

CITY OF CONWAY
CITY HALL COUNCIL CHAMBERS
229 MAIN STREET
CONWAY, SOUTH CAROLINA
TUESDAY, JANUARY 20, 2015 – 5:30 PM

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

STAFF: Bill Graham, City Administrator; Vicky Lefler, Deputy City Administrator; Foster Hughes, Parks, Recreation, and Tourism Director; Kevin Chestnut, Public Works Director; James Friday, Public Utilities Director; Michael Leinwand, Planning Director; Billy Joe Sawyer, Building Official; Cindi Howard, Human Resources Director; Reggie Gosnell, Police Chief; Le Hendrick, Fire Chief; and Debbie F. Smith, City Clerk

OTHERS IN ATTENDANCE: Kathy Ropp, Rev. Bob Fogner, Dr. David DeCenzo, Coach Joe Moglia, Margaret Small, Hillary Howard, Paula Reidhaar, and others

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

INVOCATION/PLEDGE OF ALLEGIANCE: Mayor Lawson recognized Rev. Bob Fogner 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. Final Reading of Ordinance #2015-01-20 (A) Amending the Salary Pay Grades and Positions Schedule for the City of Conway

B. Final Reading of Ordinance #2015-01-20 (C) Adopting an Amended Budget for Fiscal Year 2013-14

C. City Council Minutes – January 5, 2015

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

PUBLIC INPUT: The following persons addressed Council in regard to the proposed smoke-free ordinance scheduled for final reading later in the meeting:

Tommy Moore – ordinance would impose more government regulation on business owners; he also commented that, according to a brief, informal survey he had conducted of Chamber members,

less than 1% allowed smoking inside their businesses and, therefore, the ordinance was unnecessary.

Dale Singleton – most Conway businesses self-regulate a smoking ban in their establishments and there was no need to enact a law.

Kyle Sparrow – in favor of individuals not being allowed to smoke in Horry County but, as a veteran, he could not support any other rights or choices being stifled.

Katherine Hildencamp – thanked Council for considering the ordinance; spoke to the harmful impact of smoke in general and second-hand smoke in particular as well as the fire hazard discarded cigarette butts can create.

Ray Stevens – no right to take away a person's freedom of choice and people can choose whether or not to patronize a place that allows smoking. He also shared his concerns regarding the area where his customers would have to go if they wanted to smoke in order to comply with the proposed regulations.

Jeannette Stevens – it was her right to smoke and allow her clients to smoke in her business; her business license did not state smoking was prohibited.

Dr. Daniel Falk – nothing had been said about the rights of non-smokers; spoke on the dangers of second-hand smoke for workers and that the proposed ordinance was intended to protect the health of workers, not prohibit smoking.

William Reese – if people don't want to patronize a business that allows smoking, they can go somewhere else; proposed ordinance takes away smokers' rights.

There was no further input from the public.

SPECIAL PRESENTATIONS:

A. Presentation of the resolution honoring the Coastal Carolina University Football Team to Dr. David DeCenzo and Head Coach Joe Moglia. At its last meeting, City Council adopted a resolution honoring Coastal Carolina University Football Team for its successful 2014 football season. On behalf of Council, Mayor Lawson read aloud the resolution and presented it to Dr. David DeCenzo, President of Coastal Carolina University, and Head Football Coach Joe Moglia. Coach Moglia expressed appreciation Council to and offered a few remarks on the football program at CCU.

B. Presentation of certificate of appreciation to City Council for its support of veterans. Rev. Bob Fogner presented City Council with a certificate of appreciation on behalf of the Horry County Veterans Memorial Committee. Mayor Lawson accepted the certificate on behalf of City Council and thanked Rev. Fogner and the veterans for their support of the community and their faithful efforts to see that the US Flags are flown in the downtown Conway on military holidays.

C. Request for support for Five Star and Urban Waters Restoration Project. Paula Reidhaar, the Waccamaw Riverkeeper, requested Council's support of a grant application to the National Fish and Wildlife Foundation's Five Star and Urban Waters Program for funding to support monitoring and maintenance of already completed projects along Crabtree Swamp and Kingston Lake Watershed. Ms. Reidhaar informed Council that this is a 100% grant application and only a letter of support, such as the draft letter she had provided, was being requested from

City Council. **Motion:** Blain-Olds made a motion, seconded by Alford, to support the grant application and to authorize the Mayor the sign a letter of support as requested by Ms. Reidhaar. **Vote:** Unanimous. Motion carried.

D. Proposal for City to assume financial responsibility for two electric vehicle charging stations in City-owned parking lot at 4th Avenue/Laurel Street. In May 2010, City Council approved a proposal from Santee Cooper for the installation of plug-in charging stations, located in the parking lot at the corner of Laurel Street/4th Avenue, for electric and hybrid vehicles as part of a pilot program. Santee Cooper agreed to provide the stations, electricity, and maintenance of the stations free of charge for three years. Margaret Small, of Santee Cooper, asked City Council to consider a proposal to assume financial responsibility and the maintenance for the charging stations now that the agreement has ended. Council was given information on the cost and use of the stations since they have been installed. Information was also provided on metering equipment that could be installed on the stations in the future that would allow customers to use a debit/credit card to pay for their usage. Small informed Council that, should the City not wish to assume responsibility for the stations, Santee Cooper would remove them at no cost. **Motion:** Blain-Olds made a motion, seconded by Alford, to accept financial responsibility for the charging units and their maintenance cost, as long as these costs do not become a financial burden for the City at which time Council will revisit this issue. **Vote:** Unanimous. Motion carried.

E. Conway Downtown Alive Annual Report. Hillary Howard, Executive Director of Conway Downtown Alive, gave a power point presentation on an update for FY 2014 for the Visitor Center, the Downtown Marketing Campaign, and the Alive after Five events. Howard noted that the Alive after Five attendance has been somewhat stagnant and recommended that consideration be given to refocusing this program into several community events that highlight the independent businesses during normal retail hours. City Council praised Howard and her staff for their efforts and hard work.

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

F. Special event request: Gathering of the Green, March 13, 2015. Hillary Howard, Executive Director of Conway Downtown Alive, submitted this special event request. Plans call for the event to be held along 3rd Avenue from Laurel and Elm Streets on March 13th from 5:00 to 9:00 pm. Maps depicting the location of the event, street closures, and the alcohol consumption zone accompanied the special event application. Staff recommended approval of the special event application with the cost of any support services provided to be absorbed by the City's operating funds. **Motion:** Goldfinch made a motion, seconded by White, to approve the special event application for Gathering of the Green as presented by staff. **Vote:** Mayor Lawson abstained, Timbes voted in the negative, and all others voted in the affirmative. Motion carried.

Mayor Lawson presided over the remainder of the meeting.

G. Employee of the Month Award for December was presented to Michael Cavallini, Police Department. Cavallini 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 the Police Chief.

Police Chief Gosnell updated City Council on the recent criminal activities reported in the City and confirmed that the investigations are currently ongoing. He further reviewed crime deterring steps that the public can take to decrease their odds of becoming victims of “crimes of opportunity” and encouraged residents to report all suspicious activities they witness to the Police Department.

ORDINANCE FOR FINAL READING: Ordinance #2015-01-20 (B) Amending the City of Conway Code of Ordinances by adding Chapter 5, Article A, Regulations and Requirements Relating to Smoking in the City, to Title 6 of the Code. First reading was approved at the January 5, 2015, Council meeting. **Motion:** Blain-Olds made a motion, seconded by White, to approve final reading of Ordinance #2015-01-20 (B). **Discussion:** Timbes commented that she had voted in favor of first reading but to be able to support second reading she would like to amend portions of the proposed ordinance. **Amended Motion:** Timbes made a substitute motion, seconded by Alford, to amend the ordinance by deleting Section 1 (a) 3 regarding protecting the public from smoking in the workplace and other related sections and add language that prohibits smoking on City-owned property including parking lots, sidewalks, parks, including the new dog park, buildings, and vehicles. **Discussion:** Mayor Lawson commented that Council should review the entire ordinance in order to clarify the exact amendments to be made in accordance with this amended motion. In addition to Section 1 (a) 3, Timbes identified Section 3, protecting the public from involuntary exposure second-hand smoke in the workplace, to be deleted. Graham commented that, according to discussion at the last workshop, a smoke-free workplace was the primary intent of the ordinance and, from staff’s prospective, if these sections were to be deleted the ordinance should probably be re-written to avoid unintended consequences. Graham suggested that, if the majority of Council did not support the ordinance as proposed, consideration should be given as to whether to abandon the effort entirely or that staff be given the opportunity to return with a revised document, based on direction provided by Council, for second reading. In response to the Mayor, Timbes advised that she would be agreeable to withdrawing her amended motion and to move that final reading be tabled as her main interest was in the best interests of all citizens. She further commented that she did not want to give up on the idea of an ordinance that prohibited smoking in City parks, City streets and sidewalks, etc., and her main objective was that the ordinance should regulate smoking only in those areas controlled by the City. **Substitute Motion:** Timbes made a substitute motion, seconded by Blain-Olds, to table final reading of Ordinance #2015-01-20 (B). **Vote:** Mayor Lawson and White voted in the negative. All others voted in the affirmative. Motion carried. This issue will be rescheduled for a workshop session to allow Council an opportunity to give input on revising the proposed ordinance for consideration of second reading.

ITEM FOR CONSIDERATION: Acceptance of bid for construction of a CDBG/HUD drainage project located behind Lincoln Park Drive. Leinwand reported in early 2014, City Council approved a drainage project located behind Lincoln Park Drive. On January 9, 2015, the Public Works Department held a bid opening for this project. Staff recommended that Council

accept the low bid in the amount of \$99,110 which was submitted by A. O. Hardee & Son, Inc. The bid amount is within the budget allocation for this project. **Motion:** Alford made a motion, seconded by Blain-Olds, to accept the low bid as recommended by staff. **Vote:** Unanimous. Motion carried.

The Council meeting recessed after this item of business and reconvened in the former Post Office Building at 438 Main Street for the remainder of the meeting.

WORKSHOP SESSION: Discussion on possible future uses and proposed schematic designs for former Post Office Building – Representatives from Pike•McFarland•Hall Associates, Inc. Graham introduced Jim Pike and Greg McFarland of Pike McFarland Hall Associates (PMH) and commented briefly on discussions that had been held by Council to date on possible use of this building. He noted that this building was originally considered for the Business Technology Incubator; however, that program has now been located in another building that better suits its needs and the City can now use this building for other purposes. Possible uses noted were a community meeting hall, which was recommended in the Downtown Marketing Analysis, and a second possible use as space for Conway Downtown Alive which would be compatible with a meeting hall. Graham emphasized that no decisions had been made at this point but PMH had been requested to analyze the building's current layout and develop some schematic designs for the building to accommodate these two possible uses. Pike and Hall reviewed the proposed designs for accommodating a meeting hall with kitchen, restrooms, as well as office space for Conway Downtown Alive. During the discussion that followed this presentation, it was noted that additional restrooms are needed in the downtown area and the possibility of increasing the size of the proposed restrooms in this building to meet that need was mentioned. Other items noted included needed storage area for tables and chairs and the possibilities of incorporating a mezzanine in the design, and use of a portion of the roof area for outdoor events. Pike and McFarland noted that this was the first step in designs for the building and that cost estimates would be later in the process. **OUTCOME:** Council was in agreement with the direction of design for the building as presented and that staff should move forward with discussions with Conway Downtown Alive concerning its possible future relocation to this building.

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

APPROVAL OF MINUTES: Minutes approved by City Council this 2nd day of February 2015.



Debbie F. Smith, City Clerk