

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

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

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; Michael Hardee, Finance Director; Le Hendrick, Fire Chief; and Debbie F. Smith, City Clerk

OTHERS IN ATTENDANCE: Kathy Ropp, Chaplain Eddie Hill, Rev. Jerry Falk, Dr. David DeCenzo, Sherer Royce, Dr. Anil Yallapragada, Tommy Moore, Dr. and Mrs. Daniel Falk, Katherine Heldencamp, Bob Calliham, Glenn Boatenheimer, and others.

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

INVOCATION/PLEDGE OF ALLEGIANCE: Mayor Lawson recognized Chaplain Eddie Hill of J. Reuben Long Detention Center 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 Anderson, to approve the agenda contents. **Vote:** Unanimous. Motion carried.

APPROVAL OF CONSENT AGENDA

A. Final reading of Ordinance #ZA2015-01-05 (A) Accepting the request by Coastal Educational Foundation to rezone approximately 0.98 acres of property located at 701 SC Highway 544 (TMS #150-00-07-22 / PIN 38205020001) from Highway Commercial (HC) to Institutional (IN)

B. RESOLUTIONS

- 1. Honoring the Coastal Carolina University Football Team**
- 2. Adopting the Municipal Association's 2015 Advocacy Initiatives**
- 3. Recognition of Employee Retirement – Rick Baker, Fire Chief**

C. City Council Minutes – December 1, 2014

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

ELECTION OF MAYOR PRO TEM FOR 2015: Mayor Lawson commented that Council has historically adhered to a rotation policy to fill this office, and based on that policy, Council Member Blain-Olds would be next in line for this office. **Motion:** Goldfinch made a motion, seconded by Anderson, to elect Council Member Barbara Blain-Olds as Mayor Pro Tem for 2015. **Vote:** Blain-Olds abstained; all others voted in the affirmative. Motion carried. Mayor Lawson expressed appreciation to Council Member William M. Goldfinch IV for his service as Mayor Pro Tem during 2014.

PUBLIC INPUT:

- A. Rev. Jerry Falk** of the Conway-Horry County Rev. Dr. Martin Luther King, Jr. Planning Committee requested financial assistance and presented a proposed budget for expenditures for the amount requested (\$250) for the 35th Annual Dr. Martin Luther King, Jr., Day Celebration planned for January 19, 2015. Mayor Lawson noted that \$250 was earmarked in the FY 2014-15 budget for this event at the request of Councilman White and with this request and proposed budget, the City Administrator would be authorized to see that the funding was awarded.
- B.** The following persons spoke in favor of the proposed smoke-free ordinance scheduled for first reading later on the agenda: **Dr. David DeCenzo**, President of Coastal Carolina University, commented on the positive feedback he has received since Coastal Carolina University went smoke-free. **Sherer Royce**, a Conway resident and an employee of Coastal Carolina University, spoke in favor of the smoke-free ordinance. **Dr. Anil Yallapragada**, a Conway Medical Center Physician, spoke in support of the ordinance, noting that South Carolina leads the nation in strokes and that a large percentage of strokes has been linked to smoking. **Dr. Daniel Falk** spoke in favor of the smoke-free ordinance, and **Katherine Heldencamp**, a resident of Conway, spoke of harmful effects of smoke in public places. **Tommy Moore**, a Conway business owner, spoke in opposition to the proposed smoke-free ordinance, stating that this ordinance would allow the government to put more regulations on business owners.

There was no further input from the public.

SPECIAL PRESENTATIONS

- A. Recognition of the 2014 Conway 10U Soccer All-Stars Team.** The 2014 Conway 10U Soccer All-Stars Team was recognized as the State Champions after defeating Beaufort and Bluffton in the State Championship game. Foster Hughes, Parks, Recreation and Tourism Director, made the presentation. Coach Victor Crawford thanked City Council and the Parks and Recreation Department for their support.
- B. Employee of the Month for December** was presented to Jimmy Davis, Fire Department. Davis 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 Fire Chief.

- C. **Presentation of the 2014 City of Conway Audit Report.** Bob Calliham of Smith Sapp Bookout & Calliham presented results of the audit which included a clean opinion on the City's financial statements. He also reported that a review of the City's system of internal controls revealed no material weaknesses and no instances were noted of any compliance matters required to be reported under Government Auditing Standards. Glenn Boatenheimer accompanied Mr. Calliham.

ORDINANCES FOR FIRST READING:

- A. **First Reading of Ordinance #2015-01-20 (A) Amending the Salary Pay Grades and Positions Schedule for the City of Conway.** Graham informed City Council the purpose of this ordinance is to amend the City's Salary Pay Grades and Positions to reflect the current needs of the City. Currently, one of the two budgeted Battalion Chief positions is vacant due to the recent promotion of Le Hendricks to Fire Chief. This ordinance would add a new position of Assistant Fire Chief at a Pay Grade 19 and eliminate the vacant Battalion Chief position. Staff recommended placing the new Assistant Fire Chief position in Grade 19, based on the essential job functions and comparable salaries with other State municipalities. In addition, this proposed ordinance would reclassify one Recreation Program Supervisor position to Program Coordinator and change the pay Grade from Grade 10 to Grade 9. Neither of these changes is expected to significantly impact the budget. Council received a copy of the proposed updated Schedule of Salary Pay Grades and Positions as part of this item. Staff recommended first reading approval.

Motion: Goldfinch made a motion, seconded by Blain-Olds, to approve first reading of Ordinance #2015-01-20 (A). **Vote:** Unanimous. Motion carried.

- B. **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.** Graham remarked that the focus of the proposed ordinance was to eliminate health hazards caused by second hand smoke in enclosed workplaces within the City. Pursuant to City Council's request at a previous workshop on the proposed ordinance, Graham stated that staff had conducted a survey of the five hotels within the City limits. That survey showed the percentage of rooms designated as "smoking" at these motels ranged from 0% up to 100% and that all rooms designated as "smoking" in these establishments had separate HVAC systems and doors that opened to the outside. Based on the survey results and in light of the requirements in the proposed ordinance, staff was open to setting a percentage up to 30% for designated "smoking" rooms or Council could consider allowing hotel/motel owners to set their own standard as long as rooms are designated "smoking" or "non-smoking." The ordinance calls for a separate HVAC system or other appropriate air flow control, exhaust, and/or air filtration system, in addition to other conditions that must be met, for designated "smoking rooms." It was also recommended that the City offer "No Smoking" stickers to businesses to use to meet the posting requirement. **Motion:** Blain-Olds made a motion, seconded by White, to approve first reading of the ordinance with the effective date to be 60 days after passage and the hotel/motel owners be allowed to set their percentage of smoking rooms provided the designated smoking rooms meet the stated requirements. **Discussion:** Goldfinch, Anderson, Timbes, and White commented on the basis for their position in regard

to the proposed ordinance. **Vote:** Goldfinch and Anderson voted in the negative; all others voted in the affirmative. Motion carried.

- C. Ordinance #2015-01-20 (C) Adopting an Amended Budget for Fiscal Year 2013-14.** There are four funds which will require budget amendments for Fiscal Year 2013-14. (1) The Tax Increment Financing Fund (TIF), \$5,000; the Accommodations Tax Fund, \$17,000; the Community Development Fund (HUD), \$11,000; and the Hospitality Fee Fund, \$300,000. Staff recommended first reading approval. **Motion:** Anderson made a motion, seconded by Goldfinch, to approve first reading of Ordinance #2015-01-20 (C). **Vote:** Unanimous. Motion carried.

ITEMS FOR CONSIDERATION:

- A. Acceptance of bid for sidewalk repairs and improvements.** Chestnut informed Council that the contract for sidewalk repairs and improvements expired on December 31, 2014. Bids were solicited and the bid opening was held on November 21, 2014. Three bids were received: **Benton Concrete, Palmetto Corp., and King Construction.** Chestnut reviewed his evaluation of adding a full time crew in lieu of contracting sidewalk repairs and improvements. He advised Council that based on his analysis, staff recommended that Council approve the contract with Palmetto Corporation for the period of January 1, 2015, to December 31, 2016 based on bid unit prices. **Motion:** Blain-Olds made a motion, seconded by White, to approve the bid submitted by Palmetto Paving as recommended by staff. **Vote:** Unanimous. Motion carried.
- B. Approval of project for GSATS Transportation Alternative Program grant application.** At the December 1, 2014 meeting, City Council discussed potential projects for which to apply for this grant and ranking criteria to be used in the selection process. It was agreed that the 5' sidewalk project on Elm Street between Sixteenth Avenue and Mill Pond Road was the most feasible project for submission. Leinwand reported on additional information from WRCOG concerning the amount of matching funds for this project to be competitive. **Motion:** Blain-Olds made a motion, seconded by Timbes, to apply for GSATS Transportation Alternative Program grant for a 5-foot wide sidewalk project along Elm Street from Sixteenth Avenue to Mill Pond Road with the maximum match provided by the City to be \$89,001 (31%). **Vote:** Unanimous. Motion carried.

ITEM FOR INFORMATION: Fiscal Year 2014-15 Budget update was presented as information by Hardee.

WORKSHOP SESSION: Leinwand gave City Council an update on HUD / CDBG current projects and proposed projects for consideration for the Horry County Entitlement Grant through 2015-16. Horry County Community Development estimates the City of Conway could receive approximately \$304,365 in funding for 2015-16. Based on that estimate, staff recommended the following projects:

- Public Service – Horry County Sherriff Jail Diversion and Reentry Program (JDRP) – \$13,000
- Drainage Project – Whittemore Park – \$150,000

- Infrastructure Project Potential Overrun Costs – \$39,365
- Home Repair Program – \$100,000
- Administrative Costs - \$2,000
- Total Year 2015-16 - \$304,365

Staff presented for discussion the possibility of using Home Repair funds for improvements in a targeted area (surrounding the former Police Satellite Station).

Outcome: There was no disagreement with the proposed projects and amounts; however, there was little to no support for using the Home Repair Program funds only in a targeted area.

EXECUTIVE SESSION: Motion: Blain-Olds made a motion, seconded by Goldfinch, to enter executive session to discuss legal advice from attorney [pursuant to SC Code § 30-4-70(a)(2)], to discuss proposed contractual arrangement [pursuant to SC Code § 30-4-70(a)(2), consideration of appointments to boards, commissions and committees [pursuant to SC Code § 30-4-70(a)(1), and to discuss a personnel matter [pursuant to SC Code § 30-4-70(a)(1). **Vote:** Unanimous. Motion carried.

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

APPOINTMENTS TO CITY BOARDS, COMMISSIONS, AND COMMITTEES: Motion: Goldfinch made a motion, seconded by Anderson, to approve the following appointments as discussed in executive session. **Vote:** Unanimous. Motion carried.

Community Appearance Board: Reappointed Jason Pippin and appointed Paul Doyle to four-year terms ending December 31, 2018. Brenda Ivester was appointed to fill an unexpired term ending December 31, 2015 (Amber Wall's seat).

Construction Board of Appeals: Alex Cook was appointed to fill an unexpired term ending December 31, 2016 (Bill Hedgepath's seat).

Lakeside Cemetery Committee: Reappointed Vivian Chestnut, Deborah Vrooman, and Ben Burroughs and appointed Robin Sasser to three-year terms ending December 31, 2017.

Planning Commission: Appointed Wren McMeekin to a three-year term ending December 31, 2017.

Recreation Advisory Commission: Reappointed Jan Bitting to complete a term ending December 31, 2016 and appointed Tom Fox to a three-year term ending December 31, 2017.

Rose Hill Memorial Gardens Committee: Appointed Yolanda Robinson-Myers to a three-year term ending December 31, 2017.

Tennis Advisory Committee: Appointed Catherine Hewitt to a five-year term ending December 31, 2019.

Zoning Board of Appeals: Reappointed Byron David, Georgia Johnson, and Alex Hyman to three-year terms ending December 31, 2017 and appointed James Shelley and Travis Dannelly to three-year terms ending December 31, 2016.

Firemen's Insurance and Inspection Fund Oversight Committee: Reappointed Council Member Tom Anderson for 2015.

DISCUSSION ON PERSONNEL MATTER: Motion: White made a motion, seconded by Blain-Olds, to approve the City Administrator's recommendation to hire Adam Emrick as the City Planner effective February 2, 2015. Vote: Unanimous. Motion carried.

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

APPROVAL OF MINUTES: Minutes approved by City Council this 20th day of January 2015.



Debbie F. Smith, City Clerk