

**MINUTES OF MEETING
CONWAY CITY COUNCIL
CITY HALL COUNCIL CHAMBERS
229 MAIN STREET
CONWAY, SOUTH CAROLINA
MONDAY – FEBRUARY 14, 2011 – 5:30 p.m.**

PRESENT: Mayor Alys C. Lawson, Mayor Pro Tem Thomas J. Anderson, and the following Council Members: Vivian E. Chestnut, William M. Goldfinch IV, Irby L. Koon, Jean M. Timbes, and Larry A. White

STAFF: Bill Graham, City Administrator; Barbara Blain-Olds, Assistant City Administrator; Billy Joe Sawyer, Building Official; Michael Hardee, Finance Director; Foster Hughes, Parks and Recreation Director; Freddie DuBose, Public Utilities Director; Jerry Barnhill, Public Works Director; Rick Baker, Fire Chief; Reggie Gosnell, Police Chief; Michael Leinwand, Planning Director; Steve Tanner, Senior Planner; Larry Schilling, Procurement Coordinator; Greg Richardson, Special Projects Coordinator; and Vicky Lefler, City Clerk

OTHERS IN ATTENDANCE: See attached list.

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

INVOCATION/PLEDGE OF ALLEGIANCE: Mayor Lawson welcomed Rev. Randy Riddle of Westminster Presbyterian Church who gave the invocation. City Council and those in attendance recited the Pledge of Allegiance.

APPROVAL OF AGENDA: Mayor Lawson informed Council that the wording for agenda Item VIII had been revised (copies distributed). **Motion:** Anderson made a motion, seconded by Goldfinch, to approve the agenda contents as amended. **Vote:** Unanimous. Motion carried.

CONSENT AGENDA: **City Council minutes – January 24 and 31, 2011.** **Motion:** White made a motion, seconded by Anderson, to approve the consent agenda. **Vote:** Unanimous. Motion carried.

PUBLIC INPUT:

A. Rev. James H. Cokley appeared before Council to ask for reconsideration or, at least a feasibility study, of a request from Cherry Hill Baptist Church for closure of a portion of 5th Avenue from the corner of Smith Street to the boundary of the church's property near Highway 501. The proposed hours of street closure are from 7:30 a.m. to 4:00 p.m. The request has been denied by the City's Technical Review Committee. Staff was asked to research this request and report the findings to Council.

B. Grace Gifford spoke in support of the County's Highway 319 Rural Heritage Area Plan.

SPECIAL PRESENTATIONS:

C. Resolution in honor of employee retirement. This resolution in honor of the retirement of Captain Randal Graham from the Conway Police Department was adopted by Council at its

January 24, 2011, meeting and was presented by Council Member Chestnut. Mayor Lawson and Council extended congratulations and best wishes to Mr. Graham who was accompanied by family members.

D. Presentation by Ms. Liz Gilland. Ms. Gilland, former County Council Chairman, presented a check to the City in the amount of \$22,000. She advised Council that these funds were the remainder of recreation funds allotted to her during her tenure on County Council and she asked that these funds be used to construct restrooms near the new ball fields at the recreation complex. On behalf of Council, Mayor Lawson thanked Ms. Gilland for her generosity to the City.

E. Special event request – Gathering of the Green, March 17, 2011. This event, sponsored by Conway Main Street USA, is proposed to start at 6:00 p.m. and end at 11:00 p.m. Approximately 300 people are expected to attend. Plans include the sale of beer and wine, and the applicant also requested the closure of Laurel Street between 3rd and 4th Avenues from 2:00 to 11:30 p.m. on the day of the event. Hillary Howard of Conway Main Street advised Council that she had contacted all merchants except one in the event area and all were in support of the event. Staff recommended that the special event request be approved and that the cost of City support services provided be absorbed by the City's operating fund. **Motion:** Goldfinch made a motion, seconded by Timbes, to approve the special event application as presented. **Vote:** Unanimous. Motion carried.

F. Police Department Employee of the Quarter Award was presented to Sgt. John Stegall. Sgt. Stegall was commended by City Council for having been selected as the recipient of this award. After presenting this award, Gosnell introduced Capt. David Thomley who was recently employed by the Police Department.

G. Employee Longevity Awards were presented to Joe Henderson, Planning, and Sandra Skipper, Finance, 5 years; and Jason Perzan, Fire Department, 10 years. These employees were recognized by City Council for their years of service to the City.

PUBLIC HEARING AND RESOLUTION: Issuance of Hospital Revenue Refunding Bonds for Conway Hospital, Inc. Mr. Ray E. Jones of the Parker Poe Law Firm informed Council that Conway Medical Center is working with the South Carolina Jobs-Economic Development Authority to issue bonds, in one or more taxable or tax-exempt series in a maximum aggregate principal amount of not to exceed \$85,000,000. By state law, the issuance of these bonds requires that a public hearing be held before City Council. Jones explained that these bonds would be used to refinance a portion of the hospital's existing outstanding debt and that there would be no liability for the City. Council was asked to approve the proposed resolution in support of the issuance of these bonds.

Public Hearing: There was no comment from the public.

Motion: Anderson made a motion, seconded by Timbes, to adopt the resolution in support of the Hospital Revenue Refunding Bonds for Conway Hospital, Inc. **Vote:** Unanimous. Motion carried. See attachment.

PUBLIC HEARING AND ITEM FOR CONSIDERATION: Support of the efforts of The Nature Conservancy for the phased purchase of the Springwoods Timberlands Properties, providing funding for an appraisal, and allowing staff to prepare an RTP grant application for submittal to SCPRT in March, 2011. The City has been supporting the efforts of The Nature Conservancy, Horry County, the US Fish and Wildlife Service-Waccamaw National Wildlife Refuge and others toward a phased purchase of the Springwood Timberlands property across the Waccamaw River from the Riverwalk. This property is adjacent to City property and the former Floyd Tract property which is now owned by The Nature Conservancy. The match for the funding required will come from sources other than the City. An appraisal of the property must be submitted with the grant application. Staff requested permission to apply for \$100,000 to be used for construction of improvements; the required 20% match would be the purchase of the property. Tanner advised that a letter of support had been received from Marshall Brown, President of the Waccamaw Trail Blazers; members of the Bike, Hike and Paddle Committee were in attendance for presentation of this request. Staff recommended that Council approve the submission of the RTP grant application and to provide funding for the appraisal, estimated at \$3,500, from the Bike, Hike and Paddle Committee's budget.

Public Hearing: There was no comment from the public.

Motion: Anderson made a motion, seconded by Goldfinch, to approve staff's recommendation.

Vote: Unanimous. Motion carried.

PUBLIC HEARING AND ORDINANCE FOR FINAL READING: Ordinance #2011-02-14 (A) Amending Title 3, Chapter 2, Article A, Section 3-2-5, Recreation Fees, of the Code of Ordinances by establishing membership fees for the Conway Recreation Center. Council approved first reading of this ordinance at the January 24, 2011, meeting. Hughes reviewed again the proposed membership and enrollment fees. Staff recommended final reading approval of Ordinance #2011-02-14 (A).

Public Hearing: Rev. Jerry Faulk, representing JR 12 PAC asked if both membership and recreation fees would be charged, if all citizens would pay equal membership fees, and what the City's position is with regard to those who could not afford to pay these fees. Mayor Lawson noted that the facility would be open to residents and non-residents with nonresidents paying slightly higher membership and recreation fees. Graham emphasized that membership would not be required for participation in organized athletic activities and other events sponsored by the Recreation Department. Hughes gave examples of programs that will require a registration fee and noted that members would pay a reduced amount for those activities. In response to an inquiry from Koon, Hughes anticipated an annual operating cost of \$700,000 and the center would have to be self-supporting. He also advised that the Recreation Department would continue its scholarship program for youth athletics and other classes. White asked if there are any provisions for day passes to the recreation center for out-of-town visitors. The Mayor responded that day passes had been discussed but the cost for a few days a month would be comparable to a monthly membership rate; Hughes advised that visitor passes would be addressed under the policies and procedures. Timbes inquired about monthly memberships and Hughes responded that monthly memberships would not be offered so as to insure a steady, reliable income; fees will be assessed on a periodic basis to ensure the center is self-supporting. He also explained the procedure for collecting payments. **Tom Benenson** asked the number of

anticipated memberships, the number required to meet operational costs and if the center would be in competition with the hospital. Hughes responded that the goal is about 10% of the city population (1,700 memberships) but the facility could accommodate about 5,000 memberships as all members would not be in the facility at one time. No rehabilitation services would be offered. Goldfinch suggested that possibilities be explored to encourage attendance at alternative times of the day. **Carlisle Dixon** asked if there would be any limits on the number of visits. Hughes stated members would have unlimited access during hours of operation and plans call for the center to be open 90 hours a week. **Cecil McQueen** expressed his concerns that membership fees for seniors were too high and asked Council to reconsider those. He also asked if membership fees would be covered under insurance programs. Hughes advised that staff is currently looking into the Silver Sneakers program and will look for other opportunities. **Ronald McQueen** asked about the provision of discounts for employees of other businesses outside of corporate memberships. Anderson spoke of the possibility of using senior citizen volunteers at the center. **Rev. Faulk** asked the number of employees needed to operate the center. Hughes responded that, tentatively, the center is expected to need up to four full-time employees plus other part-time employees (not including the Recreation Department staff). There was no further comment from the public.

Motion: Koon made a motion, seconded by Chestnut, to approve final reading of Ordinance #2011-02-14 (A). **Vote:** Unanimous. Motion carried.

OTHER ORDINANCES FOR FINAL READING:

- A. **Ordinance #ZA2011-02-14 (B) Accepting the petition of PBV Conway-Myrtle Beach, LLC, to annex approximately 9.05 acres of property located at 2380 Church Street and zone the property Production, Service and Industry (PSI) upon annexation (TMS 122-00-04-026).** Council approved first reading of this ordinance at its January 24, 2011, meeting. As a follow-up to questions raised at first reading, Leinwand advised Council that, because of buffer requirements, adult entertainment would not be a permitted use on this property if it were zoned PSI (map provided). Staff recommended approval of final reading. **Motion:** White made a motion, seconded by Anderson, to approve final reading of #ZA2011-02-14 (B). **Vote:** Unanimous. Motion carried.
- B. **Ordinance #ZA2011-02-14 (C) Amending the City of Conway Zoning Ordinance to define mobile food and beverage units, mobile vending, and mobile food and beverage vendor in Article 2; add mobile vending as a conditional use in Rural Residential (RR) Zoning Districts in Article 4, Section 4.1015; and delete Article 8, Section 8.1105, Mobile Vending, and replace it in its entirety.** First reading was approved at the January 24, 2011, Council meeting. Staff recommended approval of final reading. **Motion:** Koon made a motion, seconded by Goldfinch, to approve final reading of #ZA2011-02-14 (C). **Vote:** Unanimous. Motion carried.

ITEMS FOR CONSIDERATION:

- A. **Request from Salvation Army for assistance in razing buildings.** The Salvation Army has requested assistance from the City to tear down two houses and a storage shed to make room for the construction of a Salvation Army Community Center facility at 1415 2nd

Avenue. If this request is approved and before demolition begins, the Salvation Army must have the asbestos in the buildings removed and obtain a clear permit for demolition at its expense. City labor and equipment could then be used to demolish the existing buildings. The City equipment involved would be a track hoe for 20 hours, a dump truck for 20 hours, a service truck for 20 hours, and a roll off dumpster for 8 hours and personnel would include two Equipment Operator II personnel and two Equipment Operator I personnel. The Salvation Army will be responsible for all landfill tipping fees, currently estimated to be \$1,676. Staff recommended approval of this request. **Motion:** Anderson made a motion, seconded by Koon, to approve the request from the Salvation Army as presented. **Vote:** Unanimous. Motion carried.

- B. Authorization of County Transportation Committee (CTC) 2011 funding request.** The total funding proposed for street resurfacing, street and sidewalk improvements, dirt street construction, small and medium drainage improvements as well as safety enhancements is \$810,850. Council was provided a summary of the proposed 2011 CTC request and a list of projects. In some cases, staff proposed to adjust the budget to correspond with current needs. The City of Conway would provide the 50% matching (\$405,425, included in the present budget), leaving a total CTC request in the amount of \$405,425. Staff recommended approval of the CTC funding request and the list of proposed projects. **Motion:** Timbes made a motion, seconded by Koon, to approve the CTC funding request and proposed projects as presented. **Vote:** Unanimous. Motion carried. See attachment.
- C. Acceptance of bids for replacement of gangways and floating docks at Conway Marina.** Hughes reported the three wooden gangways and two floating docks at the marina are in poor condition and recommended their replacement with aluminum framing and decking. Bids were solicited from six companies, three bids were received: Crane Materials Intl., \$28,066; American Dock & Marine, \$28,967; and Carolina Waterworks, \$31,045. Staff recommended that Council accept the low bid of \$28,066 which was submitted by Crane Materials using 2006 Hospitality Fee Revenue Bond funds with installation of equipment by staff. **Motion:** Koon made a motion, seconded by Goldfinch, to approve staff's recommendation. **Discussion:** There was discussion on giving preference to local bidders, perhaps by giving them the opportunity to match the low bid under certain conditions. Anderson suggested that staff advertise on govdeals.com any portion of the old equipment not reused. **Vote:** Unanimous. Motion carried.
- D. Recommendation from Rose Hill Cemetery Committee.** In February 2010, Council approved the installation of gates at the Rose Hill Cemetery entrances, the transfer of \$3,500 from the Rose Hill Cemetery maintenance account to help fund the project, and the solicitation of donations for the project by the committee. No further action was taken toward this project and the funds were not rebudgeted in FY 2010-11. Due to the anticipated expense of this project, the committee now recommends that only two gates be constructed and installed in the current budget year. The following bids have been obtained: Jones Metal Crafts, LLC, of Conway, \$8,415.90; Goode Fence Company of Myrtle Beach, \$12,343.78; and Tim Weitzel Railings of Conway, \$34,600. It was proposed that funding for this project come from the following sources: Rose Hill Cemetery fund, \$3,600; Donations, \$300; 2009-2010 Rose Hill Maintenance Account, \$3,500; and 2010-2011 Rose Hill Maintenance Account, \$1,015.90 for a total of \$8,415.90. Staff recommended that Council

accept the low bid of \$8,415.90 which was submitted by Jones Metal Crafts, LLC, and approve the proposed funding sources. **Motion:** Koon made a motion, seconded by Anderson, to approve the request from the Rose Hill Cemetery Committee as recommended by staff. **Discussion:** Mayor Lawson inquired about the possibility of using this year's entire maintenance account fund in lieu of rebudgeting the \$3,500. Hughes responded that amount would be insufficient and that expenditures from the maintenance account would be closely scrutinized and funds transferred into this account only as needed. Hughes reported that he will work with the Police Department to arrange for locking/unlocking of the gates. **Vote:** Unanimous. Motion carried.

ITEM FOR INFORMATION: Fiscal year 2010-2011 update. Hardee provided Council with an update, by fund, on the City's financial status as of December 31, 2010. The financial update was presented as information only. In response to questions from Chestnut, Hardee and Graham provided information on the storm water fee and the use of these funds.

ADMINISTRATOR'S REPORT: Graham gave an update on the underground wiring project. It is hoped that this project will be completed by the first of June, 2011. Venture Engineering is currently performing the design work for the next project (Elm Street).

COUNCIL INPUT:

Goldfinch spoke on the great opportunity presented by the City marina and noted the good work done at that location by staff.

Timbes noted the appreciation citizens have for police services during funeral processions.

Chestnut thanked Gosnell and the Police Department for hosting a reception earlier in the day for retiring Police Captain Randal Graham.

Koon gave credit to City staff for accomplishments despite budget constraints. He noted the recent opening of a new restaurant (Kingston Junction) in the City.

Anderson reported on the recent "Chocolate Walk," the good attendance at the Main Street Theatre shows, and the need to continue promotion of the downtown area.

White thanked staff for the prompt response in painting over gang graffiti on Ward Circle and the recent drainage issue on Hill Street.

Mayor Lawson thanked the City Administrator, Finance Officer and Department Heads for their assistance in budget planning for next fiscal year. She also expressed appreciation to the community for the numerous applications recently received for various City boards and commissions.

EXECUTIVE SESSION: Motion: Koon made a motion, seconded by Goldfinch, to enter into executive session to consider appointments to committees, boards and commissions and the annual performance evaluation of the City Administrator. **Vote:** Unanimous. Motion carried.

Motion: Koon made a motion, seconded by Anderson, to come out of executive session. Council Member Timbes had excused herself from the meeting and was not present for the vote.
Vote: Unanimous among those present. Motion carried.

Appointments to Boards, Committees, and Commissions: Motion: Chestnut made a motion, seconded by Anderson, to approve appointments as listed below to fill vacancies on City boards, committees and commissions and to readvertise any remaining vacancies. **Vote:** Unanimous among those present. Motion carried.

Community Appearance Board: Appointed Carla Hughes to a four-year term.

Lakeside Cemetery Committee: Appointed John Dennis, Jr., to fill the unexpired term of Rita Dennis.

Planning Commission: Appointed J. William Gobbel, Brantley Marshall Green, and Francis Humphries, Jr., to three-year terms.

Recreation Advisory Commission: Appointed Stacy Stanley to a three-year term.

Rose Hill Cemetery Committee: Reappointed Vivian Moore, Martha Onley and Queen Esther Rodgers to three-year terms.

Water Quality & Drainage Commission: Appointed Amber L. Wall to a three-year term.

ADJOURNMENT: Motion: Anderson made a motion, seconded by Koon, to adjourn the meeting. **Vote:** Unanimous among those present. Motion carried.

APPROVAL OF MINUTES: Minutes approved by City Council this _____ day of _____, 2011.

Vicky Lefler, City Clerk