

**CITY COUNCIL MEETING
CITY HALL COUNCIL CHAMBERS
229 MAIN STREET
CONWAY, SOUTH CAROLINA
MONDAY – MAY 5, 2014 – 5:30 PM**

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

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

OTHERS IN ATTENDANCE: Kathy Ropp, Rev. Lynn Peters, Michael and Lyn Berg, Marc Passantino, Dwaine and Suzanne Koscielniak, Rodney and Pamela Hord, Hillary Howard, Marilyn Patton, Christa Caperton, Leslie Wilson, Mary Alice Benning, Forrest Beverly, and others

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

INVOCATION/PLEDGE OF ALLEGIANCE: Mayor Lawson recognized Rev. Lynn Peters of Jamestown Baptist Church who gave the invocation. City Council and those in attendance recited the Pledge of Allegiance.

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

APPROVAL OF CONSENT AGENDA:

A. Adoption of retirement resolutions for Sandra Smart and Jimmy Hammond

B. City Council minutes – April 7, 2014

Motion: Timbes made a motion, seconded by Blain-Olds, to approve the consent agenda. **Vote:** Unanimous. Motion carried.

PUBLIC INPUT: **Mary Alice Benning** shared with Council her distress with regard to reckless driving and criminal activity in her Taylor Square neighborhood. Ms. Benning asked for Council's assistance to see that stronger law enforcement efforts are made in her neighborhood. **Diane Davis** commented that some progress had been made but more could be done to address drug activity and other issues so the older people could have enjoyment of their neighborhood as they deserved.

SPECIAL PRESENTATION: **Employee Longevity Award** was presented to Michael

Hardee, Finance Department, 20 years. The presentation was made by Mayor Lawson and the City Administrator.

PUBLIC HEARINGS AND ORDINANCES FOR FINAL READING:

A. Public hearings and final reading of proposed ordinances relating to the request to rezone property at 707 Main Street (TMS 137-02-15-002 / PIN 33813020024). First reading of these ordinances was approved at the April 7th Council meeting. Staff recommended that Council approve final reading of both ordinances.

1. Ordinance #ZA2014-05-05 (A) Accepting the request by Leslie Wilson to amend the City of Conway Comprehensive Plan to change the future land use category of the property located at 707 Main Street (TMS 137-02-15-002 / PIN 33813020024) from Mixed Use (MU) to Neighborhood Commercial (NC). Public Hearing: There was no comment from the public. **Motion:** Alford made a motion, seconded by Blain-Olds, to approve first reading of Ordinance #ZA2014-05-05 (A) as recommended by staff. **Vote:** Unanimous. Motion carried.

2. Ordinance #ZA2014-05-05 (B) Accepting the request by Leslie Wilson to rezone approximately 0.78 acres of property located at 707 Main Street (TMS 137-02-15-002 / PIN 33813020024) from Professional (P) to Neighborhood Commercial (NC). Public Hearing: There was no comment from the public. **Motion:** Goldfinch made a motion, seconded by Anderson, to approve first reading of Ordinance #ZA2014-05-05 (B) as recommended by staff. **Vote:** Unanimous. Motion carried.

PUBLIC HEARINGS AND ORDINANCES FOR FIRST READING:

A. Public hearing and first reading of Ordinance #ZA2014-05-19 (A) Accepting the request by Benton Rentals LLC to annex approximately 0.98 acres of property located at 701 SC Highway 544 (TMS# 150-00-07-022 / PIN# 38205020001) and to rezone the property Highway Commercial (HC) upon annexation. In order to develop this vacant property in the future, City water services will be needed. The property owner has submitted a petition for annexation and has requested that the property be rezoned by the City as Highway Commercial. If the property is annexed, it would also be included in the City's existing Gateway Corridor Overlay. The Comprehensive Plan identifies the parcel's land use as Institutional and its permitted zoning districts as Institutional and Planned Development. Leinwand advised that staff believes the rezoning request is appropriate because the two parcels across the street from this property are zoned Highway Commercial. The Planning Commission has recommended approval of the annexation and rezoning request. Staff recommended first reading approval. **Public Hearing:** There was no comment from the public. **Motion:** Alford made a motion, seconded by White, to approve first reading of Ordinance #ZA2014-05-19 (A) as recommended by staff. **Vote:** Unanimous. Motion carried.

B. Public hearing and first reading of Ordinance #ZA2014-05-19 (B) Accepting the request by Beverly Homes LLC to rezone approximately 33.85 acres of property located behind Rivertown Row Subdivision (TMS# 122-00-04-011 / PIN# 33700000033) from Planned Development (PD) to Medium Density Residential (R-2). Beverly Homes

purchased this 33.85 acre property, zoned PD, in July 2013. The PD, approved in 2007 as Rivertown Bluffs, calls for 63 single family detached homes and 54 townhouses; however, the property is vacant and no infrastructure has ever been installed. Leinwand noted the applicant's preliminary development sketch reflects one access point and 97 proposed lots but pointed out this plan has not been approved. He also commented that the applicant has stated that his plans are to develop only single family detached houses on this property but Leinwand pointed out that the property could be developed now under its current PD which also might require a second access. The Planning Commission has recommended that the rezoning to R-2 be approved. Staff recommended first reading approval. **Public Hearing:** **Marc Passantino**, 1608 Sunmeadow Drive, stated he wants to be sure the buffer area will stay as it is. Leinwand commented there was a buffer in the original PD but he did not have enough details on the preliminary plan to determine what effect rezoning would have on the buffer. Passantino also complained about getting nails in his tires and construction noise early Sunday morning. **Dwaine Koscielniak** 1113 Millsite Drive, commented that he was told when he purchased his home that the tree line would remain even if the subject property were developed. He also had concerns that the unsold vacant lot beside his home was going to be used for a second access road. **Marilyn Patton**, 1620 Sunmeadow Drive, complained to Council of existing drainage problems and stagnant water on her property and spoke of her concerns regarding the unknown effect new development might have on these drainage problems. **Rodney Hord**, 1121 Millsite Drive, also stated concerns regarding standing water and his desire for the tree line to stay the same. **Forrest Beverly**, representing Beverly Homes, commented that the tree line will be protected as much as possible; however, some trees would have to be taken down to put in storm drains. In regard to the unsold vacant lot, Beverly remarked that this lot was the only property that could be used for a second access at this time if one is required by the City. Options for a second access to the property were discussed. There being no further comments, the public hearing was closed. **Motion:** Timbes made a motion, seconded by White, to table first reading of #ZA2014-05-19 (B). **Discussion:** Timbes expressed concerns regarding the proposed smaller lots, density, and the impracticality of all construction traffic in the development trying to use only one access. Alford had concerns about open space requirements being met. Mayor Lawson inquired if the developer would consider an R-1 zoning. Blain-Olds asked if the rezoning request could be delayed until more is known in regard to the developer's plans. **Vote:** Goldfinch and Anderson voted in the negative; all others voted in the affirmative. Motion carried.

ORDINANCES FOR FIRST READING:

- A. Ordinance #2014-05-19 (C) An Ordinance to Raise Revenues and Adopt Budgets for the General Fund, Enterprise/Public Utility Fund, Street/Drainage Fund, Storm Water Fund, Tax Increment Financing (TIF) Fund, Accommodations Tax Fund, Community Development Fund, and Hospitality Fee Fund, City of Conway, South Carolina, for the Fiscal Year Beginning July 1, 2014 and Ending June 30, 2015.** Graham reviewed changes in the budget proposal that were made as a result of discussions at the budget retreat and the addition of \$15,000 to the budget proposal for the purchase of the leased emergency generator that is currently at the Police Satellite Building for use at the Vehicle Maintenance Shop. The total proposed budget amount is now \$33,307,687. No tax increase is proposed. Graham reported that only a few increases in Recreation Department fees and fees related to FOIA requests are proposed; proposed fee increases will be reviewed in more detail at the public hearing scheduled for the next Council meeting. He also informed Council that the

firemen have accepted the City's offer of \$210,000 for the purchase of the Firemen's Clubhouse and staff has recommended that the amount of \$250,000 remain in the budget to cover the purchase and make improvements to the clubhouse as necessary. The salary study results and recommendations were reviewed. Entities included in the study were the cities of Conway, Beaufort, Greer, North Augusta, North Myrtle Beach, Myrtle Beach, Horry County, and West Columbia, and Grand Strand Water and Sewer Authority (for Public Utility positions only) and Horry County Solid Waste Authority (for Solid Waste positions only). The survey showed that City of Conway salaries for most positions were below average of those entities surveyed; some of the largest discrepancies were in the area of Public Safety. It was recommended that salaries for each position be adjusted to the minimum average salary of the survey with longevity increments as follows: 1-3 years, 3%; 4-8 years, 6%; 9-13 years, 9%, 14-18 years, 12%; 19-23 years, 15%, 24-28 years, 18%; 29-33 years, 21%; and 34-38 years, 24% (maximum). Salaries scales for Police and Fire would include built-in steps for meeting training and education achievements. Graham further recommended that a 1.5% adjustment be made for all City positions for which the salary, including longevity, met or exceeded those surveyed in order to ensure that these City employees kept up with the cost of living over the past year and did not lose any purchasing power. The total cost to implement the salary adjustments, including benefits, is approximately \$806,000; about 11.5% of this amount is the cost for Public Safety. Staff recommended first reading of the proposed budget ordinance for FY 2014-15, Ordinance #2014-05-19 (C). **Motion:** Goldfinch made a motion to approve first reading of Ordinance #2014-05-19 (C). **Substitute Motion:** Citing her concerns regarding disparities in what employees would gain as a result of the salary study, Blain-Olds made a motion to postpone first reading of Ordinance #2014-05-19 (C) and that city staff bring back for Council's consideration figures on the cost of various options such as larger percentage salary increases and a larger percentage salary increases combined with a bonus. The motion was seconded by White. **Discussion:** Mayor Lawson commented that these issues were not raised during Budget Retreat discussions nor since that time and it was impossible for staff to gather information to answer Blain-Olds' questions at this meeting. Anderson suggested another workshop be held to look at increasing longevity payments. Timbes commented that this was first reading on the budget ordinance and, if necessary, there was time for another look at the salary study before second reading. Mayor Lawson called for a vote on the substitute motion. **Vote:** Blain-Olds and White voted in the affirmative; all others voted in the negative. The substitute motion failed. Mayor Lawson then called for a second on the main motion. **Main Motion:** Anderson seconded the motion to approve first reading of Ordinance #2014-05-19 (C). **Vote:** Blain-Olds and White voted in the negative; all others voted in the affirmative. The main motion carried.

- B. Ordinance #2014-05-19 (D) An Ordinance Amending Title 7, Chapter 1, Business Licenses, in Its Entirety, to Provide for the Conversion to the North American Industrial Classification System (NAICS).** Graham reported that the Municipal Association is recommending that municipalities update rate classifications by using the North American Industrial Classification System which is a more up-to-date, fair, equitable, and more defensible way of classifying businesses for business license purposes. The City currently uses the Standard Industrial Classification 1987. All businesses have been reclassified according to NAICS, and rates have been established in order to keep the City revenue-neutral within 1% (+/-) as a result of the reclassification. Staff recommended first reading approval. **Motion:** Goldfinch made a motion, seconded by Alford, to approve first reading of Ordinance #2014-05-19 (D). **Vote:** Unanimous. Motion carried.

ITEMS FOR CONSIDERATION:

- A. Approval to accept bids for refinancing of bonds.** Graham reported on the April 4th bid opening for the refinancing of certain City bonded indebtedness. Bids were received from three financial institutions: BB&T, Conway National Bank, and First Citizens Bank. A copy of the bid tabulation sheet was shared with Council and reviewed by Graham. Conway National Bank was low bidder on the refinancing of all five bond issues. Lower than previous estimates, these bids will result in a total savings of \$853,950 over the next 11 years which is \$227,750 more than the earlier projected savings of \$626,201. Staff recommended that Council authorize the City Administrator to accept the low bids for the refinancing of all five bonds. **Motion:** Blain-Olds made a motion, seconded by Anderson, to accept the City Administrator's recommendation. **Vote:** Unanimous. Motion carried.
- B. Recommendation to move forward with hiring process for a Deputy City Administrator.** This new position is included in the proposed FY 2014-15 budget. However, due to the administrative workload and the availability of funds to cover the cost of this position in this year's overall budget, Graham recommended that staff be authorized to move forward with the hiring process for this position by advertising in-house. A copy of the job description for this new position was shared with Council. **Motion:** Blain-Olds made a motion, seconded by Anderson, to authorize the City Administrator to move ahead with the hiring process for the Deputy City Administrator's position by advertising in-house. **Vote:** Unanimous. Motion carried.
- C. Authorization to apply for 2014 Assistance to Firefighters Grant.** Staff requested permission to apply for a 2014 Assistance to Firefighters Grant in the amount of \$125,000 to be used toward upgrading the Fire Department's Self Contained Breathing Apparatus (air packs) and air bottles. If awarded, the grant will require a 10% match. **Motion:** Timbes made a motion, seconded by Blain-Olds, to authorize staff to apply for the grant as requested. **Vote:** Unanimous among those present. Motion carried.

ITEM FOR INFORMATION: Fiscal Year 2013 - 2014 Budget Update was presented by the Finance Director as information.

EXECUTIVE SESSION: Motion: Timbes made a motion, seconded by Anderson, to enter into executive session to consider appointments to City boards and commissions. **Vote:** Unanimous. Motion carried.

Motion: White made a motion, seconded by Blain-Olds, to come out of executive session. **Vote:** Unanimous. Motion carried.

Appointments to City Boards and Commissions: Motion: White made a motion, seconded by Anderson, to approve the following appointments as discussed in executive session. **Vote:** Unanimous. Motion carried.

Lakeside Cemetery Committee: Appointed Vivian E. Chestnut to fill an unexpired term ending December 31, 2014 (to fill the seat of John Dennis Jr. who transferred to the Water Quality and Drainage Commission).

Municipal Election Commission: Reappointed Renina Kirkland to a six-year term ending April 26, 2020.

Housing Authority Board of Commissioners: Appointed Salonda Moody to a five-year term ending April 24, 2019.

Rose Hill Memorial Gardens Cemetery Committee: Reappointed Vivian Moore and Martha Onley to three-year terms ending December 31, 2016; appointed Tarence Johnson to a three year term ending December 31, 2016.

Water Quality and Drainage Commission: Reappointed Tim Kirby to a three-year term ending December 31, 2016.


Zoning Board of Appeals: Appointed James Battle to a three-year term ending December 31, 2016.

Employee Grievance Committee: Appointed Braxton Fleming, Public Works Department, and Jessica Stalvey, PRT Department, to three-year terms ending March 24, 2017.

Conway Downtown Alive: Mayor Pro Tem Goldfinch was appointed as Council's representative to the Conway Downtown Alive Board of Directors for FY 2014-15.

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 19th day of May, 2014.



Vicky Lefler, City Clerk