

**CITY COUNCIL MEETING  
CITY HALL COUNCIL CHAMBERS  
229 MAIN STREET  
CONWAY, SOUTH CAROLINA  
MONDAY – SEPTEMBER 15, 2014 – 5:30 PM**

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**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, and Larry A. White;

**ABSENT:** Council Member Jean Timbes

**STAFF:** Bill Graham, City Administrator; Vicky Lefler, Deputy City Administrator; Michael Hardee, Finance Director; Reggie Gosnell, Police Chief; Rick Baker, Fire Chief; Le Hendrick, Battalion Fire Chief; Michael Leinwand, Planning Director; Kevin Chestnut, Public Works Director; Cindi Howard, Human Resources Director; Timmy Williams, Beautification Department; Jerry Barnhill, Interim Public Utilities Director; Billy Joe Sawyer, Building Official; and Debbie Smith, City Clerk

**OTHERS IN ATTENDANCE:** Kathy Ropp, Major David Repass, Kelli James, Alice Nelson, Susan Phillips, Kristi Falk, Dr. Dan Falk, Ms. Jessica Piezzo, Ms. Sheila O’Neil, Tom Roe and others

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

**INVOCATION/PLEDGE OF ALLEGIANCE:** Mayor Lawson recognized Major David Repass of the Salvation Army 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. Final reading of Ordinance #2014-09-15 (A) authorizing the conveyance of the City’s interest in real property (common wall) at 911 3<sup>rd</sup> Avenue**

**B. City Council Minutes – August 18, 2014**

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

**PUBLIC INPUT:** Mrs. Kristi Falk of the Wellness Council of South Carolina advised City Council that there were additional supporters of a smoke-free ordinance in attendance for this meeting who would like to be acknowledged and she asked those persons to stand.

There was no further input from the public.

#### **SPECIAL PRESENTATION:**

- A. Update on cooperative marketing effort of the Conway and Myrtle Beach Chambers of Commerce.** At the August 18, 2014 City Council meeting, representatives from the Myrtle Beach and Conway Chambers of Commerce gave a brief presentation on joint marketing efforts to promote Conway. Susan Phillips of the Myrtle Beach Chamber of Commerce concluded that presentation which included a slideshow and videos of marketing and PR efforts on behalf of Conway.
- B. Funding recommendations from Accommodations Tax Advisory Committee.** The total Accommodations Tax funds available from the fiscal year ending June 30, 2014, is \$37,071.44. This amount includes a carryover of \$82.64 and interest earned in the amount of \$90.31. Rein Mungo, Accommodations Tax Advisory Committee Chairman, presented the committee's recommendations for disbursement of funds as follows: Conway Area Chamber of Commerce, \$10,000; Conway Downtown Alive, \$5,275; Horry County Historical Society, \$700; Waccamaw Market Cooperative (Conway Farmers Market Association), \$1,000; and Theatre of the Republic, \$12,000, leaving a balance of \$8,096.44 which would be carried over to FY 2015. **Motion:** Anderson made a motion, seconded by Goldfinch, to approve the allocation of the Accommodation Tax funds as recommended by the Accommodations Tax Advisory Committee. **Vote:** Unanimous. Motion carried.
- C. Announcement of contract with Coastal Carolina University for naming rights at new baseball stadium.** Graham reported that, after considering the request from Dr. David DeCenzo, President of Coastal Carolina University, for financial assistance from the City toward the construction of CCU's new baseball stadium at its last meeting, City Council approved an agreement donating \$100,000 per year for five years in return for 20 year naming rights of the stadium's boardwalk. In this announcement Graham remarked on the many positive benefits of the relationship between CCU and the City and gave examples of the huge economic impact CCU has on the community.
- D. Presentation of Employee Longevity Bonus Awards** were presented to Michelle Johnson, Police Department – 15 Years. Natasha Sherman, Administration – 10 years and Kay Lilly, Municipal Court – 25 years, were recognized for their service but neither were able to attend the meeting. The presentation was made by Council Member Goldfinch and the City Administrator.
- E. Employee of the Month Award for August** was presented to Steve Warren, Firefighter I, Fire Department. Warren was commended by City Council for having been selected as the recipient of this award. The presentation was made by the City Administrator, accompanied by Chief Baker and Battalion Fire Chief Hendrick.
- F. Announcement of new City recycling carts.** Graham announced that the City recently purchased 100 recycling rollout carts which Conway residents may purchase at a cost of

\$46.00 each. The City's Solid Waste Department will deliver the cart to the purchaser's residence after payment is received by the City's Finance Office.

- G. Presentation of 2014 United Way Pacesetter Award.** The City of Conway earned a Pacesetter Award for its 2014 United Way efforts: 144 employees participated and contributions totaled \$9,871.80, an increase of approximately \$1,000 from last year. The City Administrator presented Howard with the City's United Way Pacesetter Award and commended her for efforts in coordinating this successful United Way campaign for the City.
- H. Update on Santee Cooper's former Grainger Generating Station and properties.** Graham updated City Council on the decommissioning of the Grainger Generating Station property. It is expected to take two years to completely remove the approximately 130,000 tons of coal that were left on-site and the fly ash is to be removed by 2023. Removal of the coal began in February and, to date, 80,000 tons of fly ash have been removed. Graham commented that the US Fish and Wildlife has shown an interest in Lake Busbee; however, in order for that agency to own, operate and /or maintain Lake Busbee, the boundaries of the Waccamaw National Refuge have to be expanded. The City and other groups are assisting with that effort. Santee Cooper has agreed to keep water flowing to Lake Busbee while an agency is being sought to own and/or operate and maintain it and the water from the river into Lake Busbee has been rerouted so that it no longer goes through the generating plant.

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

- A. Ordinance #ZA2014-10-06(A) for the extension of a previously adopted moratorium through December 31, 2014, which relates to Sections 9.1.3.B.3, and 12.1.2.D of the City of Conway Unified Development Ordinance (UDO).** During the workshop session of the August 18, 2014 City Council meeting, this item of business was discussed and the majority of Council was in agreement to consider an ordinance extending the moratorium by three months, to end December 31, 2014. Leinwand presented and reviewed the ordinance which was drafted as requested. He confirmed that, if Council adopts this ordinance, and then takes no further action, the moratorium will expire on December 31<sup>st</sup> of this year. Staff recommended first reading approval. **Motion:** Blain-Olds made a motion, seconded by White, to approve first reading of Ordinance #ZA2014-10-06 (A). **Vote:** Unanimous. Motion carried.
- B. Ordinance #2014-10-06 (B) An ordinance to adjust the tax millage rate in the FY 2014-15 budget.** Tax year 2014 is a required reassessment year for real property in Horry County. Graham explained that the City's 2014-15 budget ordinance recognized that millage adjustments would need to be made based on the "rollback millage" rate. Using tax reassessment results recently received from the Horry County Assessor's office, staff has calculated that the City's millage rate will increase from 79.3 mills to 80.3 mills. In addition, Graham advised Council that when the Horry County Assessor's Office conducted the 2010 tax reassessment, the City used the information provided at the time of reassessment to calculate its "rollback millage" rate as required by state law and the City's millage dropped 7.3 mills, decreasing from 86.6 mills to 79.3. When the assessed tax values

were finalized prior to tax billing, actual numbers were 2.6% lower than the numbers provided and used to calculate “rollback millage” which resulted in an unanticipated loss of \$132,521 in billable taxes to the City. Based on that history, staff recommended that the City increase taxes by 2.6% or 2.1 mills, to avoid a similar loss of significant revenue. It is staff’s opinion that this increase in tax millage will not increase the City’s budget and is necessary to keep the City whole. This increase, added to the “rollback millage” of 80.3 mills, will bring the total new millage being recommended for FY 2014-15 to 82.4 mills. This ordinance will implement this millage rate for the City of Conway. **Motion:** Blain-Olds made a motion, seconded by Goldfinch, to approve first reading of Ordinance #2014-09-22 (A). **Vote:** Unanimous. Motion carried. Graham advised that a special Council meeting will need to be held to conduct final reading of this ordinance to meet the Auditor’s deadline of September 25<sup>th</sup>. City Council agreed to meet on Monday, September 22, 2014 at 5 pm, in the Conference Room at City Hall for this purpose.

- C. Ordinance #2014-10-06 (C) Authorizing the Lease of City-owned property (Fire Station #1) to Churches Assisting People.** The City recently received a request from Churches Assisting People (CAP) to lease Fire Station #1 located on Wright Boulevard. Once the City’s new Public Safety building is complete, Fire Station #1 will relocate to that facility and the old fire station property will be vacant. As requested by City Council, the City Administrator negotiated a proposed lease agreement for this facility with CAP and a copy of this document was presented to Council. This agreement would lease the property to CAP for \$1.00 per year for a five year period once the Fire Department vacates the premises. Staff recommended first reading approval. **Motion:** Alford made a motion, seconded by White, to approve first reading of Ordinance #2014-10-06 (C). **Vote:** Unanimous. Motion carried.

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

- A. Conway Housing Rehabilitation Program 2014-2015- Grand Strand Housing and Community Development Corporation.** Grand Strand Housing and Community Development Corporation administers the existing Conway Home Rehabilitation Program and its current contract ends on September 30, 2014. The 2014-15 Community Development Block Grant (CDBG) budget allocation for the City’s Low-To-Moderate Income (LMI) Housing Rehabilitation Program is \$34,365. Due to the significant decrease in the amount of funds available this year for this program, Leinwand advised Council that the proposed contract includes a reduction in the administration fee charged by Grand Strand Housing from 20% to 15%. Staff recommended that Council authorize the City Administrator to execute the proposed contract, as presented, with Grand Strand Housing & Community Development Corporation as presented to assist with the City’s housing rehabilitation program for FY 2014-15 and to continue to waive building permit fees for any work associated with the housing rehabilitation program for 2014-2015. **Motion:** Goldfinch made a motion, seconded by White, to approve staff’s recommendations. **Vote:** Unanimous. Motion carried.
- B. Acceptance of bid for Fire Department pumper fire truck.** The FY 2014-15 budget included \$450,000 for the replacement of a year 2000 model pumper fire truck. Bids were solicited and a bid opening was held on August 21, 2014. Bids received were as follows:

Phoenix Fire Apparatus, LLC of Sumter, SC/Truck built in Louisiana (\$425,598); Safe Industries of Piedmont, SC/Truck built in Pennsylvania (\$436,112); and Spartan Fire & Emergency Apparatus of Roebuck, SC/Truck built in Wisconsin (\$442,180). A bid submitted by First Class Fire Apparatus, LLC, did not meet specifications. The lowest qualifying bid from Phoenix Fire Apparatus included a \$3,774 discount if the City prepays for cab and chassis completion; that payment would be \$188,697 and must be made within five days of the chassis completion. In addition, Baker noted that the RFP called for an option of two expense-paid inspection trips for three City employees to attend pre- and post-construction meetings for the truck's construction. The three employees to be involved in these meetings are the Vehicle Maintenance Superintendent, Fire Chief, and one Battalion Fire Chief. After it was determined that these trips would be less expensive if coordinated through City staff, this option was deducted from all bids submitted. Staff recommended that Council accept the lowest qualifying bid which was submitted by Phoenix Fire Apparatus. **Motion:** Blain-Olds made a motion, seconded by Goldfinch, to accept staff's recommendation. **Vote:** Unanimous. Motion carried.

- C. Acceptance of bids for equipment for Solid Waste Department.** Funds were included in the FY 2014-2015 budget for replacing six pieces of equipment for the Solid Waste Department on a five-year lease/purchase agreement. Council received a copy of the bid tabulation sheet which was reviewed by Chestnut. The lowest qualifying bids were as follows: Knuckle Boom trucks (2), \$132,642 each for a total of \$265,284, submitted by Carolina International of Columbia SC; Side Loader truck, \$215,150, submitted by Triple T Trucks of Florence SC; Front End Loader truck, \$223,060, submitted by Florence Truck Center of Florence SC; Leaf Debris Removal truck, \$149,051, submitted by Amick Equipment Company of Florence SC; and Roll Off truck, \$173,678, submitted by Florence Truck Center of Florence SC. The total purchase price for this equipment, including taxes, is \$1,028,023. There remains one piece of equipment (bulk truck) with an estimated cost of \$35,000 yet to be bid. Staff recommended that Council accept the lowest qualifying bids as reviewed. In addition, Chestnut advised Council that, in light of the City's unreserved fund balance, it was further recommended that this equipment be purchased outright with City fund in order to avoid paying interest on financing for five years. **Motion:** Goldfinch made a motion, seconded by Blain-Olds, to accept staff's recommendations. **Vote:** Unanimous. Motion carried.

**ITEM FOR INFORMATION:** Fiscal Year 2013-2014 Budget Update was presented as information.

The Council meeting recessed after this item of business and reconvened in the Conference Room for the remainder of the meeting.

#### **WORKSHOP ITEMS:**

- A. Discussion on request from Tom Roe of Hospital Land Partners LLC to annex property on Myrtle Trace Drive adjacent to Conway Medical Center.** Tom Roe of Hospital Land Partners LLC has requested to annex the vacant property along Myrtle Trace Drive adjacent to the Conway Medical Center which is located in the Conway Municipal Limits. No

municipal water and sewer services are provided in this area; the property would be served by Grand Strand Water and Sewer Authority. Mr. Roe has plans to develop this property into a type of congregate housing facility which would be permitted in the IN Zoning District. A preliminary site plan of the proposed development was provided to City Council. Leinwand advised Council that the applicant had submitted this same request in 1999 but issues arose concerning an Army Corp of Engineers' permit violation, lack of OCRM permit, reactions, both negative and positive from residents in the adjacent Myrtle Trace neighborhood, etc., and no action was taken on the request. Leinwand reported staff has received guidance from the City's legal counsel that documents provided by Roe appear to resolve all of the issues regarding the Army Corp of Engineers' permit violation in favor of the applicant. He further advised that the Planning Commission has recommended approving the request to annex this property and to rezone it Institutional upon annexation. During discussion, Leinwand explained that approving the annexation of this property would not open up annexation of other areas as the City does not provide any services in that area. Goldfinch expressed concern that this would be a dramatic change for the adjacent residential neighborhood. **OUTCOME:** There was a consensus that a public hearing and consideration of first reading of an ordinance to annex the property on Myrtle Trace Drive adjacent to Conway Medical Center be placed on the agenda for the next City Council meeting.

**B. Discussion on smoke free ordinance proposal from Mrs. Kristi Falk of the Wellness Council for South Carolina.** Mrs. Kristi Falk and her husband, Dr. Dan Falk, made a presentation at the August 18<sup>th</sup> Council meeting on the Breathe Clean Conway Initiative and, at that time, asked Council to consider adopting a smoke free ordinance for the City of Conway. During this workshop session, Dr. and Mrs. Falk and Ms. Jessica Piezzo, Pee Dee Regional Coordinator for South Carolina Tobacco Free Collaborative, presented and briefly reviewed with City Council a model ordinance prohibiting smoking in all workplaces and public places. Additional petitions in support of a smoke free ordinance were presented to Council. Ms. Sheila O'Neil was also present and spoke in support of the smoke-free ordinance. There was discussion on the definition and regulations for cigar bars and private clubs, if smoking should be permitted in outdoor patio/dining areas, fines and enforcement issues, the feasibility of exclusions for certain businesses, concerns regarding people being forced out of buildings and into public spaces in order to smoke, and the distance from doors/entryways to businesses where smoking should be prohibited. **OUTCOME:** Staff was asked to prepare, for Council's consideration, a draft of a smoke-free ordinance with regulations that would be practical for the City of Conway based on input from this workshop session.

**EXECUTIVE SESSION: Motion:** Anderson made a motion, seconded by Blain-Olds, to enter into executive session. **Vote:** Unanimous. Motion carried.

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

**A. Consideration of appointment to boards, commissions and committees. Motion:** White made a motion, seconded by Anderson, to approve the following appointments. **Vote:** Unanimous. Motion carried.

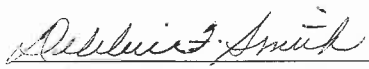
City Christmas Party Committee 2014: Mayor Pro Tem Goldfinch and Council Member Blain-Olds.

The City Administrator was asked to contact some of the candidates and references regarding potential board appointments.

**B. Discussion of employment of employee(s).** Motion: Blain-Olds made a motion, seconded by Anderson, to accept the City Administrators recommendation to employ James Friday for the Public Utilities Director effective October 6, 2014. Vote: Unanimous. Motion carried.

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

**APPROVAL OF MINUTES:** Minutes approved by City Council this 6<sup>th</sup> day of October, 2014.

  
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Debbie F. Smith, City Clerk