

**MINUTES OF MEETING  
CONWAY CITY COUNCIL  
CITY HALL COUNCIL CHAMBERS  
229 MAIN STREET  
CONWAY, SOUTH CAROLINA  
MONDAY – MAY 6, 2013 – 5:30 p.m.**

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

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

**OTHERS IN ATTENDANCE:** Rep. Kevin Hardee, Kathy Ropp, Hillary Howard, Margaret McGougan and others

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

**INVOCATION/PLEDGE OF ALLEGIANCE:** Mayor Lawson recognized Dr. Robert Guffey of First Baptist Church who gave the invocation. City Council and those in attendance recited the Pledge of Allegiance.

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

**APPROVAL OF CONSENT AGENDA:**

**A. Ordinances for final reading**

- 1. Ordinance #2013-05-06 (A) 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, 2013 and Ending June 30, 2014**
- 2. Ordinance #ZA-2013-05-06 (B) accepting the petition of Charles Peter Busse to annex approximately 0.91 acres located at 702 SC Highway 544 (TMS# 150-00-06-092) and to rezone the property Highway Commercial (HC) upon annexation**
- 3. Ordinance #ZA-2013-05-06 (C) accepting the petition of Gary G. Faircloth and Kay L. Faircloth to annex approximately 1.0 acre located at 4210 Bradford Drive (TMS# 111-00-01-035) and to zone the property Low Density Residential (R-1) upon annexation**

4. **Ordinance #2013-05-06 (D) Amending Title 8 of the Code of Ordinances by replacing Chapter 2, Parking, in its entirety**
5. **Ordinance #2013-05-06 (E) Amending the Code of Ordinances by adding Chapter 9, Pawnbrokers, to Title 7, Licensing and Regulation**
6. **Ordinance #2013-05-06 (F) Establishing the Public Utilities Financing Program**

**B. City Council minutes – April 15, 2013**

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

**PUBLIC INPUT:** None.

**SPECIAL PRESENTATIONS:**

- A. **Presentation on schematic design of site plan and elevations for new Public Safety Building – Chancel Builders Design/Build Team.** McKenzie Jordan, President of Chancel Builders, presented the schematic design for the building to Council. He noted that the Design/Build Team believes the building can be constructed without removing any of the large live oaks on the lot; however, in order to do this, one large live oak will need to be trimmed and a variance will need to be sought from the Zoning Board of Appeals to allow the building's drip line to extend into the required rear setback area. Jordan advised Council that the design plan will meet the City's stated budget goal for construction cost. Jim Stewart of Stewart Cooper Newell Architects reviewed the schematic design in further detail. Samples of proposed materials (Galvalume roofing, the two colors of brick, aluminum storefront framing, siding for second floor, and siding trim around windows) were shown. During the discussion on colors, Stewart and Larry Timbes of TAG Architecture presented a revision in the design so that the areas in the upper portions of the building shown in red would instead be painted to blend in with the Galvalume roof. Stewart commented that the parking area met City requirements and would serve both employees and visitors. Graham advised that one small live oak tree (12" diameter), several pines and crepe myrtle trees, and two dogwood trees will have to be removed to accommodate construction; it may be possible to transplant several of the crepe myrtle trees to other locations on-site. **Motion:** Koon made a motion, seconded by Blain-Olds, to approve the proposed layout and schematic design for the new Public Safety Building with the changes presented at this meeting and to move forward with the final design. **Vote.** Unanimous. Motion carried.
- B. **Presentation on the overhead to underground wiring conversion on Bell and Buck Streets at site of new Public Safety Building and removal of pole at corner of 4<sup>th</sup> Avenue/Main Street.** These proposals were developed by Santee Cooper at staff's request. Graham noted that conversion of the overhead wires to underground at the Public Safety Building site would enhance the appearance of the new Public Safety Building as well as safety at this site. He also noted that the utility pole on the corner of the City's lot at 4<sup>th</sup> Avenue and Main Street would block access to the alley by the Theatre of the Republic when the improvements to the lot planned by the City of Conway and Conway Downtown Alive are implemented. The removal of this pole would be included in the 4<sup>th</sup> Avenue/Beaty Street to Kingston Street Conversion Project which is scheduled after the completion of the Elm

Street Conversion Project, currently under contract. Santee Cooper estimates the cost of underground wire conversion at the new Public Safety Building site to be \$150,000 and the removal of the utility pole at 4<sup>th</sup> Avenue/Main Street to be \$20,000. Graham commented that both projects would be funded by Santee Cooper Franchise Fee overhead to underground utilities conversion funds, there would be no cost to property owners or merchants in the project areas, and approval of these projects would not prevent or cause delay of any other projects funded by Santee Cooper Franchise Fee overhead to underground utilities conversion funds. Staff recommended approval of both projects as presented. **Motion:** Blain-Olds made a motion, seconded by Timbes, to authorize staff to move forward with both projects as presented. **Discussion:** In response to inquiries from Council, Graham advised that there would be no cost involved for residents in the Bell and Buck Street project area. He also advised that work on the utility pole removal would proceed as soon as possible. Mayor Lawson asked staff to check on the inclusion of street lights in the Public Safety underground wiring conversion project. **Vote:** Unanimous. Motion carried.

- C. Special event request – Conway Black Water River Race, July 21, 2013.** Jeffery Gabriel of Jagged Edge Racing has requested a special event permit for this event to be held on July 20-21. The event will begin with an expo from 9:00 am to 2:00 pm on July 20<sup>th</sup> and the five-mile kayak race is planned from 8:00 am to 2:00 pm on July 21<sup>st</sup>. Based on the applicant's information, staff estimates that City support services will cost \$480; however this amount may be adjusted based on turnout for the event. Staff recommended approval of the request with the applicant to pay the actual cost of City services provided. Commenting on increased activity on the river during the summer and boating-related fatalities, Goldfinch asked that the City explore the possibility of utilizing its Fire Rescue boat and City staff with law enforcement affiliation to maintain a presence, at a minimum on the weekends, along the portion of the Waccamaw River that is in/adjacent to the City. **Motion:** Goldfinch made a motion, seconded by White, to approve the special event application for the Conway Black Water River Race as presented. **Vote:** Unanimous. Motion carried.

Mayor Lawson abstained from discussion and voting on the following special event request because her place of employment may be a participant in the events. Mayor Pro Tem Koon presided over the meeting during consideration of this item of business.

- D. Special event request – Alive after Five 2013.** Hillary Howard with Conway Downtown Alive (CDA) has requested a special event permit for the following Thursdays for the Alive after Five 2013 Program: June 6, August 1, September 5, October 3, and November 7. Each Thursday event will begin at 6:00 pm and end at 8:30 pm; street closures for each event were requested to begin at 4:00 pm. For the event locations on 3<sup>rd</sup> Avenue from Main Street to Laurel Street, Leinwand reported that CDA had requested the flexibility to expand the event area to Elm Street if there is a higher than expected turnout. Conway Downtown Alive will not be selling alcohol but requested that local businesses within the designated special event area be allowed to sell beer and wine for public consumption from their establishments if they so desire during these events. A schedule of events and maps of proposed street closures and proposed designated special event areas for each date were included with the special event application. Staff recommended approval of the special event request with the cost of any City support services provided to be absorbed by the City's operating funds. **Motion:** Goldfinch made a motion, seconded by Anderson, to approve the special event application for Alive after Five 2013 as presented. **Vote:** Timbes voted in the negative; Mayor Lawson abstained; all others voted in the affirmative. Motion carried.

Mayor Lawson presided over the remainder of the meeting.

- E. Request to move wayfinding kiosk from 3<sup>rd</sup> Avenue/Laurel Street to the City-owned lot at the corner of 4<sup>th</sup> Avenue/Main Street.** Hillary Howard of Conway Downtown Alive presented this request. Mayor Lawson informed Council and Howard that the City Administrator had advised her that, since all of the wayfinding signs in the Riverfront III plan were not previously installed, it was staff's recommendation to install a new wayfinding kiosk at the corner pocket park using Riverfront III funds in lieu of relocating an existing sign. Howard was in agreement to amend her request to install a new wayfinding kiosk instead of moving the one from 3<sup>rd</sup> Avenue/Laurel Street. **Motion:** Timbes made a motion, seconded by White, to approve the request from Conway Downtown Alive to install a new wayfinding kiosk on the City-owned lot at the corner of 4<sup>th</sup> Avenue/Main Street to be funded by Riverfront III funds. **Vote:** Unanimous. Motion carried.
- F. Employee Longevity Awards** were presented to Michael Drew, Fire Department, 5 years; Jeremy Carter, Fire Department, 15 years; and Theresa Tyler, Police Department, 35 years. The presentation was made by Council Member Blain-Olds and the City Administrator.
- G. Recognition of Nate Nelson, Fire Department – Associate Degree in Fire Science.** Council recognized and congratulated Capt. Nelson who received his degree from Columbia Southern University in April, 2013.

#### **ORDINANCES FOR FIRST READING:**

- A. Ordinance #ZA-2013-06-03 (A) Accepting the petition of John M. Walker and Brenda C. Walker to annex approximately 0.37 acres located at 153 Lander Drive (TMS# 151-28-03-042) and to zone the property Low Density Residential (R-1) upon annexation.** **Motion:** Blain-Olds made a motion, seconded by Koon, to approve first reading of Ordinance #ZA-2013-06-03 (A). **Vote:** Unanimous. Motion carried.
- B. Ordinance #2013-06-03 (B) An Ordinance to Amend Title 7, Chapter 4, Article F, Wrecker Service, to delete the requirement that wrecker vehicles be housed within the City limits as a condition for participation in the Wrecker Service Rotation Program.** Gosnell reported that this proposed ordinance will make only one change to the current ordinance and staff does not believe this change will have a negative impact on current participants in the Wrecker Service Rotation Program because of the strict enforcement of the 20 minute response requirement. **Motion:** Timbes made a motion, seconded by Goldfinch, to approve first reading of Ordinance #2013-06-03 (B). **Discussion:** Blain-Olds expressed concerns that this change could create a hardship for in-City participants in the rotation program. In response to inquiries from Anderson, Gosnell clarified that, to participate in the program, a wrecker service must maintain an office in the City and the wrecker vehicle must be registered in the City; the only change would be that the wrecker vehicle itself would not have to be housed inside the City; however, the 20 minute response time requirement is still applicable. He also noted that, in most cases, wrecker vehicles in the program are taken out of the City after normal business hours which is currently allowed. **Vote:** Blain-Olds voted in the negative; all others voted in the affirmative. Motion carried.
- C. Ordinance #2013-06-03 (C) An Ordinance to Amend Title 4, Chapter 1, Section 4-1-12, Extension of water and sewer system; responsibilities and expenses; specifications;**

**ownership of extensions, by revising Subsection 4-1-12 (e).** Graham reported that the current ordinance requires a property owner who has requested City water and/or sewer services to any property outside the City limits is required to annex that property as a condition for service. The proposed amendment would require the annexation of all property of the owner that is contiguous to said property being annexed to receive City services. Staff recommended first reading approval. **Motion:** Blain-Olds made a motion, seconded by Goldfinch, to approve first reading of Ordinance #2013-06-03 (C). **Vote:** Unanimous. Motion carried.

**RESOLUTION: Adoption of Resolution In Opposition to Any Closure Plan for the Santee Cooper Grainger Station Ash Ponds Which Would Leave Coal Fly Ash On-Site.** After hearing about and reviewing Santee Cooper's proposed plan for closure of the ash ponds on the retired Grainger Generating Station site and after receiving public input regarding that plan, City Council members expressed to staff opposition to this plan or any plan that includes leaving coal ash on-site. As a result, this resolution was drafted by staff for Council's consideration. **Motion:** Anderson made a motion, seconded by Timbes, to adopt the resolution as presented. **Vote:** Unanimous. Motion carried. Mayor Lawson asked that members of the local legislative delegation and members of Horry County Council receive a copy of the resolution in addition to those persons referenced in the resolution. See attachment.

#### **ITEMS FOR CONSIDERATION:**

- A. Consideration of participation in PetSafe Bark for Your Park Contest.** Hughes briefly reviewed the rules for participation in this contest. He advised Council that, to be eligible, the City would need to provide a verification letter of where the park would be built and confirm the City's support for and willingness to complete the project should the City be a prize winner in the contest. A map was presented showing a two-acre portion of the former City Shop property that staff recommended to be designated for the proposed dog park. Staff also presented a proposed budget for construction (\$41,800) and proposed annual operating expense (\$6,824). Staff recommended that Council approve participation in the PetSafe Bark for Your Park Contest as presented and authorize Mayor Lawson to provide the necessary letter of support on behalf of the City. **Motion:** Anderson made a motion, seconded by Goldfinch, to approve staff recommendation. **Vote:** Unanimous. Motion carried. James and Nora Battle, who were present at this meeting, were thanked by Council for their willingness and enthusiasm to undertake this project for the community.
- B. Acceptance of bid for mini-tractor and mini-tractor attachments for Beautification Department.** **Motion:** White made a motion, seconded by Goldfinch, to accept the following low bids as recommended by staff: Accept the low bid of \$11,853, submitted by Altman Tractor Company of Conway, for a 25 hp mini-tractor and the low bid of \$7,117.20, submitted by Tyler Equipment Company, for the following mini-tractor attachments: 72" finish mower, 9" auger, 48" box blade, 48" core aerator plugger, fertilizer spreader, 48" rotary tiller, and 48" pulverizer. **Vote:** Unanimous. Motion carried.
- C. Approval of records retention schedule – background checks.** Gosnell reported the Police Department currently does not have an established policy for the retention of background checks. With the assistance of the South Carolina Department of Archives and History, a one-year retention and destruction standard has been established for these documents. Staff recommended that Council approve the one-year retention and destruction

standard and authorize the Mayor to sign the approval document. **Motion:** Anderson made a motion, seconded by Blain-Olds to approve staff's recommendation. **Vote:** Unanimous. Motion carried.

**D. Law enforcement memorandums of understanding between the City of Conway and the Cities of Myrtle Beach and North Myrtle Beach.** Gosnell reported these documents have been reviewed by the City's legal counsel. He also noted that the agreements provide for automatic renewal unless terminated by written notice by either party. Staff recommended that Council approve the agreements and authorize the City Administrator and Chief of Police to execute the documents. **Motion:** White made a motion, seconded by Anderson, to approve staff's recommendation. **Vote:** Unanimous. Motion carried.

**E. Amendment to current HUD infrastructure projects and acceptance of bid for Grainger Road sidewalk and drainage construction project.** Leinwand advised Council that the bid opening for the Grainger Road project was recently held and the lowest bid received was \$394,813; the total project is estimated at \$410,000 as SCDOT will require Grainger Road to be repaved after the project is completed. Council was informed that approximately \$520,000 remains of the funds allocated for HUD infrastructure projects (including 2013-14 projects). The estimated funds to complete these projects total \$658,000 which is overbudget approximately \$138,000. Staff recommended that Council accept the low bid of \$394,813 submitted by King Construction Company for the Grainger Road sidewalk and drainage project and take the following actions with regard to the other HUD infrastructure projects: Palmetto Street, Leonard Avenue, Temple Street, Whittemore Street, Lincoln Park Drive Project (\$93,560.70/complete project); Oak Street and Boundary Street (\$73,110.80/This was originally a GSATS project for which bids came in far over budget. The project is being redesigned and current cost estimates indicate this \$73,110.80 HUD allocation, which was approved by City Council in January 2013, is needed to complete the project.); Brown Street and Whittemore Street (\$91,500/Delay project until future HUD funds become available which may not be until July 2014); Home Repair Program (Approximately \$30,000 remains in 2012-13 and \$100,000 allocated in 2013-2014/Reduce funding in 2013-14 from \$100,000 to \$50,000). Reallocation of the Brown and Whittemore Street Project funds (\$91,500) and the Home Repair Program funds (\$50,000) will provide adequate funds to move forward with the Grainger Road project. **Motion:** Koon made a motion, seconded by Blain-Olds, to accept the low bid and amend the HUD infrastructure projects as recommended by staff. **Vote:** Unanimous. Motion carried.

**F. Acceptance of bid for rehabilitation and epoxy lining of sewer manholes within the City of Conway Sewer Distribution System.** DuBose informed Council that the entire manhole system was inspected and needs were prioritized. Fifty-eight manholes were rehabbed in 2012 and 54 were designated for rehabilitation in 2013. Staff recommended that Council accept the low bid of \$69,688.76 which was submitted by Dun-Right Services for the rehabilitation and epoxy lining of these 54 sewer manholes. **Motion:** Goldfinch made a motion, seconded by Blain-Olds, to accept the low bid as recommended by staff. **Vote:** Unanimous. Motion carried.

**G. Acceptance of low bid on engineering services for design work for waterline improvements.** DuBose reported that funds were included in the FY 2012-13 for water line improvements. Several areas with older, undersized lines with frequent leaks have been targeted for improvements including the installation of 6" water lines. These larger water

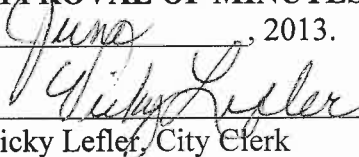
lines which will allow the addition of 18 fire hydrants and will enhance fire protection for these neighborhoods. Bids were received for engineering work, the scope of which consists of 9 streets and approximately 10,645 linear feet. Staff recommended that Council accept the low bid of \$11,500 which was submitted by Robert Turner IV Engineering. **Motion:** Timbes made a motion, seconded by Koon, to accept the low bid as recommended by staff. **Vote:** Unanimous. Motion carried.

**H. Acceptance of bid for replacement of vehicle for Building Department.** Sawyer reported the new vehicle will replace the Building Department's 1997 Ford Ranger truck. Staff recommended that Council accept the low bid of \$17,486 which was submitted by Conway Ford for a 2013 Ford half-ton pickup truck. **Motion:** Goldfinch made a motion, seconded by Blain-Olds, to accept the low bid as recommended by staff. **Vote:** Unanimous. Motion carried.

**I. Acceptance of bid for replacement of roof – Planning and Building Department Building.** Sawyer reported that \$19,500 was budgeted for replacement of this roof. Staff recommended Council accept the low bid of \$13,275 which was submitted by Nobles Roofing & Sheet Metal. **Motion:** Anderson made a motion, seconded by White, to accept the low bid as recommended by staff. **Vote:** Unanimous. Motion carried.

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

**APPROVAL OF MINUTES:** Minutes approved by City Council this 3<sup>rd</sup> day of June, 2013.

  
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Vicky Leflet, City Clerk