

**CITY COUNCIL MEETING
CITY HALL COUNCIL CHAMBERS
229 MAIN STREET
CONWAY, SOUTH CAROLINA
MONDAY – AUGUST 18, 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; Vicky Lefler, Deputy City Administrator; Reggie Gosnell, Police Chief; Foster Hughes, Director of Parks, Recreation, and Tourism; Rick Baker, Fire Chief; Michael Leinwand, Planning Director; Kevin Chestnut, Public Works Director; Cindi Howard, Human Resources Director; Timmy Williams, Beautification Department; Wanda Lilly, Arborist; and Debbie Smith, City Clerk

OTHERS IN ATTENDANCE: Kathy Ropp, Rev. Hampton Drum, Kelli James, Brad Dean, Susan Phillips, Kristi Jacques Falk, Dr. Dan Falk, Dr. David DeCenzo, Bill Taylor, Dwaine & Suzanne Koscielniak, Maureen Rich Devonmille, Hillary Howard and others

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

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

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

APPROVAL OF CONSENT AGENDA:

- A. Final reading of Ordinance #ZA2014-08-04 (A) Accepting the request by Lee Lewis Construction of Conway LLC to annex approximately 0.67 acres of property located at 2589 Long Avenue Extension (TMS #123-00-02-171, PIN #32416030027) and to rezone the property Low Density Residential (R-1) upon annexation**
- B. City Council Minutes – July 21, 2014**

Motion: Timbes made a motion, seconded by Anderson, to approve the consent agenda with the July 21, 2014 Minutes as corrected. **Vote:** Unanimous. Motion carried.

PUBLIC INPUT: Dwaine Koscielniak and Maureen Devonmille spoke in opposition to Council's recent decision regarding the required buffer for the Rivertown Bluff subdivision which adjoins their neighborhood and asked Council to reconsider this decision.

There was no further input from the public.

SPECIAL PRESENTATIONS:

- A. Update on cooperative marketing effort of the Conway and Myrtle Beach Chambers of Commerce.** Brad Dean and Susan Phillips of the Myrtle Beach Chamber of Commerce gave a brief presentation on joint marketing efforts with the Conway Chamber. Kelli James and Alice Nelson of the Conway Chamber of Commerce also shared in the presentation. This group will return to a future meeting to give a more detailed presentation.

- B. Breathe Clean Conway Initiative.** Dr. Daniel Falk and his wife, Kristi Jacques Falk of the Wellness Council of South Carolina, gave a presentation on this issue and asked Council to consider the adoption of an ordinance to prohibit smoking in indoor public places. Signed petitions in support of this initiative were submitted to Council. Ms. Sheila O’Neil and Ms. Sherer Royce also spoke in support of adopting a smoke free ordinance. Mayor Lawson suggested that this be discussed in the workshop session of the next Council meeting.

- C. Request from Coastal Carolina University regarding the construction of the CCU baseball stadium.** Dr. David DeCenzo, President of Coastal Carolina University, presented to Council the opportunity for the City to have naming rights for the boardwalk at the new Coastal Carolina University baseball stadium. Dr. DeCenzo stated the cost of the naming rights is \$100,000 per year for five years. He also spoke on the partnership that exists between the City and Coastal Carolina University and the beneficial financial impact Coastal Carolina University has on the City.

- D. MASC Achievement Award Presentation.** Bill Taylor, MASC Field Representative, recognized the City of Conway as the winner of the 2014 Achievement Award in the 10,001-20,000 population category for its “Rebuild Conway” program. A brief video on the Rebuild Conway program was shown. Mayor Lawson accepted the MASC Achievement Award trophy on behalf of the City and thanked staff for the work done on this project.

Mayor Lawson abstained from discussion and vote on the following special event request because her place of employment may be a participant in the event. Mayor Pro Tem Goldfinch presided over the meeting for this item of business.

- E. Special Event Request – 2014 Conway Fall Festival – Saturday, October 4, 10am – 6pm.** The City’s Parks, Recreation and Tourism Department requested a special event permit for this event. Hughes reviewed the street closures requested for the festival and the proposed locations of vendors, kids’ play zone, live music, and other activities. As a part of the festival, Conway Downtown Alive 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. Maps showing the special event area and the designated area for public alcohol consumption accompanied the application. Staff recommended approval of the special event application. **Motion:** Anderson made a motion, seconded by White, to approve the special event application for the Conway Fall Festival as presented. **Vote:** Mayor Lawson abstained,

Timbes voted in the negative, all others voted in the affirmative. Motion carried. See attachment.

Mayor Lawson presided over the remainder of the meeting.

- F. Presentation of “Excellence in Financial Reporting” Award.** The City of Conway has been awarded the Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association for the fiscal year ending June 30, 2013. This is the ninth consecutive such award to the City of Conway, one for each year Michael Hardee has been employed as Finance Director. The City of Conway has received this award for 24 of the last 27 years. Mayor Lawson congratulated Michael Hardee and the staff of the Finance Department. The City Administrator presented Hardee with a certificate and award.
- G. Employee Longevity Awards** were presented to Jimmy Cannon, Police Department – 5 Years; Andrea Cooper and Lynn Smith, Finance Department and Bryan Williams, Beautification Department – 10 Years; and Terry James, Fire Department – 15 Years. Susan Hucks, Public Works Department, was recognized for 10 years of service but was unable to attend the meeting. The presentation was made by Council Member Timbes and the City Administrator.
- H. Employee of the Month for July – Ted Dudley, Construction Inspector/Line Locator, Public Utility Department.** Dudley was commended by City Council for having been selected as the recipient of this award. The presentation was made by the City Administrator.
- I. Progress report on establishment of technology business incubator in Downtown Conway.** Graham reported that the City recently entered into a memorandum of understanding with Coastal Carolina University for the operation of the Conway Innovation Center, a technology business incubator in Downtown Conway that will be operated by the 5th T Innovation Group. This business incubator will be designed to assist and increase the formation of technology businesses in Conway through participation in the Clemson University Technology Villages Program. The business incubator is expected to open soon in a downtown storefront location.

ORDINANCE FOR FIRST READING: Ordinance #2014-09-15 (A) Authorizing the conveyance of the City’s interest in real property (common wall) at 911 3rd Avenue. Graham informed Council that the City owns approximately 8” of a party wall located on the parking lot side of the building at 911 3rd Avenue. The building is owned by Parrish Ventures LLC. Staff believes the common wall is not essential to the City of Conway and deeding this small area of property, with the City’s portion of the common wall, to Parrish Ventures LLC will clarify that the City of Conway has no responsibility with regard to upkeep and maintenance of the wall and the Parrish’s building. Graham advised Council that consideration could be given to lighting the mural of the sidewheeler, as long as it remains and could be considered as part of the City’s participation in an agreement for a new mural should one be painted on the wall. Mr. Charles Parrish was present for this item of business. Staff recommended first reading approval. **Motion:** Goldfinch made a motion, seconded by Anderson, to approve first reading of Ordinance #2014-09-15 (A) and to

authorize the City Administrator to execute the necessary documents. **Vote:** Unanimous. Motion carried.

ITEMS FOR CONSIDERATION:

A. Acceptance of bids

- 1. Water line upgrades and fire hydrant improvements and approval of the necessary adjustment to the FY2014 – 2015 budget.** Graham reported that the Public Utilities Department recently received three bids for various water line upgrades and fire hydrant improvements. The low bid received was submitted by Holbrook Construction as follows: Azalea Drive \$46,507, Hawthorne Drive \$37,851, Parkhill and Colony Drive \$99,103, Forest View Drive \$29,701, Cherokee Drive \$36,219, Live Oak Street \$107,479, Pearl Street \$143,313: Total \$500,173. Graham further reported that only \$150,000 is in the current Public Utilities budget for waterline improvements; however, \$139,000 is needed to complete existing projects started in FY 2013-14, \$350,173 is needed to provide the necessary funds for these projects that have been bid, and an additional \$25,000 will be needed for upgrades to the West Ridge pump station. The budget shortfall totals \$514,173 and based on the identified funding needs, staff recommended a budget adjustment of \$566,000, which will provide for a 10% contingency. The additional funding was recommended to be allocated from the Public Utility Restricted Fund Balance. **Motion:** Blain-Olds made a motion, seconded by Goldfinch, to accept staff's recommendation as presented. **Vote:** Unanimous. Motion carried.
- 2. Expandable evidence storage system.** Quotes were solicited from two state contract vendors: American Specialty \$25,990 and Patterson-Pope \$29,863.72. Staff recommended that Council accept the low bid of \$25,990 provided by American Specialty. The purchase of this equipment is being funded through the Police Department's State Drug Fund account. **Motion:** Goldfinch made a motion, seconded by Anderson, to accept the low bid of \$25,990.82 from American Specialty for the Police Department's expandable storage evidence system. **Vote:** Unanimous. Motion carried.
- 3. Replacement patrol and administrative vehicles.** The Police Department's 2014-2015 Capital Outlay Budget designates funding for the replacement of older, high mileage front-line patrol and administrative vehicles. Bids were obtained from local and state contract vendors on four patrol vehicles, a sports utility vehicle (SUV), and two administrative vehicles. Staff recommended that Council accept the bids for these vehicles as follows: Conway Ford, \$23,279 per unit for four 2015 Ford Taurus Police Interceptors (\$93,116 total); Conway Ford, \$26,065 for a 2015 Ford Explorer SUV; Palmetto Chevrolet, \$18,029 per unit for two 2015 Chevrolet Impalas (\$36,058 total). **Motion:** White made a motion, seconded by Blain-Olds, to accept staff's recommendation. **Vote:** Unanimous. Motion carried.

- B. Purchase of replacement 800 MHz radios for the Fire and Police Departments.** The Police Department's 30 analog portable radios and the Fire Department's 15 analog radios that need to be replaced are approximately twenty years old and replacement parts are no

longer available from Motorola. The quote from Motorola Solutions, Inc., to replace these radios is \$169,730.43. The quote includes a special \$600 volume discount plus two additional years of warranty at no charge. Staff recommended that Council approve the purchase of the replacement portable radios from Motorola for \$169,730.43. **Motion:** Timbes made a motion, seconded by Goldfinch, to accept staff's recommendation. **Vote:** Unanimous. Motion carried.

- C. Amended Memorandum of Understanding for the Fifteenth Circuit Drug Enforcement Unit.** Gosnell briefly reviewed amendments and other clarifications to this document. He advised Council that the MOU has been reviewed by the City's legal counsel, attorney Joey Singleton, and Singleton finds it to be in accordance with State Statute, reasonable, and does not unreasonably subject the City of Conway to risk. Staff recommended that the amended MOU be approved. **Motion:** Blain-Olds made a motion, seconded by Timbes, to approve the amended Memorandum of Understanding for the Fifteenth Circuit Drug Enforcement Unit and to authorize the Mayor and Chief of Police to execute the document. **Vote:** Unanimous. Motion carried.
- D. Installation of speed mitigation and traffic calming measures for Augustus Drive in New Castle Subdivision.** Gosnell reported that, in response to citizen complaints, the speed trailer was recently deployed to Augustus Drive to collect traffic and speed data in addition to an increase in daily patrols. Based on the results of the traffic study and in consideration of the signed petition from New Castle residents, staff recommended that the intersection of Leybourne Court and Augustus Drive be converted to a 4-way stop and the intersection of Dover Drive and Augustus Drive be converted to a 3-way stop. These speed mitigation measures will be monitored for 90 days to gauge their effectiveness, and if additional measures are warranted, up to two speed bumps will be installed on Augustus Drive. A map depicting the proposed location of these traffic calming measures was shared with Council along with the signed petitions. **Motion:** White made a motion, seconded by Goldfinch, to approve staff's recommendation as presented and to authorize the Public Works Director to schedule the work to be done. **Vote:** Unanimous. Motion carried. See attachment.
- E. Proposal for engineering services for additional boat trailer parking at Conway Marina.** The City recently purchased property owned by the Conway Firefighters Association, a portion of which for several years has been planned for additional boat trailer parking for the Conway Marina. The City's wetlands permit, which allows for the necessary fill and site work, expires June 30, 2016. Due to the time limitation on this project, staff recommended Council move forward with contracting the civil engineering services for the project and enter into a civil engineering agreement for the parking expansion with Hussey Gay Bell and DeYoung, Inc., consulting engineers, the firm that previously provided engineering services for the Conway Riverwalk and Riverfront project. A proposed agreement was presented that included a total cost of up to \$24,750 for Hussey Gay Bell and DeYoung, Inc., to complete all necessary engineering services including construction supervision for this project. A preliminary sketch of the additional parking, along with the breakdown of the estimated \$605,000 construction costs, was provided for City Council. **Motion:** Blain-Olds made a motion, seconded by Timbes, to authorize the City Administrator to execute the contract with Hussey Gay Bell and DeYoung Inc., for necessary engineering services, including

construction supervision, for the boat trailer parking lot at Conway Marina. **Vote:** Unanimous. Motion carried.

- F. Acceptance of ownership and maintenance of Hemingway Street from SCDOT State Highway Systems.** Staff recommended that Council approve acceptance of ownership and maintenance of Hemingway Street from SCDOT State Highway Systems to help sustain momentum achieved from Rebuild Conway improvements and to facilitate the installation of speed calming measures as requested by the neighborhood watch group. SCDOT has advised that Taylor Square, with the same road number, must also be conveyed as a part of Hemingway Street with this transaction. **Motion:** Timbes made a motion, seconded by Anderson, to authorize the City Administrator to execute the necessary documents accepting ownership and maintenance of Hemingway Street (including Taylor Square) into the City's Street System from the State Highway System. **Vote:** Unanimous. Motion carried.
- G. Request from Snow Hill Company for permission to use City property for access in timber harvesting operation.** Snow Hill Company has requested the City's permission to access its timber for harvesting by way of the former Conway Swimming Pool property on Sherwood Drive. After a review of this request and discussions with company representatives, Hughes advised Council that Snow Hill has agreed to address concerns regarding potential damage to the shoulders of the road and edge of the pavement on Sherwood Drive, adjustments for low hanging power lines along the driveway into the City's property, and traffic caution signs to be installed on Sherwood Drive during the timber harvest. Staff recommended approval of this request upon the conditions that (1) the timber harvest operations are completed and any and all damages to the property are repaired by October 15, 2014, and (2) prior to commencing work, Snow Hill Company representatives meet with the City Arborist to review the project and ordinance requirements and apply for a silviculture permit. **Motion:** Anderson made a motion, seconded by Alford, to approve the request from Snow Hill Company with conditions as recommended by staff. **Vote:** Unanimous. Motion carried.
- H. Recommendation on mobile vending franchise for ice cream/shaved ice sales in City parks (excluding Riverfront Park).** An RFP for a mobile vending franchise in City parks specifically for ice cream/shaved ice was released in July. Two responses were received: Kona Ice of Central Horry County and Nannies Homemade Ice Cream. Based on the overall appearance and proposed schedule submitted in its proposal, staff recommended entering into an agreement with Kona Ice of Central Horry County. **Motion:** Goldfinch made a motion, seconded by Timbes, to enter into a franchise agreement with Kona Ice of Central Horry County for ice cream/shaved ice sales in City parks (excluding Riverfront Park). **Vote:** Unanimous. Motion carried.

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

WORKSHOP ITEMS:

- A. **Presentation on results of CCU Swain Scholar Bicycle Survey.** Dr. Sharon Thompson, accompanied by students Dori Sanders and Chelsea Thomas, gave this presentation. Thompson offered data from the survey for the City's use in applying for grant funding opportunities. She also offered her and her students assistance wherever there might be an opportunity to serve the City.
- B. **Discussion of continuation of moratorium on certain sections of the *Unified Development Ordinance* pertaining to landscaping requirements and re-establishment of nonconforming use.** Leinwand shared information on businesses that have taken advantage of the moratorium to date (49). Information was also shared on the number of new construction permits, including construction cost for fiscal year 2011-12, 2012-13 and 2013-14. First approved in June 2011, the moratorium has been extended twice but is now set to expire on September 30, 2014. Staff asked for direction as to whether or not Council desired to extend the moratorium beyond its current expiration date. **Outcome:** At the conclusion of the discussion, a majority of Council was in agreement to consider first reading of an ordinance extending the expiration date of this moratorium for three months (through December 2014) at the next Council meeting.
- C. **Update on proposed Long Avenue Extension multi-use trail project.** Chestnut advised Council that some sections of this project must be cut to bring the project within available funding. He gave an overview of obstacles and other issues staff has encountered that must be dealt with before this project can be implemented. Council was shown pictures of plants and trees that would have to be removed to accommodate the path. There must be five feet of grassed buffer between the trail and the edge of the street and drainage must be beyond the trail. Chestnut was requested to ask SCDOT if drainage could be installed inside the grassed buffer. Council discussed the different segments of the project and the obstacles associated with each. **Outcome:** Council was in agreement that the project should be limited to segments #1 (Long Avenue Extension from Dublin Drive in Dudley Farms to 90-degree turn) and #2 Long Avenue Extension (from 90-degree turn to Collins Jollie Road).

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

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

- A. **Consideration of appointment to boards, commissions and committees.** No action was taken. This item was deferred until a later date.
- B. **Discussion of employment of a City Clerk: Motion:** White made a motion, seconded by Blain-Olds, to approve the recommendation of the City Administrator to employ Debbie Smith as the City Clerk effective August 19, 2014. **Vote:** Unanimous. Motion carried.

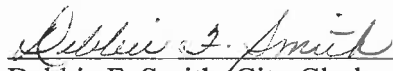
C. Discussion of negotiations incident to proposed contractual arrangements:

- 1. Agreement with Coastal Carolina University. Motion:** Blain-Olds made a motion, seconded by Anderson, to approve the request from Coastal Carolina University for financial assistance toward the construction of the Coastal Carolina baseball stadium in return for naming rights to the stadium's boardwalk for five years as discussed in executive session. **Vote:** Unanimous. Motion carried.

- 2. Lease Agreement with Churches Assisting People. Motion:** Goldfinch made a motion, seconded by Timbes, to authorize the City Administrator to work with representatives of Churches Assisting People on the development of a clear agreement for the use of Fire Station #1 for consideration by City Council. **Vote:** Unanimous. Motion carried.

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

APPROVAL OF MINUTES: Minutes approved by City Council this 15th day of September, 2014.



Debbie F. Smith, City Clerk