

**MINUTES OF MEETING  
CONWAY CITY COUNCIL  
CITY HALL COUNCIL CHAMBERS  
229 MAIN STREET  
CONWAY, SOUTH CAROLINA  
MONDAY – MARCH 26, 2012 – 5:30 p.m.**

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

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

**OTHERS IN ATTENDANCE:** Kathy Ropp, Steve Jones, Rev. David Espada, Larry Carter, Jay Specter, Susan Mungo, Chuck Jordan, and others

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

**INVOCATION/PLEDGE OF ALLEGIANCE:** Mayor Lawson recognized Rev. David Espada of Conway Church of God who gave the invocation. City Council and those in attendance recited the Pledge of Allegiance.

**BUSINESS SESSION**

**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. Final reading Ordinance #ZA2012-03-26 (A) Accepting the petition of Paul and Wendy Harmer to annex approximately 0.91 acre of property located on Long Avenue Extension (TMS 111-00-01-052) and to rezone the property Low Density Residential (R-1) upon annexation**
- B. Final reading of Ordinance #ZA-2012-03-26 (B) Accepting the petition of Thomas and Susan Mungo to annex approximately 0.36 acre of a portion of property located at 2412 St. Andrews Lane (TMS 123-00-02-076) and to rezone the property Low Density Residential (R-1) upon annexation**
- C. Final reading of Ordinance #2012-03-26 (C) Granting unto the Horry Electric Cooperative, Inc., a Body Corporate and Politic, a Franchise to Own, Operate and to Maintain within the Corporate Limits of the City of Conway, an Electric Utility Light and Power Plant, Transmission and Distribution System**
- D. City Council minutes – March 12, 2012**

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

**SPECIAL PRESENTATION: Presentation of resolution in recognition of Kenneth Earl Hemingway, Jr.** City Council recently adopted a resolution recognizing Kenneth Earl “Junior” Hemingway for his athletic achievements and for being named MVP of the 2012 Sugar Bowl. Mayor Lawson read aloud the resolution and, on behalf of Council, presented it to Mr. Hemingway.

**RESOLUTION: Accepting two letters of credit from St. John’s Ridge LLC to allow for the bonding of infrastructure at St. John’s Ridge Phase 1 Subdivision.** Leinwand reported that these letters of credit are being offered to cover the infrastructure required under the City’s Subdivision and Land Development regulations. Cost estimates were provided by the developer’s engineer and have been approved by the City’s Public Works Director. The cost estimate for letter of credit #1 includes required infrastructure that will mostly be installed by the home builders, such as sidewalks and shade trees; the developer is requesting to reduce the cost estimate for letter of credit #1 by 50% but still add 125% to the total in the financial guarantee. The cost estimate for letter of credit #2, is based on 125% of the cost of infrastructure that will be installed during the early development stages (asphalt, traffic control signage, speed humps, as-builts). The amount of letter of credit #1 is \$103,088, the amount of letter of credit #2 is \$163,375, for a total of \$266,463. Staff recommended that the letters of credit be accepted as presented. **Motion:** Anderson made a motion, seconded by Blain-Olds, to adopt the resolution accepting the two letters of credit for the bonding of the infrastructure at St. John’s Ridge Phase 1 Subdivision as recommended by staff. **Vote:** Unanimous. Motion carried. See attachment.

**ORDINANCE FOR FIRST READING: Public hearing and first reading of Ordinance #ZA2012-04-09 (A) Accepting the petition of C & K Properties to annex approximately 0.6 acres of property located on US Highway 501 (TMS 151-00-01-007) and to rezone the property Highway Commercial (HC) upon annexation.** Leinwand informed Council that this property is located near the corner of Cox Ferry Road and Highway 501. Leinwand also reported the property owner/developer plans to record a plat to designate the boundaries of the property as shown on the copy shared with Council. The property is contiguous to the City limits and annexation is required before City utility services can be provided for any future development. Council was advised that the applicant has indicated a Waffle House will be built on this property if the annexation and zoning petition are approved. The Comprehensive Plan identifies the property as Highway Commercial. The Planning Commission has approved the annexation and rezoning request. Staff recommended approving first reading. In response to an inquiry from Mayor Lawson, Leinwand reported the Planning Commission did not discuss egress/ingress for this property to Highway 501 at its meeting; however, he has been told that SCDOT would allow full access from Highway 501 and that this is an existing driveway but there has been no formal review of plans. Mayor Lawson expressed concerns about traffic trying to reach the northbound lanes of Highway 501 from this property and Timbes reiterated these concerns. Leinwand was asked to work with the developer to see if a connection could be made to Destiny Lane which would provide access, via Cox Ferry Road, to the stoplight at the Cox Ferry Road/Highway 501 intersection.

**Public Hearing:** There was no comment from the public.

**Motion:** White made a motion, seconded by Koon, to approve first reading of Ordinance #ZA2012-04-09 (A). **Vote:** Unanimous. Motion carried.

#### ITEMS FOR CONSIDERATION:

- A. Bids for construction of drainage project behind Lincoln Park Drive.** Barnhill reported that this is a drainage only project (no sidewalks) funded by a HUD Entitlement Community Development Block Grant. The project area is located behind the houses along Lincoln Park Drive. The bid opening was held on March 15<sup>th</sup> and six bids were received: Donald Richardson & Son, \$33,640.50; Palmetto Corporation, \$21,201; Excel Construction, \$31,020; RH Moore, \$25,520; International Public Works, \$69,478.40; and King Construction, \$18,000. Staff recommended that Council accept the lowest and most qualified bid which was submitted by King Construction in the amount of \$18,000. **Motion:** Koon made a motion, seconded by Blain-Olds, to accept the low bid of \$18,000 submitted by King Construction. **Vote:** Unanimous. Motion carried.
- B. Visitor Center activities.** Betty Molnar, Visitor Center Coordinator, and Pat Breeze, part-time assistant, plan to retire on March 30<sup>th</sup>. After reviewing options, staff had discussions with Conway Downtown Alive (CDA) about the possibility of CDA assisting the City with Visitor Center services beginning April 1<sup>st</sup> and a proposal for the provision of these services by CDA was developed. Graham reviewed the major points of the proposal: This would be a temporary arrangement with CDA for the period of April 1 through June 30, 2012; CDA would utilize the Quattlebaum Building for these services during that timeframe; the City would continue to pay the lease on the building and continue to provide utilities during the three-month period; the Visitor Center would continue to be open 6 days a week, 10 am to 4 pm Monday through Friday, 10 am to 2 pm on Saturday; CDA would staff the Visitor Center and the City would pay CDA \$400 a week for providing this service (approximately \$11.72 per hour, the recently advertised rate for the part-time Visitor Center position/34 hours per week). Graham advised Council that the City has adequate funds for this proposal since the salaries for the current Visitor Center staff, lease of the building, and utilities are in this year's budget. The proposal has been approved by the CDA Board, contingent upon approval of City Council. The proposal has also been discussed with the Chairman of the Horry County Historical Society (lessor of the Quattlebaum Building), and he sees no problem with this temporary arrangement. Staff recommended that Council approve the temporary arrangement with Conway Downtown Alive for the provision of Visitor Center services as presented. **Motion:** Anderson made a motion, seconded by Koon, to approve staff's recommendation as presented. **Discussion:** White inquired if CDA offices at both locations would remain open; Graham responded that it was his understanding that, since this was a 3-month, temporary arrangement, both locations would remain open during that time. In response to comments from White and Goldfinch, Graham reported that long-term marketing and promotional opportunities and options would be discussed. **Vote:** Unanimous. Motion carried. Council was agreeable to Graham's recommendation that a drop-in reception for Betty and Pat be held at the Visitor Center on Thursday, March 29<sup>th</sup>, from 4:30 to 5:30 pm. and that resolutions recognizing their retirement be considered at a later Council meeting.

Mayor Lawson announced that this meeting is the first of a new format for City Council meetings and that the next portion of the meeting will be a workshop session (no vote items). Following a short recess, the meeting reconvened at 6:30 pm.

## **WORKSHOP SESSION**

**A. Uniform Development Ordinance items.** When the Uniform Development Ordinance (UDO) was adopted by City Council in December 2011, staff was asked to conduct additional research on regulations pertaining to vinyl siding on non-residential buildings and electronic message centers. In addition, the buffer ordinance for wetlands, in its entirety, was excluded from the UDO at the time of adoption and staff was asked to conduct further research on those regulations as well. Staff presented the information from research for these three issues to Council.

- 1. Vinyl siding on commercial buildings.** Leinwand stated that Council may wish to consider permitting vinyl siding in non-residential districts, including the Main Street Historic Design Review District. If it is to be permitted, Leinwand asked that Council consider limiting the size of structures for which vinyl siding would be allowed to 2,000 to 3,000 sq feet and that reinforced vinyl siding be required. **Outcome:** Council was agreeable to: (1) Allow vinyl siding in all commercial areas, including the Main Street Corridor, but excluding the downtown Commercial Historic Design Review District and the Waccamaw Riverfront District. (2) Structures on which vinyl siding may be used will be limited to 2,500 sq. Leinwand advised that this would include porches and garages. (3) The siding must have the appearance of traditional materials. (4) Only the heavier quality vinyl siding will be allowed. Leinwand will bring samples of vinyl siding when this issue is discussed at a future workshop.
- 2. Electronic Message Centers.** Staff recommended that Council not amend the UDO to allow electronic message centers in additional areas of the City and requested Council's guidance on this issue. **Outcome:** Staff was requested to conduct further research on this issue, including possible methods of regulation. Reschedule this item for a future workshop.
- 3. Wetland buffers.** Staff recommended that Council not amend the UDO at this time to include a buffer ordinance but to continue to rely upon the US Army Corps of Engineers to set wetland buffer requirements. **Outcome:** Council agreed with staff's recommendation.

## **B. Intersection improvements**

- 1. Highway 501 and 16<sup>th</sup> Avenue.** Council approved an improvement project for this intersection in September 2009. The revised cost of the project according to SCDOT is \$205,000. The project includes pedestrian refuge islands on Highway 501, pedestrian counters, ADA compliant ramps, no right turns on red on both sides of 16<sup>th</sup> Avenue, and traffic signal mast arms. The City will be required to pay a 20% match for the entire project (approximately \$41,000). Adequate funds have been allocated in the FY 12-13 budget for this project. **Outcome:** Consider this issue at the next Council meeting.
- 2. Highway 501 and Highway 378.** Council approved an improvement project for this intersection in September 2009. The revised cost of the project according to SCDOT is \$280,000. The project includes the installation of a flashing light on Highway 501 West to inform motorists when the traffic signal at this intersection is red, ADA compliant

ramps, and traffic signal mast arms. Graham reported the flashing light is expected to be installed on the shoulder of the road and staff has asked to look at the configuration for the installation of this light during the design phase. The City will be required to pay a 20% match for the entire project (approximately \$56,000). Adequate funds have been allocated in the FY 12-13 budget for this project. **Outcome:** Consider this issue at the next Council meeting.

**C. GSATS major road improvement projects.** Leinwand reported that at the last GSATS Study Team meeting, each municipality and county was asked to submit a list of projects recommended for inclusion in the 2012-2018 Transportation Improvement Program (TIP). Projects to be recommended must come from the 2035 GSATS Long Range Transportation Plan; projects on that plan are ranked in tiers. The US Highway 501 widening project is the only Tier 1 project located in the City of Conway. Leinwand advised Council that Tier 1 projects would likely be funded 100% but Tier 2 projects would require a 20% match. He also reported that Council may want to consider sidewalk improvements for the Tier 1 transportation enhancement projects (P-99) and shared a list of potential sidewalk projects. **Outcome:** Consider the US Highway 501 widening project and the following transportation enhancement projects (prioritized): (1) Conway Elementary School Safe Routes to School Travel Plan, (2) sidewalks to Homewood Elementary School along US Highway 701 North, and (3) funds to cover any cost overruns of the existing GSATS sidewalk project on Oak and Boundary Streets. Consider this issue at the next Council meeting.

Gosnell gave a brief report on the Gun Buy Back Program that was conducted on Saturday, March 24<sup>th</sup>. A total of 135 guns were taken in during the program. Council was in agreement with Mayor Lawson's suggestion that letters of appreciation be sent from Council to the sponsors of this initiative.

**D. Four-way stops on Laurel and Elm Streets.** Gosnell advised that if Council wished to consider installing four-way stops on these streets, staff recommended the four-way stops be installed, on a test basis, at the intersections of Elm Street and 7<sup>th</sup> Avenue and Laurel Street and 7<sup>th</sup> Avenue. In addition, if these four-way stops are to be implemented, staff recommended that the speed hump on Laurel Street be removed. However, in response to an inquiry from Mayor Lawson, Gosnell advised that, in his professional opinion, four-way stops would not be the best method to slow the traffic on Laurel and Elm Streets and that studies have shown that speed humps, enforcement and education produce a significant long term effect on lowering traffic speed. He recommended that Council delay consideration on this issue until another speed/traffic study is conducted on Laurel and Elm Streets using new equipment (that is less conspicuous than the speed trailer) the Police Department recently obtained for gathering speed/traffic data. **Outcome:** Council agreed with staff's recommendation to delay consideration pending the speed/traffic study.

**E. Main Street pedestrian safety improvements.** Gosnell shared with Council the results of a SCDOT study to determine if additional measures are needed to improve pedestrian safety along Main Street in the downtown business district. Based on the assessment, SCDOT recommendations included the removal of any parking spaces in conflict with SCDOT's Access and Roadside Management Standards. When City staff applied the City's UDO Article 8-2-4 regulations to all on-street parking spaces in the study area, four spaces were identified for removal: three at Main Street and 3<sup>rd</sup> Avenue and one at Main and 4<sup>th</sup> Avenue. Maps identifying the exact locations of the parking spaces to be removed were shared. The

SCDOT study also recommended that pedestrian actuation and pedestrian signals be implemented for both directions on 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup> Avenues, and that pedestrian signals be installed on the Main Street approaches at these locations. **Outcome:** Consider this issue at the next Council meeting.

**F. Update on proposed Smoke-Free ordinance.** This issue was discussed at the recent Budget Retreat. Graham noted that a draft of possible regulations had been prepared, using the ordinance recently adopted by North Myrtle Beach as a guide and proposed that a public hearing on this issue be scheduled for April 23<sup>rd</sup>. He commented that, although there was some concern that it might appear the City already had a position in mind before the public forum is held, staff also believed the public needed something to react to and, therefore, drafted these proposed regulations for consideration. He also reminded Council that it could make changes to the proposal, as it saw fit, after the public hearing, at first reading, second reading, or Council could decide not to enact any regulations at any point during the process. After Graham reviewed the proposal, Council members held a lengthy discussion on the possible elements of a smoke-free ordinance, particularly the public places and places of employment that should or should not be included, and how to obtain public input. Smoking is currently prohibited in City buildings; following additional discussion, there appeared to be a consensus that smoking should not be allowed in parks except in designated areas. **Outcome:** Hold a public forum to gather input on whether or not to prohibit smoking in other public places in addition to the parks and athletic fields, specifically items B. 2., 3., 14., and 16. on the list of public places in the draft regulations (businesses open to the public, bars, restaurants and retail stores). The public forum would be one hour in length and would be held at the April 23<sup>rd</sup> Council meeting.

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

**APPROVAL OF MINUTES:** Minutes approved by City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

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Vicky Lefler, City Clerk