

**MINUTES OF MEETING
CONWAY CITY COUNCIL
CITY HALL COUNCIL CHAMBERS
229 MAIN STREET
CONWAY, SOUTH CAROLINA
MONDAY – DECEMBER 3, 2012 – 5:30 p.m.**

PRESENT: Mayor Alys C. Lawson, Mayor Pro Tem Larry A. White, and Council Members Thomas J. Anderson II, Barbara Blain-Olds, William M. Goldfinch IV, and Jean M. Timbes;
ABSENT: Council Member Irby L. Koon

STAFF: Bill Graham, City Administrator; Michael Hardee, Finance Director; Billy Joe Sawyer, Building Official; Jerry Barnhill, Public Works Director; Foster Hughes, Parks, Recreation and Tourism Director; Freddie DuBose, Public Utilities Director; Reggie Gosnell, Police Chief; Rick Baker, Fire Chief; Michael Leinwand, Planning Director; and Vicky Lefler, City Clerk

OTHERS IN ATTENDANCE: Kathy Ropp, Steve Jones, Rev. Bruce Davenport, Frannie Heizer, and others

CALL TO ORDER: Mayor Lawson called the meeting to order.

INVOCATION/PLEDGE OF ALLEGIANCE: Mayor Lawson recognized Rev. Bruce Davenport, Associate Pastor of Langston Baptist Church, who gave the invocation. City Council and those in attendance recited the Pledge of Allegiance.

APPROVAL OF AGENDA: **Motion:** White made a motion, seconded by Anderson, to approve the agenda contents. **Vote:** Unanimous. Motion carried.

APPROVAL OF CONSENT AGENDA:

A. Ordinances for final reading

1. **Ordinance #ZA2012-12-03 (A) Amendment to Section 5.1.30.A of the *City of Conway Unified Development Ordinance* relating to Nurseries/Garden Centers**
2. **Ordinance #ZA2012-12-03 (B) Amendment to Table 6.2 of the *City of Conway Unified Development Ordinance* relating to non-residential building and site requirements**
3. **Ordinance #ZA2012-12-03 (C) Amendment to Section 6.3.1.C of the *City of Conway Unified Development Ordinance* relating to non-residential architectural design standards**
4. **Ordinance #ZA2012-12-03 (D) Amendment to Section 6.3.2.A of the *City of Conway Unified Development Ordinance* relating to the Professional Zoning District dimensional requirements**

5. **Ordinance #ZA2012-12-03 (E) Amendment to Section 6.3.4.A of the *City of Conway Unified Development Ordinance* relating to the Neighborhood Commercial Zoning District dimensional requirements**
6. **Ordinance #2012-12-03 (G) An Ordinance amending the Business and Professional License Ordinance for the City of Conway to change provisions for insurance companies**

B. City Council minutes – November 5, 2012

Motion: Goldfinch made a motion, seconded by White, to approve the consent agenda. **Vote:** Unanimous. Motion carried.

PUBLIC INPUT: Dewon Huggins spoke to Council on his proposal to assist City merchants in establishing a presence on the internet in order to market their businesses online. Mayor Lawson suggested that he discuss this proposal with the City Administrator.

SPECIAL PRESENTATIONS:

- A. **Presentation of Christmas Card contest winner.** Miss Katelynn Hardee was recognized as the artist of the 2012 Christmas card for the City of Conway. She is the seven-year-old daughter of Quincy and Holly Hardee. Katelynn received congratulations and a gift and savings bond from Council and was presented a framed edition of her Christmas card by Mayor Lawson.
- B. **Special event request: Stories in Stone, April 12-13, 2013.** The Horry County Historical Society has requested a special event permit for this event, the Conway portion of which will take place at the First United Methodist Church and the Bryan House at 606 Main Street. No City services are requested. Mrs. Shirley Long Johnson and Mrs. Janice Cutts were present in support of the request. Staff recommended approval. **Motion:** Timbes made a motion, seconded by White, to approve the special event application for Stories in Stone. **Vote:** Unanimous. Motion carried.
- C. **Presentation on Conway Area Schools by Steven Fitch, Principal of Conway High School.** Mayor Lawson announced this presentation had been postponed at the request of Mr. Fitch.
- D. **Employee Longevity Award** was presented to Selena Small, Police Department, 5 years. The presentation was made by Council Member Blain-Olds and the City Administrator.
- E. **Employee of the Month Award for October** was presented to Anthony Campagna, Vehicle Maintenance, Public Utilities Department. Campagna was commended by City Council for having been selected as the recipient of this award.

RESOLUTIONS: **Accepting dedication of roadways in Midtown Village Subdivision (Midtown Village Drive, Manassas Drive, McCall Loop, and McDougall Drive).** Leinwand advised Council that the original developer foreclosed on this property and the new owner, Carolina Holdings, is now requesting permission to convey the right-of-way of the roadways in the subdivision to the City without a warranty. Leinwand also reported that the City drew down

on a letter of credit in August 2012 for Midtown Village and that funds from this letter of credit, in the amount of \$253,648.63, cover the required uncompleted infrastructure in the subdivision. In order to start using these funds, staff recommended accepting the road dedication without warranty. **Motion:** Blain-Olds made a motion, seconded by White, to approve staff's recommendation. **Discussion:** Anderson expressed concern that the roads, if completed now, would deteriorate during housing construction as the subdivision is not completely built out. Barnhill noted the good condition of the roads in the subdivision but that the overlay had not been put on the roads in the Phase II section. He recommended that the overlay be installed now as it could help prevent damage to the roads during construction. **Vote:** Anderson voted in the negative; all others voted in the affirmative. Motion carried. See attachment.

PUBLIC HEARING AND ORDINANCE FOR FINAL READING: Public hearing and final reading of Ordinance #ZA2012-12-03 (F) An Ordinance to extend the moratorium on the enforcement of regulations regarding the re-establishment of nonconforming uses and landscaping requirements for certain renovations and expansions of existing buildings (Subsections 9.1.3.B.2, 9.1.3.B.3 and 12.1.2.D of the *Unified Development Ordinance*). First reading was approved at the November 5, 2012, Council meeting. **Public Hearing:** There was no comment from the public. Staff recommended final reading approval. **Motion:** Goldfinch made a motion, seconded by Timbes, to approval final reading of Ordinance #ZA2012-12-03 (F). **Vote:** Unanimous. Motion carried.

PUBLIC HEARING AND ORDINANCE FOR FIRST READING: Ordinance #ZA2013-01-07 (A) Accepting the petition of Floyd and Walt Smith to rezone approximately 3.9 acres of two parcels of property located at 2200 Main Street (TMS# 123-00-02-102) and 2210 Main Street (TMS# 123-00-02-101), from Low Density Residential (R-1) to Light Industrial (LI) and Highway Commercial (HC). The petitioners, owners of Conway Feed and Garden, are making this request in order to install a new grain bin on the TMS# 123-00-02-101 parcel. Leinwand advised that, to rezone TMS# 123-00-02-101, a portion of TMS# 123-00-02-102 would also need to be rezoned to LI to meet the rezoning requirements of Section 6.1.4. Instead of rezoning the entire parcel LI, the applicants prefer to rezone the remaining portion of TMS# 123-00-02-102 to HC. The Comprehensive Plan identifies the two parcels as HC; however, due to the history and future of the current use, staff believes LI zoning would also be appropriate. The Planning Commission has recommended approval of the rezoning request. Staff recommended first reading approval. **Public Hearing:** Kent Bitting, Brian Johnson, Clay Douglas Talbot, and Keith Anderson, all of whom live in close proximity to Conway Feed and Grain, spoke in opposition to the rezoning request citing concerns of increased noise and truck traffic. Walt Smith spoke in support of his request, noting that the grain bin would be installed on the back side of the property, it would be used to store grain on-site that is now being transported to another location and this would not result in increased truck traffic; the new grain bin will have a centrifugal fan which is very quiet and will not add any noise, and he had no use in mind for the parcel requested to be rezoned HC. **Motion:** Timbes made a motion, seconded by Anderson, to approve first reading. **Discussion:** Concerns were expressed regarding uses specific to the requested zoning and more detailed information was requested. Following this discussion, Timbes withdrew her original motion, and Anderson his second, to approve first reading. **Motion:** Timbes made a motion, seconded by Goldfinch, to table first reading until Council receives further information. **Vote:** Unanimous. Motion carried. Staff was asked to provide additional information including a proposed site plan, information on uses, noise concerns, uses specific to LI zoning, etc.

ORDINANCES FOR FIRST READING:

- A. First Supplemental Ordinance #2013-01-07 (B) Authorizing the issuance and sale of a not to exceed \$3,175,000 Revenue and Refunding Revenue Bond, Series 2013, or such other Appropriate Series Designation, of the City of Conway, South Carolina.** Graham advised that this ordinance will put in place the funding package for the construction of the City's new public safety building. The total budget for that project is \$5 million: \$3.6 million to come from the unreserved fund balance of the General Fund and the remainder from Hospitality Fee Funds. To fund the FY 2012-13 Hospitality Fee budget allocation, the 2005 Revenue and Refunding Revenue Bond will need to be refinanced. This ordinance provides for that refinancing in the amount of \$1,913,000 and an additional issuance in the amount of \$1,262,000 (\$1,250,000 for the building and \$12,000 for the costs of issuance). McNair Law Firm will bid the bond offering. Staff recommended first reading approval. **Motion:** Goldfinch made a motion, seconded by Anderson, to approve first reading of First Supplemental Ordinance #2013-01-07 (B). **Vote:** Unanimous. Motion carried.
- B. Ordinance #2013-01-07 (C) Adopting an Amended Budget for Fiscal Year 2011-2012.** Hardee reported the only adjustment needed to the FY 2011-2012 budget is a \$340,000 adjustment in the Street and Drainage Fund due to the intersection improvement project at Wild Wing/Highway 501. The total amended budget, all funds, is \$28,380,525. Staff recommended first reading approval. **Motion:** Blain-Olds made a motion, seconded by Timbes, to approve first reading of Ordinance #2013-01-07 (C) **Vote:** Unanimous. Motion carried.

ITEMS FOR CONSIDERATION:

- A. Proposed feasibility study to assist in redevelopment of the Bay Village Shopping Center.** Graham reported Creative Entertainment Concepts, a firm that specializes in the redevelopment of shopping centers, has approached the City in regard to conducting a study to analyze the market potential for the development of a successful entertainment center at the Bay Village site and the costs involved in retrofitting the shopping center for such redevelopment. After reviewing the amenities usually offered by an entertainment center, Graham noted that such a center would be expected to generate approximately 40 full-time and 60 part-time jobs. He also noted that the feasibility study would become the property of the City but it could be shared and used by anyone evaluating business opportunities in Conway. Because of the potential benefits of the study, Myrtle Beach Regional Economic Development Corporation has offered to equally share the study's cost. Staff recommended that Council authorize the feasibility study by Creative Entertainment Concepts, at a cost of \$4,500, to be shared equally by the City of Conway and Myrtle Beach Regional Economic Development Corporation. **Motion:** Goldfinch made a motion, seconded by White, to move forward with the project as recommended by staff. **Vote:** Unanimous. Motion carried.
- B. Proposed extension of the yarn art exhibit at Riverfront Park.** The special event permit for this event, as approved by Council on September 17th, was for October 22 through December 1, 2012. **Motion:** Anderson made a motion, seconded by Blain-Olds, to extend the special event permit for the yarn art exhibit at Riverfront Park until February 9, 2013, as recommended by staff. **Vote:** Unanimous. Motion carried.

- C. Authorization to apply for SC Department of Public Safety Justice Assistance Grant – Criminal and Juvenile Justice Grant Program.** The Police Department has requested permission to apply for this grant. Total funding being requested is \$94,877 (\$90,781 for 8 mobile data terminals and supporting software, air cards, printers, mounts and maintenance agreements; \$4,096 for 8 replacement bulletproof vests). **Motion:** Blain-Olds made a motion, seconded by Goldfinch, to authorize the application for this grant. **Vote:** Unanimous. Motion carried.
- D. Acceptance of proposal for Disaster Debris Removal Monitoring and Program Management Services.** The City’s current contract for these services is up for renewal. This contract is with Beck Disaster Recovery which now operates as Science Applications International Corporation (SAIC). Barnhill reported that Horry County Solid Waste Authority, after soliciting bids, recently signed two debris removal monitoring contracts, one of which is with SAIC. The City is allowed to “piggy back” on either one of the County’s two contracts. Staff recommended that Council approve the City entering into a contract with SAIC for disaster debris removal monitoring and program management services. **Motion:** Goldfinch made a motion, seconded by White, to approve staff’s recommendation. **Vote:** Unanimous. Motion carried.
- E. Acceptance of bid for truck with service body and crane unit for Public Utilities Department.** Staff recommended that Council accept the low bid in the amount of \$94,800 which was submitted by Conway Ford for a demo model with 1,600 miles with a trade-in of the Public Utilities Department’s 2003 model service truck for \$16,000. **Motion:** Timbes made a motion, seconded by Blain-Olds, to accept the low bid with trade-in as recommended by staff. **Vote:** Unanimous. Motion carried.
- F. Acceptance of bid – VHF radio replacement and reprogramming project.** Staff recommended that Council accept the low bid in the amount of \$26,360.24 which was submitted by Strand Communications for VHF radio replacements and reprogramming of VHF radios in the Public Works, Public Utilities, Fire, and Beautification Departments to meet new FCC narrowbanding regulations. **Motion:** Anderson made a motion, seconded by Goldfinch, to accept the low bid as recommended by staff. **Vote:** Unanimous. Motion carried.
- G. Acceptance of bids to construct a new concession stand/restroom facility at the Recreation Complex.** Staff recommended that Council accept the low bid of Chancel Builders, including the three alternates (cupola on concession stand, metal roof, standard stained block) in the amount of \$223,109 and approve the project funding to include current designated funds (\$185,023), final installment from Collins Kids Foundation in March 2013 (\$31,250) and the remainder to be taken from the general fund unreserved fund balance (\$6,836). **Motion:** Goldfinch made a motion, seconded by Blain-Olds to move forward with the project as recommended by staff. **Vote:** Unanimous. Motion carried.
- H. Request for special tax assessment on property located at 706 Elm Street.** Leinwand reported the property is listed in the National Register of Historic Places as a contributing property in the Conwayborough Residential Historic District and, as such, meets the criteria for eligibility. Staff recommended approval of the request. **Motion:** Goldfinch made a motion, seconded by Timbes, to approve the request from Scott Ferguson to certify the property located at 706 Elm Street (TMS 137-02-16-012) as eligible for special tax

assessment under the City's Preservation Tax Incentive Program. **Vote:** Unanimous. Motion carried.


ITEM FOR INFORMATION: Midnight Basketball Outreach Program. Gosnell reported on this eight-week outreach program for at-risk young adults, ages 7-16. **Motion:** Anderson made a motion, seconded by White, to support the Police Department in this endeavor. **Vote:** Unanimous. Motion carried.

Blain-Olds expressed appreciation for the love and kindness shown to her during recent weeks on the loss of her husband, Jesse Olds.

There was discussion by some Council members on reinstating Council Input on the agenda. Mayor Lawson commented that the opinion of Council's attorney remains the most current information on that topic; however, Council would be kept informed if any changes were made with regard to this issue.

ADJOURNMENT: Motion: White made a motion, seconded by Anderson, to adjourn the meeting. **Vote:** Unanimous. Motion carried.

APPROVAL OF MINUTES: Minutes approved by City Council this 7th day of January, 2013.



Vicky Lefler, City Clerk