anderson to approve the bids of the companies referenced above to provide equipment to the City's Recreation program. **Vote**: The vote in favor of the motion was unanimous. The motion carried.

Bids on Expansion of Office Space and Restroom Facilities for Municipal Court

In the 2006-2007 FY budget \$25,000 was allocated for renovation in the Municipal Court area. Bids were solicited and three bids were received. Pat Edwards was the low bidder.

Motion: Anderson made a motion, which was seconded by Koon to accept the bid of Pat Edwards & Son Construction of \$19,500 for this project. **Vote**: The vote in favor of the motion was unanimous. The motion carried.

CONSENT AGENDA

The consent agenda contained the following items: City Council Minutes - 01/22/07; the Downtown Report-Conway Main Street; Donation Reminder-Conway Main Street.

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

ADMINISTRATOR'S REPORT

Graham extended congratulations to Hardee for the excellent financial report. He also thanked department heads and said they are well qualified as shown in the issue papers for the agendas, and extended appreciation to all employees for their hard work.

Council Input

Ditch

Chestnut - asked if the City could tile a ditch near the Recreation Department. She thanked Hardee for the good financial report. Chestnut stated the Council-grams that are forwarded from the Administrator are excellent in keeping the Council informed of city business.

Civic Signs

Timbes - asked if the Civic Club signs on 16th Avenue going to be moved to the new location on Hwy. 501. It was noted that staff would take care of the matter. She also noted that the striping on 12th Avenue and Main Street needs to be redone, especially the turn indicator. Barnhill noted that the SCDOT would have to repaint this road; however, he will be in contact with them.

Alley Beside Restaurant

Alford - asked if it is feasible for the Lazy River Café' to put up a wrought iron fence in an area in the alley beside the building. They have plans to place tables there to feed people outside. Alford inquired about the vehicle replacement schedule. Graham noted this information will be provided at the budget retreat.

Bike Pedestrian Committee

Lawson - noted she had an opportunity to work with the Bike Pedestrian Committee last week. She updated the that Council in that the committee is moving forward, and there should be something from the Committee very soon. She thanked staff for the work that was put into the Greenway Plan to incorporate bike/pedestrians paths. Lawson advised that the trees on the corridors coming into the City are in need of improvement.

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Valentine Dance

Anderson - noted that the father daughter dance held Friday night was great. He suggested something similar be done in the summer on this level. Anderson asked if there is an out-of-city charge for this event that is different from in-city residents. He thought that County residents should pay more.

Ditch on Lakeland & 12th Avenue - Crosswalks Downtown

Martin - noted a citizen called him to complain about the ditch referenced above near the RR track. People use it as a walk through and drive through behind four or five homes at night. He asked if the some signs could be installed that says no trespassing. Another citizen asked if a pet grooming business could be opened in the downtown area. There would be no overnight boarding. He asked if staff could provide a list of the zoning districts where this allowed. Graham noted that if a change was made to the ordinance a public hearing would be required, after it has been reviewed by the Planning Commission. Staff will gather information and proceed with amending the code if Council desired.

Martin also advised that the Downtown Conway sign at the foot of the bridge has been removed. He asked if it would be possible to move the sign at 3rd Avenue to the Conway National Bank area. Staff will review the request.

The Mayor also asked for a time frame when the contractor would have the crosswalks completed. Koon said a citizen suggested to tie the alleyways together with brick pavers. However, marking the street like this is somewhat a form of J-walking. Barnhill noted that the request to do pavers was turned down by the SCDOT, because should someone get hit by an automobile, they would not be liable.

Executive Session

It was noted that appointments to Boards and Committees should be discussed in Executive Session.

Motion: Anderson made a motion to go into executive session. **Vote**: The vote in favor of the motion was unanimous. The motion carried.

Motion: Alford made a motion, seconded by Koon to come out of executive session. Unanimous. The motion carried.

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Downtown Goes Uptown

Council discussed this event and it was the consensus to purchase a table as done in the past.

Retreat

A short discussion was held regarding the time frame for the budget retreat. Some Council members stated they have events scheduled for Saturday and may have to return on Friday night.

Appointments to Boards and Commissions

Smith-Jones Board of Directors

Council took no action on this matter.

Planning & Zoning

It was noted that Chris Guidera will stay on the P & Z Commission as appointed.

Staff informed Council there is a vacancy on the Recreation Commission, as a member has moved to Virginia.

Adjournment

There was no further business to discuss therefore, the meeting was adjourned.

Motion: Anderson made a motion, which was seconded by Koon 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