

**CITY COUNCIL MEETING AND PUBLIC HEARING  
CITY HALL COUNCIL CHAMBER  
1001 3<sup>RD</sup> AVENUE  
CONWAY, SOUTH CAROLINA  
MONDAY - OCTOBER 22, 2007 - 5:30 p.m.  
MINUTES**

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

**STAFF:** Bill Graham, City Administrator; Barbara Blain Olds, Assistant Administrator; Greg Richardson, Special Projects Coordinator; Karen Godin Scott, City Planner; Reggie Gosnell, Chief of Police; Billy Sawyer, Building Official; Freddie DuBose, Director of Public Utilities; James Hall, Fire Chief; Jerry Barnhill, Director of Public Works; Larry Schilling, Director of Grants/Procurement; Darrell McDowell, Katrina Hipps, Tammy Staples, Jerry James, and Belinda Mills

**OTHERS IN ATTENDANCE:**

**CALL TO ORDER:** Mayor Martin called the meeting to order at 5:30 p.m.

**INVOCATION/PLEDGE OF ALLEGIANCE:** Reverend Mac Kinnett, First United Methodist Church gave the invocation. City Council and those in attendance recited the Pledge of Allegiance.

**PRESENTATIONS:**

**A. Longevity Bonus Awards** - Belinda Mills and Jerry James were recognized, both for ten (10) years of service with the City. Jerry is now on active duty with the National Guard since October 2, 2006. His position with the City is a Firefighter II.

Belinda Mills is an Administrative Assistant in the Grants/Procurement Department.

Both employees were recognized and honored by City Council for their years of service with the City. They received longevity award checks.

**B. Police Department Quarterly Employee Awards** - Chief Gosnell said the Police Department has incorporated an Employee of the Quarter Program, to recognize an employee(s) who has distinguished himself/herself by exceptional performance or deed. He noted that two employees were selected and are being recognized for their outstanding contributions to the City Police Department. They are Catina Hipp, Victims Advocate and Tammy Staples, Detective.

**City Council Minutes  
October 22, 2007**

**C. Retirement Resolutions** - Retirement Resolutions for Cynthia Gore and Darrell McDowell, who have both retired, were presented for their years of service with the City. Each recipient was also given a cash award based on his/her years of service. Both were given a standing ovation.

**D. Resolution in honor and recognition of the 141<sup>st</sup> Anniversary of Bethel A.M.E. Church**

Blain-Olds asked Council to consider a resolution, in honor and recognition of the 141<sup>st</sup> anniversary of Bethel A.M.E. Church. **Motion:** Koon made a motion, seconded by Anderson to approve the resolution as presented. **Vote:** Unanimous. Motion carried.

**E. Horry County Museum/Street Closure Request, Carmin Samaha** - The museum is requesting a portion of 5<sup>th</sup> Avenue to be closed on Tuesday, November 13<sup>th</sup> from 8:00 a.m. to 1:00 p.m. The portion of 5<sup>th</sup> Avenue to be closed is from Kingston Street to Main Street. Council was provided, in their Council packets, a copy of the special event application and a map of the area. This is the same request the Museum has made for the past few years, which has been approved by Council. **Motion:** Lawson made a motion, seconded by Anderson to approve the street closing as requested. **Vote:** Unanimous. Motion carried.

**F. Diane Ramsey, Total Care of the Homeless Coalition** - Diane Ramsey of Total Care of the Homeless asked Council for funding in the amount of \$2,000 to assist in the effort to provide identification to the homeless. She stated that the homeless need picture IDs to obtain work and to received medical care. In Myrtle Beach, Ms. Ramsey said they have gotten 80 IDs and have 125 people waiting for IDs. She is requesting funding to bring this program to Conway. She said there has not been a number count of the homeless in Conway, but she knows there is a need. **Motion:** Anderson made a motion, seconded by Lawson to approve funding in the amount of \$500 for the identification project. He would like to receive a report back on the project at a later date. **Vote:** Unanimous. Motion carried.

Ms. Ransley was advised that in February or March of 2008, she should request an application from the City, if her agency will be asking the City for funding next year.

## **PUBLIC HEARING**

**A. Request to Delete the Current Title 3, Chapter 4, Tree Preservation of the Code of Ordinances in its Entirety and Place in its Stead a New Title 3, Chapter 4, Tree Preservation** - Godin Scott presented to Council and the public the proposed Tree Preservation Ordinance and reviewed the major changes included in the ordinance. The first major change to the ordinance is changes to the protected species list. Added to the existing list

### **City Council Minutes October 22, 2007**

are the following species: crepe myrtle - 4"d.b.h +, southern magnolia, red maple, bald cypress,

river birch, and sycamore - 8"d.b.h.+ and all oak species 14"d.b.h.+. The second major proposed change addresses clear cutting. The third proposed major change is to the violation penalties.

Godin Scott also shared with Council how the new ordinance will be publicized, if adopted.

It was discussed that the County tree ordinance is much more lenient than the City's proposed ordinance. There was concern that developers might clear cut and then ask to be annexed. The Planner said that this could be addressed in the ordinance and would be added prior to final reading.

There was no public input on this issue.

## **PUBLIC INPUT**

A. Chief Gosnell advised Council that the Special Event Application which was discussed at the previous meeting of Council has now been approved by the City Police Department. He said the concerns noted earlier, have now been addressed. The event will be held at the Peanut Warehouse on November 10, 2007. Applicant is Edwardo Rivera Vazquez.

## **ORDINANCES FOR FINAL READING**

A. **Ordinance #ZA2007-10-22(A) -Accepting the Petition from Richardson and Richardson, Inc. to Annex Approximately 3.6 Acres of Property Located at 2600 Highway 378 and Further Declaring Zoning Applicable Thereto**

The applicant is requesting that this property be zoned Highway Commercial (HC) at annexation. The Future Land Use map of the Comprehensive Plan designates this parcel as single family residential. At the September 6, 2007 Planning Commission meeting, it was recommended that the applicant's request for rezoning be approved. A Type B landscape buffer will be required along the property line adjacent to the Low Density Residential, R - 1.

**Motion:** Chestnut made a motion, seconded by Anderson, to approve final reading of Ordinance #ZA2007-10-22(A). **Vote:** Unanimous. Motion carried.

B. **Ordinance #ZA2007-10-22(B) - Accepting the Petition from Flora S. Norris to Annex Approximately 1.01 Acres of Property Located at 1200 Hemingway Chapel Road and Further Declaring Zoning Applicable Thereto**

The applicant is requesting the property be zoned Medium Density Residential at annexation. The Future Land Use map of the Comprehensive Plan designates this parcel as single family residential. At the September 6, 2007 Planning Commission meeting, it was recommended that

**City Council Minutes  
October 22, 2007**

the applicant's request be approved. **Motion:** Chestnut made a motion, seconded by Lawson to approve final reading of Ordinance #ZA2007-10-22(B). **Vote:** Unanimous. Motion carried.

**C. Ordinance #ZA2007-10-22(D) - Accepting the Petition from Frank and Patricia Pierce to Annex Approximately 21,065 Square Feet of Property Located at 679 Highway 905 and Further Declaring Zoning Applicable Thereto**

The applicant is requesting the property be zoned Low Density Residential at annexation.

**Motion:** Chestnut made a motion, seconded by Koon to approve final reading of Ordinance #ZA2007-10-22(D). **Vote:** Unanimous. Motion carried.

**D. Ordinance #2007-10-22(F), Amending Ordinance #2004-11-22(E) Grades and Positions, To Add Three New Positions To The Grades and Positions Ordinance**

A Telecommunication Supervisor, Assistant Telecommunication Supervisor, and Storm Water Manager positions will be added to the City Grades and Positions Listing upon final reading of this ordinance. The Grades and Positions schedule previously included the Storm Water Manager position; however this amendment changes the grade of the Storm Water Manager from a grade 21 to a grade 17 on the schedule. **Motion:** Koon made a motion, seconded by Lawson, to approve Ordinance #2007-10-22(F). **Vote:** Unanimous. Motion carried.

**ORDINANCE FOR FIRST READING**

**A. Ordinance # 2007-11-12(A) - Deleting Chapter 4 of Title 3 of the Code of Ordinances, City of Conway, South Carolina in its Entirety and Placing in its Stead a Revised Chapter 4 of Title 3 Entitled "Tree Preservation Ordinance"**

The major changes incorporated in the new tree ordinance were explained during the public hearing portion of this meeting. No further comments by Council. **Motion:** Chestnut made a motion, seconded by Lawson to approve first reading of the proposed tree preservation ordinance. **Vote:** Unanimous. Motion carried.

**ITEMS FOR CONSIDERATION**

**A. Progress Report on the 5 Year Capital Improvement Plan**

Hardee, City Finance Director, gave a progress report on the Five Year Personnel, Capital, and Facilities Plan Committee's work. He noted that the committee has met twice. One of the major goals was to develop a five year capital plan. He noted that in November the City should have a recommendation from the B.P. Barber regarding their utility study which is in progress. He indicated that this study will provide very beneficial information to the committee. When the committee completes its work on the Capital Improvement Plan, Hardee said this will be an invaluable tool during Council's budget workshops. Chestnut praised Hardee for his presentation

**City Council Minutes  
October 22, 2007**

and for his leadership of the committee. Provided for information only, no action by Council.

**B. Overview of the Work of the Zoning Ordinances and Development Guidelines**

## **Committee**

Blain-Olds gave an update of the work of the Zoning Ordinances and Development Guidelines Committee. She indicated that the committee meets monthly. It is the belief of the group that the City's future zoning ordinances and development guidelines should progress in response to the comprehensive plan that is now underway. She also indicated that recommendations relative to either area prior to the completion of the comprehensive plan would be premature. Therefore, the committee wishes to postpone this work until after the comprehensive plan is completed.

Blain-Olds went on to say that the committee has begun review and updating of the Code of Ordinance and explained the methodology in doing so.

Council was also asked for approval of changing the name of the committee to *Committee on Codes, Development and Zoning*. No action by Council.

### **C. Father-Daughter Dance Ticket Prices**

At a Council meeting in March, 2007, Council expressed their interest in charging a city rate and a rural rate for the Recreation Department's Father-Daughter Dance. The City Park and Recreation Director has recommended changing the rate of the Father-Daughter Dance to \$20.00 for City residents and \$30.00 for rural residents. Senn was unable to attend the Council meeting due to eye surgery. **Motion:** Koon made a motion, seconded by Lawson to approve the prices as recommended by staff. Anderson said he would like to see a greater difference in prices, i.e. city vs. out-of-city. Since Senn was unable to attend the meeting, Koon withdrew his motion until such time as Senn would be in attendance to answer questions and provide input. **Motion:** Anderson made a motion to table the matter until next meeting. Motion seconded by Koon. **Vote:** Unanimous. Motion carried. Anderson said he would like to see the rates for all recreation activities, city rate versus out of city rate. Graham said this would be available at the next meeting.

### **D. Marker for *The Frances Coles Burroughs Oak***

The Peter Horry Chapter of the Daughters of the American Revolution has requested permission from the City Council to place a marker near the live oak tree on the Burroughs School grounds, just outside the main entrance to the Conway Library, naming it *The Frances Coles Burroughs Oak*. The marker would also recount an incident in the early history of the tree. **Motion:** Chestnut made a motion, seconded by Timbes to allow the marker as requested. **Vote:** Unanimous. It was asked that placement of the marker be coordinated with the City Arborist.

## **City Council Minutes**

**October 22, 2007**

### **E. Water Line Upgrades/Proposed Notification Letter to Affected Residents**

**(1) Woodland Street, Jessamine Street, Park Avenue**

**(2) Crescent Drive, Crabtree Drive, Dogwood Drive, Portion of Azalea Drive**

The Public Works Director advised Council that his department has scheduled water line upgrades in two different areas within the City. Maps of the proposed upgrades, along with a

proposed letter to the residents in the areas affected were provided for Councils review. DuBose said pending no other emergency situation arising, the work would begin within the next week. The work should be completed within a two weeks time frame, pending no interruptions. The upgrade will required a cut across Park Street and 12th Avenue. DuBose said the decisions for line upgrades are made, based on high maintenance issues and where the most impact will be realized. The proposed letter would be delivered in advance of the proposed work to put residents on notice. No action by Council, provided for information only.

**F. Recommended Hours for Trick/Treat and Date (when Halloween falls on Sunday)**

Gosnell said in order to provide guidance to the parents of children who will be going door to door “Trick or Treating” for Halloween, the Police Department recommends that these activities be concluded by 9:00 p.m.

Also, the Police Department recommends that whenever Halloween falls on a Sunday, that the preceding Saturday be designated and observed for Halloween and related activities. It was stressed that this is a *recommendation only*. **Motion:** Anderson made a motion, seconded by Koon to approve the recommendation of the Police Department, as presented. **Vote:** Unanimous. Motion carried.

**G. Proposed Improvement US 501/William Finlayson Road Intersection**

Gosnell said the City requested that SCDOT conduct a traffic study to determine what improvements could be made at the intersection of Singleton Ridge Road, Technology Boulevard and William Finlayson Road, to improve safety and traffic flow. Basked on the SCDOT assessment, conditions could be improved by closing the median opening on US 501 where it intersects with William Finlayson Road. A long term solution, to include possible improvements to the intersection of William Finlayson Road, Singleton Ridge Road and Technology Boulevard will be explored in the future with the State and County. Gosnell noted that the area in question is in the County. **Motion:** Alford made a motion, seconded by Anderson that Conway City Council go on record as recommending that the US 501/William Finlayson Road Intersection be closed and authorize the City Administrator to approach the County with the recommendation and ask if they (County) would be willing to move forward with implementation of the SCDOT recommendation. **Vote:** Unanimous. Motion carried

**City Council Minutes  
October 22, 2007**

**H. Update on Riverwalk, Phase III**

Graham said on October 17, 2007, the City received bids on the Riverwalk, Phase III project that was bid out for the City by Wood-Partners, Inc. Nine companies receive plans with the intent to submit a bid on the project. At the bid opening, only Greenwall Construction Company submitted a bid on the project. City staff also received bids on specific portions of the project not covered in the request for proposals. Staff, along with Wood-Partners, Inc. tabulated the bids

to verify pricing and specifications. Based upon the preliminary review of the bids, it appears that the project will be well within the budget allocated. Total project cost using low bidders \$1,502,584.18. A preliminary cost estimate for the Riverwalk Phase II Project was distributed to Council showing breakdown of bids. **Motion:** Lawson made a motion, seconded by Koon to move forward with the project as bid, including alternate No. 1 (pavilion structure and associated landscape and hardscape) and alternate No. 2 (eight slip dock); and accept the bids where applicable for the balance of the project (Marina Park and Elm Street Improvements to be completed by City crews); and approve Administrator to execute contract with Greenwall after the permits are in hand. Colors for the pavilion were discussed and it was decided to move the discussion about the pavilion color to the next agenda. Anderson said he would like to delay action on this bid, Timbes said she would like for Council to move ahead with the bids and not delay the project. **Vote:** Martin, Chestnut, Timbes, Alford, Lawson, Koon in favor. Opposed: Anderson. Motion carried.

## **BIDS**

### **A. Vehicle Bids for 2008 Chevrolet Impala - Fire Department**

Schilling said the Fire Department has received bids from Love Chevrolet under State contract for a 2008 Chevrolet Impala in the amount of \$18,134.00 including sales tax. Palmetto Chevrolet bid \$18,869.00 including sales tax for the same vehicle. **Motion:** Lawson made a motion, seconded by Anderson to approved the purchase from Palmetto Chevrolet as bid. **Vote:** Unanimous. Motion carried.

### **B. Vehicle Bids for 2008 Ford Ranger Pickup - Beautification Department**

The Beautification Department has in the 2007/2008 budget, money set aside for a vehicle for their department. \$18,000 was budgeted. The City received bids on a 2008 Ford Ranger pickup truck from Vic Bailey Ford under the State Contract for a cost of \$11,698.00 including sales tax. Conway Ford bid \$11,655.00 including tax. Lawson signed a statement of recusal/abstain form and abstained from the discussion and vote. **Motion:** Chestnut made a motion, seconded by Koon to accept the bid from Conway Ford in the amount of \$11,655.00 including tax. **Vote:** Chestnut, Koon, Martin, Alford, Anderson, Timbes in favor; Lawson abstained. Motion carried.

### **C. Trench Box - Public Utilities**

The Public Utilities Department had budgeted \$9,500 for the purchase of a 12'x12' x8' double wall

## **City Council Minutes October 22, 2007**

manhole shield (trench box). The device is used to provide safety to workers while working in trench type conditions to prevent possible cave-ins. The smaller type box will allow repairs and installation in tighter areas where other existing utilities are in conflict and where depths warrant this type protection to meet OSHA standards. Three vendors were contacted and provided quotes which met City specifications. They are: Coble Trench Safety at \$10,125.00, Sunbelt Rentals at \$10,806.00 and Hertz Equipment Rental at \$11,304.00, all prices include tax and shipping. Staff recommended approval of the low bid from Coble Trench Safety. **Motion:**

Koon made a motion, seconded by Anderson to approve purchase from Coble as recommended by staff. **Vote:** Unanimous. Motion carried.

**D. (2) Boring Tools - Public Utilities**

The Public Utilities Department has budgeted \$12,000 for the purchase of two (2) boring tools as replacements for worn boring tools. Two vendors responded to the City's request for bids: Coble Trench Safety at \$10,544.50 and TT Technologies at \$10,675.30. Both prices include tax and shipping. **Motion:** Chestnut made a motion, seconded by Anderson to approve purchase from the low bidder in the amount of \$10,544.50. **Vote:** Unanimous. Motion carried.

**GRANTS**

**A. 2007 Operation Ranger Grant**

Staff requested permission to apply for a direct award grant for a 2008 Polaris Ranger 6x6 Utility Vehicle to be utilized by the Fire and Police Departments. There is no local match on the grant. The vehicle will be utilized in various rescue and criminal operations in rough terrain areas of the City. **Motion:** Koon made a motion, seconded by Anderson to approve the staff to apply for the grant. **Vote:** Motion carried.

**B. HUD Entitlement Grant Public Service - Bus Shelter**

As part of the Public Service requirements under Year Four Action Plan for the HUD entitlement grant the City has \$8,000.00 to give to "The Coast Rapid Transit Authority" to improve bus service to our low/moderate income residents. As part of this improvement, the bus service will build a bus shelter at the corner of 5<sup>th</sup> Avenue and Smith Street on City owned property. The bus shelter has limited lighting and staff suggests, if needed, Council approve an additional street light to be located next to the proposed shelter. The shelter size to be 4' x 12', lighted by a solar panel, with bench and trash can adjacent. Staff asked for Council to approve the proposed location of the bus shelter and street light location (if needed) and authorize staff to give \$8,000 to Coast RTA. **Motion:** Alford made a motion, seconded by Koon to approve the recommendation of staff and proceed with the bus shelter project as discussed. **Vote:** Unanimous. Motion carried.

**CONSENT AGENDA**

**A. City Council Minutes, 10-08-2007**

**For Approval**

**B. Departmental Monthly Reports for September**

**For Information**

**City Council Minutes**

**October 22, 2007**

**Motion:** Koon made a motion, seconded by Anderson to approve the consent agenda as presented. **Vote:** Unanimous. Motion carried.

**ADMINISTRATOR'S REPORT**

None

**COUNCIL INPUT**

**Chestnut** said there has been a large number of people visiting Conway and she has heard very

positive comments about the City, they are very impressed. She asked the Administrator about the status of the City Shop project. Graham said he will report on this at the next meeting.

**Timbes** said the new blue reflectors which have been placed in the streets to identify location of fire hydrants is a good idea.

**Alford** thanked the City for providing water coolers for the children participating in sports at the Recreation Complex. He noted that vehicle maintenance costs are for the past month and said he felt this must be a good sign that vehicle replacement is working well. Alford asked about the format for people who make funding request from the City, and also special events. Graham said a committee of staff is working on new procedures for both funding requests and new forms for special events.

**Koon** said one of the barricades, where the access road from 4<sup>th</sup> Avenue enters US 501, is broken and needs to be replaced. The City to check with the State DOT regarding this repair.

**Lawson** asked why the poles were still up on Beaty Street with Verizon telephone lines. It was noted that when the underground project was done there, Verizon did not agree to participate. To go back and put Verizon lines underground at this time will take some boring and conduit installation. Blain-Olds will provide the cost figures to Council for completion of the project. Lawson said she feels the City should try to finish the area that was first started. Citizens need to know about the issue with Verizon and why the poles remain.

Lawson said the new trees downtown are looking well and thanked the Beautification Department for their work. Williams in turn thanked the Public Utilities Department and Public Works Department for assisting in this effort.

**Anderson** welcomed the new Fire Chief.

Anderson said he would like to see the City pay for the employee flu shots. The Administrator said that employees can be reimbursed for the vaccine through their wellness benefit, if that has not been exhausted; however they are expected to pay for the shot up front. He said one option

### **City Council Minutes October 22, 2007**

would be for the City to pay for the shot up front and the City get reimbursed through the insurance benefit. Graham said it might be too late to change anything for this year; however the City will look into the possibility of changing this for next year.

Anderson said the current location of the screen in the Council Chamber make it very difficult for him to see. An additional screen was discussed. It was decided, for the present, staff would move the screen toward the front of the building some and see if this would help the situation.

Anderson said the City needs to slow down traffic on Main Street. Since Main Street is a State Street, the City could make a recommendation to the State. Gosnell will check into this and report at the next meeting.

**Martin** noted that the Building Report shows a sharp decline over last year's report for the same period. He asked staff to watch this closely over the next few months and see if we need to make any adjustments.

#### **EXECUTIVE SESSION - PERSONNEL MATTER**

##### **A. City Administrator's Annual Evaluation**

**Motion:** Alford made a motion, seconded by Anderson to enter into executive session for the purpose of holding the City Administrator's annual evaluation. **Vote:** Unanimous. Motion carried.

**Motion:** Timbes made a motion, seconded by Anderson to come out of executive session. **Vote:** Unanimous. Motion carried. **Motion:** Koon made a motion, seconded by Anderson to increase the City Administrator's salary to \$105,000.00 and to commend him on a job well done.

#### **ADJOURNMENT**

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

Minutes approved by City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2007.

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Linda K. Vereen, Interim Clerk

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