

**CITY COUNCIL MEETING
CONWAY CITY COUNCIL
MONDAY-MARCH 26, 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. Council Member Timbes was not present for the meeting due to recent surgery.

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; Crystal Garcia, Conway Police Department.

OTHERS: Tonya Root, Sun News; Kathy Ropp, Horry Independent.

CALL TO ORDER

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

INVOCATION/PLEDGE OF ALLEGIANCE:

Reverend Bernadette McMasters,, St. James Catholic Church, led the Council in a prayer of guidance. City Council and the audience recited the Pledge of Allegiance.

PRESENTATIONS

Mayor Pro Tem Koon and the City Administrator presented an Employee Longevity Award to Crystal Garcia for her five years with the City Police Department. Ms. Garcia was hired in March 2002 as a telecommunicator and is now serving as a corporal with the Police Department.

Rotarian Tom Brown made City Council aware the Rotary Group Study Exchange Team from Australia who will be in Conway on Thursday, April 12. The City Administrator has made arrangements for them to meet at City Hall in the Council Chambers at 10:00 AM on that date with staff. City Council members are encouraged to attend that meeting and welcome the Exchange Team. Rotarian Brown also invited City Council members to meet with them for lunch on that same day at Thorny's at 12:30.

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Bill Strydeski approached City Council asking for assistance in fixing the alley between his building, the Rivertown Marketplace, and the frame shop which is the other side of the alley. The alley belongs to he and his neighbor; however, everyone uses the alley. Mr. Strydeski would like to see pavers and planters placed in the alley. Several Council members expressed interest in enhancing the alleyway, since it is used so much by the general public. Mr. Strydeski will get a cost estimate on what he is proposing and Council can better make a decision at that time.

Update on Artwalks - Bill Strydeski - April is the first anniversary of the artwalks. In commemoration of this a booklet was prepared and presented to Council showing the progression of the artwalks since their implementation.

Presentation on Proposed “Independent Builders Development Salutes Our Independent Business Owners” Event Planned for Saturday, September 1, 2007. The event will celebrate the small business community of our area. Mr. Tripp Nealy is solely sponsoring the event, but will open up the opportunity for other small businesses to get involved. The Conway Area Chamber of Commerce has been deemed the benefactor of all proceeds raised from the event. Vivian Chestnut made a motion, seconded by Alford to support the event scheduled for Saturday, September 1. Motion carried.

Request from the Main Street Program to Place Pole Banners Along Main Street in the Historic District to Promote the Rivertown Jazz and Arts Festival on May 5, 2007.

Ashley Davies asked Council for permission to place pole banners advertising the festival on the light post on Main Street between Third and Fourth Avenues. **Motion:** Lawson made a motion to approve the placement of the banners for the Jazz Festival, seconded by Anderson. **Vote:** The vote in favor of the motion was unanimous. The motion carried.

Ms. Davies also extended a personal invitation to Council to attend a reception on Wednesday, March 28, 6-7:30 PM upstairs at the Trestle to honor the winner of the poster contest. Davies said there were over twenty (20) entries, with all of the four (4) finalist and the winner being from Coastal Carolina University. The artwork will also be revealed at the reception.

PUBLIC HEARING

ITEM #1 - REZONING REQUESTS

Request to Rezone Approximately 7.3 Acres Located off Lockwood Lane from Low Density Residential (R-1) to Medium Density Residential (R -2) by Gerald Builders of Conway, Inc. Owner

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Godin stated that the Planning Commission recommended this rezoning request at its meeting held in March. The Future Land Use Map of the Comprehensive Plan designates this parcel as single family residential. Godin advised that this development, if developed as multi-family, would be required to have a Type B landscaping buffer along the entire common property line with the R-1 property. A Type B buffer requires a 15ft. Wide buffer containing one shade tree, one ornamental tree, and seven tall shrubs per 25 linear feet. A solid wooden fence or masonry wall (earth tone in color), seven feet in height the entire length of the common property boundary.

Godin noted she received over fifty phone calls from many residents in the Elmhurst Subdivision area who are adamantly opposed to apartments being constructed.

Mayor Martin opened the floor for public comment.

Barry Hatoway, Elmhurst Community- stated when this property was rezoned, he thought the wooded buffer, the wetlands and the man-made buffer was given to the residents. In less than eleven months, he believes the developer is trying to take the buffer away. Mr. Hatoway stated he would like to see the property remain R-1.

Elliott Hunt, Elmhurst Community - states he is approximately 200'ft away from this proposed development and does not think this enough space between the lines even with a buffer. Apartments are being planned now and said he is opposed to the rezoning.

Jimmy Gerald - said there is some misinformation going around regarding apartments being constructed on the property and he does not know where this is coming from. He delineated on a map the commercial line and said the Council asked him to move that line back and do some different building in the area to give the people more of a buffer, and the other area was given to the City for a park and the other property has always been intended to be used for multi-family development, not apartments and they are looking at doing some garden homes, they just wanted to get a little more density to build more nicer homes on those particular areas. He said he does not know where the talk about apartments is coming from.

A person in the audience asked Gerald about the R-2 Zoning, and . Gerald said he does not have

The Mayor asked how do we get into the issue of contract zoning if a developer does not do it as planned. Godin responded and said tying conditions to a specific zoning district that would apply only to a single parcel is not permitted. A parcel for specific development is considered planned development.

Lawson said she mentioned a PUD several times for this entire piece of property, and she feels like in order to make the residents feel secure about the property they own and the City to be sure of

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what goes there a PUD at this point is the only option for development at this time in her opinion. Gerald said he understood you needed more than twenty-five acres to do a PUD. Godin noted that in the County there is a requirement for a small lot. A development requires a minimum of twenty acres, a PD or any other zoning district require a minimum of three acres in the City of Conway. Gerald said he did not know that the policy existed. Another person in the audience (did not identify himself) asked if this is R-2 zoning now, and Gerald sell the land, the new owner could put up apartments or anything else. The Mayor said yes. Gerald said for the record he has no intentions of putting up apartments or condos. These are his homeowners and he wants to make sure they understand his intent for the property. Someone asked what is the selling price of the homes. Gerald responded they would sell in the \$180 to \$190,000.

Lawson said she will make a motion when this matter comes up later in the meeting to table. The Mayor asked Gerald if that is what he wants to defer or withdraw his request. Gerald said let's defer until he gets it clarified on whether he wants to do a PUD or another zoning.

Gerald noted that is all he has to say. The Mayor said Mr. Gerald wants to defer any action on his request for the R-2 Zoning and come back to the Council through the Planning Commission with a request for a Planned Development which will say exactly what he wants to do.

A citizen requested that she is notified when this matter comes back before the Council. Godin said we are only required to notify residents within 200 ft. of the property, and this person may not have been notified because they are farther away from the property. The Mayor requested that the people interested in this matter provide their name and address for notification purposes.

A female speaker said she was before the Council eleven months ago on this matter and was told that there would be a better buffer if the property is developed. Gerald said there is an existing berm 20 ft. in height, and he has not brought anything back to this Council on this property since eleven months ago.

Resident of 1124 Elkford Dr. - stated Elmhurst is a nice neighborhood and the residents want to keep it that way. He said the Plan is acceptable to most of the residents but wants to know if there could be restriction on the development of the land.

Mayor Martin advised that Mr. Gerald is saying tonight that he wants to revise the plan to ensure a better development for the property. He advised everyone present that they would be notified when the matter is presented to Council again.

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Request to Rezone Approximately 28.55 Acres off Highway 501 from Highway Commercial (HC) to Planned District (PD) - Jeffrey D. Solan & Associates, P.C., Applicant Independent Builders Developer - Carsens Ferry, Inc., Owner

ITEM #2 - ZONING TEXT AMENDMENTS

- A. Request to Amend the Zoning Ordinance to Allow Pet Grooming (no overnight boarding, no veterinary services) in the Central Business District (CBD)**
- B. Request to Amend the Zoning Ordinance to Amend the Process for Enforcing Zoning Ordinance Violations**
- C. Request to Amend the Zoning Ordinance to Designate Professional Seats on the City's Community Appearance Board**

ITEM #3 - USE OF HUD ENTITLEMENT FUNDS YEAR FOUR

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V. PUBLIC INPUT

Tripp Nealy - Street Trees within the Public Right-of-Way

VI. ORDINANCES FOR FINAL 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)**
- B. 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)**
- C. Ordinance #ZA2007-03-26(C) - Authorizing the Acceptance of 2.99 Acres of Property on 100th Street Within the Wild Wing Plantation Planned District**

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VII. ORDINANCES FOR FIRST READING

- A. **Ordinance #2007-04-09(A) - Establishing a City of Conway Review Schedule for Monthly and Annual Financial Statements**
- B. **Ordinance #ZA2007-04-09(B) - Rezoning Approximately 7.3 Acres Located off Lockwood Lane from Low Density Residential (R-1) to Medium Density Residential (R-2)**
- C. **Ordinance #ZA2007-04-09(C) - Rezoning Approximately 28.55 Acres off Highway 501 from Highway Commercial (HC) to Planned District (PD)**
- D. **Ordinance #ZA2007-04-09(D) - Amending Article 4, Section 4.2010 of the City of Conway Zoning Ordinance to Allow Pet Grooming (no overnight boarding, no veterinary services) as an Allowed Use in the Central Business District (CBD)**
- E. **Ordinance #ZA2007-04-09(E) - Amending Article 13, Section 13.1055 of the City of Conway Zoning Ordinance to Allow Zoning Enforcement Action on Property Owners or Tenant and/or Contract Workers**
- F. **Ordinance #ZA2007-04-09(F) - Amending Article 9, Section 9.1000 of the City of Conway Zoning Ordinance to Amend the Membership of the Community Appearance Board**

VIII. APPROVAL OF RESOLUTION

- A. **Accepting the Request of County Manor, LLC to Dedicate a Portion of Country Manor Drive, Hamilton Way and Lily Pond Court to the City of Conway**

IX. ITEMS FOR CONSIDERATION

- A. **Consideration of a Request for Letter of Support for an Affordable Housing Project Application in the City of Conway**
- B. **Approval of City Council Goals for FY2007-08**
- C. **Consideration for an Ad in 2007 Welcome to Conway Information Please Publication**

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- D. Consideration of a Request for Two (2) Temporary Dumpster to be Located in the Public Right of Way on Third Avenue and Elm Street**
- E. Consideration of a Citizen's Request for a Street Light at 1714 Robin Road**
- F. Approval of Transfer of Meter Readers to the Public Works Department from the Finance Department and the Addition of One Meter Reader**
- G. Consideration of a Request from Wild Wing Company, LLC, For Reimbursement of Infrastructure Costs in Wild Wing Plantation According to the Amendment to the Wild Wing Pre-Annexation Agreement Dated May 8, 2006**

X. GRANTS

- A. Acceptance of the 2007 South Carolina Municipal Insurance and Risk Financing Fund Law Enforcement Technology Matching Grant**
- B. Acceptance of 2007 South Carolina Municipal Insurance Trust Soft Body Armor Grant**
- C. Approval to Apply for the 2007 Bullet Proof Vest Partnership Grant**
- D. Approval to Submit an Application for the 2007 Highway Safety Grant**

XI. CONSENT AGENDA

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| A. City Council Minutes - 02/26/07; 03/12/07 | For Approval |
| B. Rose Hill Cemetery Comm. Mtg. Notice (4/1/07) | For Information |
| C. Safety Committee Minutes - 2/13/07 | For Information |
| D. Lakeside Cemetery Comm. Mins - 2/19/ 07 | For Information |
| E. Planning Commission Min. - 2/01/07 | For Information |
| F. CAB Minutes - 2/14 & 2/28 /07 | For Information |
| G. Zoning Board of Appeals Min -01/25/07 | For Information |
| H. Departmental Monthly Reports | For Information |

XII. ADMINISTRATOR'S REPORT

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XIV. COUNCIL INPUT

XV. EXECUTIVE SESSION -PERSONNEL MATTERS

- A. Discussion of an Appointment to Smith-Jones Board of Directors**
- B. Discussion of an Appointment of a Steering Committee by City Council for
the City of Conway
Comprehensive Plan
Update 2017**

XVI. ADJOURNMENT

Any Citizen of the Municipality may make an appearance before City Council concerning any municipal matter with the exception of personnel matters. Person desiring to speak must notify the City Clerk prior to the beginning of the meeting. Please address Council from the podium stating your name, address, and the subject you would like to discuss.