

**CITY COUNCIL MEETING
CONWAY CITY COUNCIL
CITY HALL COUNCIL CHAMBER
MONDAY – MARCH 12, 2007 – 5:30 P.M.
MINUTES**

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

STAFF: Bill Graham, City Administrator; Barbara Blain-Olds, Assistant City Administrator; Lois Roberts, Executive Secretary; Greg Richardson, Special Projects Coordinator; Jerry Barnhill, Public Works Director; Larry Schilling, Grants Coordinator; Tim Williams, Beautification Director; Freddie DuBose, Public Utilities Director; Reggie Gosnell, Chief of Police; Michael Hardee, Finance Director; Darrell McDowell, Fire Chief; Billy Joe Sawyer, Building Official; Wanda Lilly, Arborist

OTHERS: Greg Hembree, Bill Knowles, Gene Smith, Craig Sasser, Kathy Beshears, Tonya Root, Sun News; Kathy Ropp, Horry Independent; Rev. Cokely, Mr. and Mrs. Dickie Johnson, Robert Turner, Conway High School Students

I. CALL TO ORDER

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

II INVOCATION/PLEDGE OF ALLEGIANCE

Reverend Cokely, pastor of Cherry Hill Missionary Baptist Church, gave the invocation and the audience recited the Pledge of Allegiance.

III. PRESENTATIONS

A. Presentation on the 15th Judicial Circuit Solicitor's Drug Enforcement Unit by Greg Hembree and Bill Knowles

Bill Knowles, Commander of the Drug Enforcement Unit, began his presentation by commending City Council and Chief Gosnell for allowing Crystal Garcia of the Conway Police Department to participate in the Drug Enforcement Unit. Since its establishment in January 2006, DEU has supported and assisted local, state, and federal agencies. Knowles stated that the success of DEU cannot be measured solely by statistics but also by the services provided to other agencies that are often overlooked. Alford asked if there was ever any dual investigation of certain cases and if they experienced any conflicts of that nature. Knowles stated they had not. They all work together. It was also asked if there were negotiations or plea bargains in the cases brought by DEU. Knowles stated that Greg Hembree, 15th Judicial Solicitor, would have to address that question. Hembree stated that his office is reluctant to negotiate or plea bargain unless the individual is willing to help bring others to justice. His office is more interested in the

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bigger criminals rather than the smaller ones. Therefore, if that is the case, there may be some plea bargaining. Knowles stated that DEU is making an impact. Just recently they seized \$851,000 from four individuals and \$200,000 in three homes. Lawson asked who gets the money that is confiscated. Knowles stated that the agencies split the money equally based on the number of people in that municipality (area). Knowles also stated DEU purchased a vehicle for the City of Conway employee, and it was donated at no cost to the City. Mayor Martin thanked Knowles and Hembree for attending the meeting and for their efforts in this program. Hembree stated that he would like to thank Council for their willingness to place a City of Conway employee on the unit. The program has exceeded their expectations and is only going to get better. There is a cooperative spirit between everyone and every agency involved. This cooperative effort leads to sharing of information which leads to not only drug arrests but other things as well. The Mayor and Council again thanked the men for their presentation and their efforts.

B. Presentation on Plans for the Underground Wiring Projects in the Downtown Area by Gene Smith with Santee Cooper

Gene Smith with Santee Cooper gave an update on the underground wiring projects in the downtown area. He shared with them a typical franchise conversion project process; the conversion schedule (12 months); update on Elm Street (1st Avenue to Conway Marina) and Platts Alley; the current franchise conversion list; a map of the project areas, and a recommendation for franchise conversion projects - Project #1: Laurel Street (2nd Avenue to 5th Avenue) - Project #2: Kingston Street - (2nd Avenue to 4th Avenue) and Norman Alley - and Project #3: 2nd Avenue (Beaty Street to Kingston Street) and Scarborough Alley. After his presentation, Smith asked if anyone had questions. Lawson asked if Santee Cooper normally waits until they complete the first project before they move on to another one or do they work on more than one at a time. Smith stated they prioritize and actually begin construction on one before they begin work on another project. This usually means about six months in between. Timbes asked if they could get a majority of the easements done earlier rather than having the easements hold things up. Smith stated that needed easements are often not identified until after the field work is done. There are often situations that you run in to that you were not aware of that causes time delays. Mayor Martin stated the City certainly looks forward to the completed project on Elm Street and future projects. Mayor Martin thanked Gene Smith and Santee Cooper for the work they have done in regard to these projects.

C. Presentation on Cox Ferry Lake Project by Karen Beshears and Craig Sasser

Craig Sasser with the Cox Ferry Lake Refuge thanked Council for allowing him to update them on the projects they are currently working on and also an important project

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they would like to introduce to them. In regard to the progress on the creation of the facilities on the Cox Ferry Lake area, Sasser stated that the refuge was working on approximately two and one half miles of trails and sidewalks which would allow people access to areas they normally would not be able to go; they have almost completed a picnic weather shelter and informational kiosk; and have begun clearing a pathway to the Boardwalk. If everything goes as planned, they hope to have a ribbon cutting in late April. Sasser then introduced Karen Beshears, Executive Director of the SEWEE Association, Inc., and stated that Karen had been instrumental in developing environmental programs for the refuge through grants. He then turned the program over to Karen Beshears. Beshears addressed the Council and thanked them for allowing her to speak. She stated that tonight's meeting would serve as a public hearing for the grant they were applying for and asked if she could pass around a sign in sheet for everyone to sign. The Mayor stated that would be fine. Karen informed Council that the SEWEE Association, Friends Group for the Waccamaw National Wildlife Refuge, was applying for a Recreation Trails Program grant to be used to enhance the Cox Ferry Lake Public Use Area of Waccamaw NWR. The Association is working together with the refuge to enhance the project. The Cox Ferry Lake is a great educational tool in that it offers an actual site where students can be brought for educational purposes. However, the following items would greatly enhance the effectiveness of the refuge: replace the dock and boardwalk, provide restrooms, install a 50' boardwalk and floating dock, and purchase a pontoon boat. Koon stated that this project looks a great deal like Congraee Swamp which is an excellent project and they are to be commended. The Mayor thanked Mr. Sasser and Ms. Beshears for their presentation.

IV. PUBLIC INPUT - 6:20 P.M.

At the point of the meeting, Mayor Martin asked if there was any public input.

Dickie Johnson - Mr. Dickie Johnson stated that he would like for Council to consider adding a motorcycle repair and services shop as an approved use in the Core Commercial District. He wants to open a motorcycle shop in the old NAPA store location on 3rd Avenue and has already entered into a lease agreement for one year. After entering into the agreement, he learned that the location is not zoned for a complete motorcycle repair shop. Mr. Johnson stated that he was at fault for not investigating it fully prior to signing the agreement; however, he was hoping to ask for some help in getting his business open. He asked why motorcycle repair shops were not allowed in the Core Commercial District. Mayor Martin stated that the City has a list of allowed uses for each zoning district. An amendment to the Zoning Ordinance was discussed. Karen Godin, City Planner, stated in order to obtain an amendment to the Zoning Ordinance, it would have to be reviewed by the Planning Commission and then City Council. The next Planning Commission meeting isn't until April 5 and then it would require a public hearing and two readings of Council. In door and out of

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door repair could also make a difference. Godin stated she could proceed with the amendment if instructed to do so. Mayor Martin asked if we could stipulate indoor repair work only if we needed too. Mr. Johnson noted there are quite a few garages in the area. Godin stated they were grand fathered in. Alford stated if auto is allowed, then it looks like motorcycle would fall into the same category. Anderson stated this could be a business that could fill an empty void and if he can get a business established and would be there long term, it would be an asset to the City. Alford stated we may want to consider rezoning the property to Highway Commercial instead of adding the usage. Lawson stated that the fact that it is contained indoors would set it apart and she would be in favor of trying to make it work out in that regard. Staff was asked to pursue some options and bring something back to the Council. Godin stated that in the meantime, they could open and sell parts but not do repair.

Rev. James H. Cokely - Rev. James H. Cokely, Sr. Pastor of Cherry Hill Missionary Baptist Church and Board Member of the Smith-Jones Recreation Facility, asked to address Council. He stated that on behalf of Smith-Jones, he would like to encourage City Council to make appointments for its board members. He stated there are currently two vacant board seats at present, and they are having some difficulty with moving forward without a full board. He asked again that Council move forward with his request as soon as possible. Mayor Martin thanked Rev. Cokely for letting Council know that and for his support on the Board.

Mayor Martin asked if there was any further input. Hearing none, Mayor Martin recognized the Conway High School students who were present and thanked them for attending the meeting. Council then took a short break to sign the necessary papers for the students.

V. ORDINANCES FOR FINAL READING

A. Ordinance #2007-03-12 (B) – Accepting the Petition of Charles P. Frischmann to Annex Approximately 11,250 Square Feet Located at 107 Quail Run and Zone the property Low Density Residential (R-1)

Council gave first reading approval to the ordinance referenced above at the meeting held February 26, 2007.

Motion: Chestnut made a motion, seconded by Anderson, to give final reading approval to Ordinance #2007-03-12(B). **Vote:** Unanimous. The motion carried.

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VI. ORDINANCES FOR FIRST READING

A. Ordinance #ZA2007-03-26 (A) - Accepting the Petition of Gator Coastal Adjoining, LLC to Annex Approximately 14,840 Square Feet Located at 3960 Cottage Lane and Zone the Property Low Density Residential (R-1)

Godin stated that Gator Coastal Adjoining, LLC petitioned the City to annex approximately 14,840 square feet located at 3960 Cottage Lane and zone the property Low Density Residential (R-1). Council questioned the R-1 zoning classification when it is completely surrounded by Highway Commercial. Godin stated that if the property is annexed in as anything but R-1, it has to go before the Planning Commission, have a public hearing, and two readings before Council. The signage on the property was discussed. Godin stated that if they were annexed and wanted to change their signage, they would have to come before the CAB. Lawson and Anderson were in agreement that if the City could get this property in as R-1, there would be a greater opportunity for improvement of the property in the future.

Motion: Anderson made a motion, seconded by Lawson, to give first reading approval to Ordinance #3007-03-26(A). **Vote:** Voting in favor of the motion: Anderson, Lawson, Koon, Martin. Voting against the motion: Chestnut, Timbes, Alford. The motion carried.

A. Ordinance #ZA2007-03-26 (B)– Accepting the Petition of Elizabeth and Jason Whitaker to Annex Approximately 17,057 Square Feet Located at 5009 Presbyterian Drive and Zone the Property Low Density Residential (R-1)

Elizabeth and Jason Whitaker requested the annexation and zoning of the property referenced above.

A. **Motion:** Alford made a motion, seconded by Anderson, to give first reading approval to Ordinance #2007-03-26(B). **Vote:** Unanimous. The motion carried.

Ordinance #ZA2007-03-26 (C) Authorizing the Acceptance of 2.99 Acres of Property on 100th Street within the Wild Wing Plantation Planned District

Godin stated that as part of the revised Wild Wing Planned District, the developers, Wild Wing Company LLC, had offered 2.99 acres of property to the City.

Motion: Koon made a motion, seconded by Lawson, to give first reading approval to Ordinance #2007-03-26(C). **Discussion:** Anderson stated the City may want to consider cleaning up the property before people start building near there. Koon stated that if we clean the property then we have to maintain the property. Mayor Martin stated the property is on the border of the Industrial Park. Godin stated that no residential property will be contiguous to the lot; they are across the street from it.

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Lawson noted that now would be a good time for the City to request annexation of our fire station. **Vote:** Unanimous. The motion carried.

VII. PROPOSALS - 6:50 P.M.

A. Consider Resolution regarding the Request of Country Manor LLC to Dedicate a Portion of County Manor Drive, Hamilton Way, and Lily Pond Court to the City of Conway

Godin stated this request needed further review by staff.

Motion: Timbes made a motion, seconded by Alford, to table this request due to the need for further research by staff. **Vote:** Unanimous. The motion carried.

K. Consider Drainage Improvements in the Area of the Horry County Judicial Complex

Barnhill stated that the County had made \$200,000 available to the City for this project plus an additional \$100,000 in their next year's budget. With the County providing the funding, the request is for the City to provide the manpower and equipment needed for the construction of the project. Anderson asked if the City crews undertook this project would it interfere with the scheduling of the City's tile projects. Barnhill stated the construction crew will do the capital improvement projects, and the tile share program will continue to move forward. **Motion:** Chestnut made a motion, seconded by Anderson, to move forward with this project as soon as possible. **Vote:** Unanimous. The motion carried.

VIII. BIDS

A. A. Approval to Purchase a Leaf Machine for the Public Works Department - Street Division

Barnhill stated that the Public Works Department has funds budgeted to purchase a leaf machine. Plans are to modify the old street sweeper frame to accept the leaf unit. The only company locally that can redo the frame is Shepard's Frame Works of Florence S.C. and their cost is \$5,500. In reviewing the proposals, the bid of Giant Vac is higher; however, there is a vast difference in the quality of construction, engine size, impeller size, gross vehicle weight, and frame design from the other units. Because of this and the fact that Giant Vac is a well known manufacturer of leaf machines, the Public Works Director recommends that the City purchase the better constructed product from Giant Vac. The department had funds of \$140,000 for a street

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sweeper and was able to save approximately \$22,000 on the unit purchased. The balance of \$22,000 from the sweeper and the \$35,000 budget approved for a leaf machine is \$57,000. The Giant Vac unit is \$46,665 plus sales tax. **Motion:** Chestnut made a motion, seconded by Koon, to approve the purchase of a leaf machine from Giant Vac for a 30 cubic yard unit in the amount of \$46,665 plus sales tax and the chassis work of Shepard's Frame Works in the amount of \$5,500. **Discussion:** Anderson asked if this machine would take care of leaf piles. Barnhill stated it would. Alford stated this would eliminate the City having a back up street sweeper. Barnhill stated that was correct. **Vote:** Unanimous. The motion carried.

IX. ITEMS FOR DISCUSSION

There were no items for discussion.

X. ADMINISTRATOR'S REPORT - 7:15 P.M.

Chamber of Commerce - Round the Fourth Festival

Graham stated that the Chamber had completed a special events permit for its annual Round the Fourth Festival to be held on Saturday, June 23. Graham stated that he explained to the Chamber that the City will have begun construction of Phase III of the riverwalk by that time, if things go well. Elm Street will not be blocked except for various short periods of time; however, on weekends both lanes will be open. Asphalt may be removed by that time which means access into the park may be on dirt. Koon stated that vendors would need access but the rest should be foot traffic and golf carts. Koon went on to state that as long as we have access, it should be fine. Lawson wanted to make sure the Chamber understands what kind of impact there is going to be in that area. Graham stated he explained that to them and hopefully as we get closer to the actual date, we will know more. Timbes stated that she thinks the citizens would prefer the City move forward with this project and not hold it up. **Motion:** Koon made a motion, seconded by Anderson, to grant the special permit application for the Chamber's Round the Fourth festival on Saturday, June 23. **Vote:** Unanimous. The motion carried.

League of Cities

Graham advised Council that the City had just received notice of an invitation to City Council members for the League of Cities annual meeting. The meeting will be held on Wednesday, March 14, at the Horry County Solid Waste Authority.

XI. COUNCIL INPUT

Koon - Koon asked again about the steps along 4th Avenue and who is responsible for removing those broken bricks and repairing the steps. Staff informed Koon that those steps are private property and the incident is currently involved in an insurance

settlement. Billy Joe Sawyer, Building Official, was asked to get in contact with the owner. Sawyer stated the building department is working on resolving the situation.

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Lawson - None

Anderson - Anderson stated he enjoyed the budget retreat last week and feels that we have a good team which can work well together. He is looking forward to the next budget year.

Chestnut - Chestnut asked Freddie DuBose to stand. Chestnut stated that when she came home from the retreat, she had a call from a gentleman who was praising Freddie and his crew for coming out to his house to help him resolve a serious situation. He stated he talked with Kim Payne and that he had never been retreated as graciously and kind. They came right out and took care of the problem which saved him a great deal of money. He wanted the Mayor, City Council, and the City Administrator and everyone else to know what a great job they did. Chestnut stated that he wanted her to publically thank Freddie and his crew for their help. He believes the City is really making progress.

Timbes - None

Alford - None

Mayor Martin - None

XII. EXECUTIVE SESSION - 7:30 P.M.

A. Personnel Matter - Appointment of a Steering Committee for the Update of "Shaping Our Future - Conway 2017" - City of Conway Comprehensive Plan

It was noted that the above referenced matter should be discussed in executive session.

Motion: Lawson made a motion, seconded by Anderson, to go into executive session. **Vote:** Unanimous. The motion carried.

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

There was no action taken in executive session.

XIII. ADJOURNMENT - 8:45 P.M.

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

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Motion: Koon made a motion, seconded by Timbes, to adjourn. **Vote:** Unanimous. The motion carried.

Minutes approved by Council this _____ day of _____, 2007.

_____, City Clerk

Minutes prepared by Lois K. Roberts, Executive Secretary.