

CITY HALL COUNCIL CHAMBERS
229 MAIN STREET
CONWAY, SOUTH CAROLINA
MONDAY, APRIL 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, Jean Timbes, and Larry A. White **ABSENT:** Council Member William M. Goldfinch IV

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

OTHERS IN ATTENDANCE: Kathy Ropp, Rev. George Lowe, Scott Shelley, Lisa Parrish, Hillary Howard, Thomas Lucas, Melissa Lucas, Nigel Horonzy, Kevin Sansbury, Jimmy Day, Wallace Evans and others

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

INVOCATION/PLEDGE OF ALLEGIANCE: Mayor Lawson recognized Rev. George Lowe of University Baptist Church 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. **Vote:** Unanimous. Motion carried.

APPROVAL OF CONSENT AGENDA:

- A. Ordinance #ZA2015-04-20 (A) Accepting the petition by Horry County Board of Education to rezone approximately 9.98 acres of property located at 3001 Fourth Avenue (South Conway Elementary School, TMS# 136-12-06-0473, PIN 36809010048) from Low Density Residential (R-1) to Institutional (IN)
- B. Ordinance #ZA2015-04-20 (B) Accepting the petition by Charles E. Smith to annex approximately 0.25 acres of property located at 626 Leisa Lane (TMS# 150-17-02-012, PIN 38212010004) and to rezone the property Low Density Residential (R-1) upon annexation

C. City Council Minutes – March 16, 2015

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

PUBLIC INPUT: Ashley Livingston addressed Council with regard to a waiver that would allow her to open a childcare facility at 706 Rufus Street which is zoned R-1. Livingston informed Council that she had been advised by the City Planner that a childcare facility is not allowed in an R-1 zoning district and she asked that Council look into her request.

There was no further input from the public.

SPECIAL PRESENTATIONS:

- A. Update on downtown mural project.** Graham reviewed with Council the background on the downtown mural project. The mural committee, chaired by Ray Binis, was recently notified that a license could be obtained from the artist of the mural, James N. Frisino, to restore the existing mural. The committee has recommended that Parrish Ventures enter into a contract with Thomas Simpson to restore the mural, under a license from Frisino, at a cost of \$10,000. These funds would consist of a \$5,000 donation by Burroughs and Chapin along with the \$5,000 the City of Conway has budgeted for this project. Graham noted that the proposal is that Simpson would repair the mural wall per specifications of the structural engineer, restore the mural, and would guarantee the wall and the mural for ten years. It is estimated that the project will be completed by the end of June 2015. Noting that the mural wall is adjacent to a City-owned parking lot, Graham also proposed that the City continue to pay for electrical power to illuminate the mural. **Motion:** Timbes made a motion, seconded by Alford, to proceed with the mural project as outlined in the presentation. **Vote:** Unanimous. Motion carried. Mayor Lawson recognized members of the mural committee who were present and thanked the Parrishes for their efforts to restore the mural.
- B. Employee of the Month Award for February** was presented to Ketrick Porter, Public Utilities Department. Porter 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 Public Utilities Director.
- C. Special event requests:**
- 1. Big Brew Day.** Thomas Lucas of the Homebrewer's Pantry submitted this special event request. This event is scheduled for Saturday, May 2, 2015, at the Main Street Mini-Park from noon to 7:00 pm. A map depicting the event location and the proposed designated area for the public consumption of alcohol during the event accompanied the special event application. The park would remain open to the public during the event. No City services were requested. Staff recommended approval of the special event request. **Motion:** White made a motion, seconded by Alford, to approve the special event application for Big Brew Day as recommended by staff. **Vote:** Unanimous. Motion carried.
 - 2. 2015 Wingfest 2015.** Jimmy Day of the Omar Shrine Club submitted this special event request. The annual Wingfest is scheduled for Saturday, May 23, 2015, at Riverfront Park from 11:00 am to 6:00 pm. A map depicting the event location and the proposed designated area for the public consumption of alcohol during the event accompanied the special event application. The park will remain open to the public during the event. Any City services provided can be absorbed by the City's operating budget. Staff recommended approval of the special event request. **Motion:** Blain-Olds made a motion, seconded by Timbes, to approve the special event application for 2015 Wingfest as recommended by staff. **Vote:** Unanimous. Motion carried.
 - 3. Riverfest 2015.** Alice Nelson of the Conway Chamber of Commerce submitted this special event request. The annual Riverfest is scheduled for Saturday, June 27, 2015, along Marina Drive, in the Riverfront Tennis Center parking lot, and at Riverfront Park from 11:00 am to 11:00 pm. The applicant requested that Marina Drive be closed from the Santee Cooper Grainger Station to Elm Street from 6:00 am to 8:00 pm on the day of the event. Admission to Riverfront Park after 3:00 pm for the evening Riverfest activities will be by paid admission only (\$5). Maps showing the location of activities and the proposed designated special event area for

the public consumption of alcohol accompanied the special event application. Staff recommended approval of the special event application with the cost of support services provided to be absorbed by the City's operating funds. **Motion:** Blain-Olds made a motion, seconded by Anderson, to approve the special event application for Riverfest 2015 as presented by staff. **Vote:** Unanimous. Motion carried.

4. **Business After Hours with South State Bank.** Alice Nelson of the Conway Chamber of Commerce submitted this special event request. The event is scheduled for Thursday May 21, 2015, at Riverfront Park from 5:30 pm to 7:00 pm. A map depicting the event location and the proposed designated area for the public consumption of alcohol during the event accompanied the special event application. The park will remain open to the public during the event. The cost of any City services provided will be absorbed by the City's operating budget. **Motion:** White made a motion, seconded by Anderson, to approve the special event application for Business After Hours with South State Bank as presented by staff. **Vote:** Unanimous. Motion carried.
5. **Vidalia Onion Run, Conway Rotary 5K.** Jamie Colway of the Conway Rotary Club submitted this special event request. The event is scheduled for Saturday, May 30, 2015, in Downtown Conway and the Riverfront Park beginning at 8:00 am. Event set-up begins at 7:00 am and cleanup is to be completed by noon on the day of the event. Accompanying the special event application were a map of the route and an example of the hanger that will be placed on roll-out carts along that route to notify residents of the upcoming Onion Run. Emrick clarified that street closures along the route will not be continuous and that police officers will monitor runners and open/close streets according to the need. Riverfront Park will remain open to the public during the event. 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:** Blain-Olds made a motion, seconded by White, to approve the special event application for the Vidalia Onion Run as presented by staff. **Vote:** Unanimous. Motion carried.

ORDINANCES FOR FIRST READING:

- A. **Ordinance #ZA2015-05-04 (A) Accepting the petition by Kevin Sansbury, on behalf of Langston Baptist Church, to annex and rezone approximately 3.0 acres of property located at Old Dunn Lane and Four Mile Road (TMS# 122-00-01-026 / PIN 32610010001) and to rezone the property Institutional (IN).** Emrick advised Council that Kevin Sansbury, on behalf of Langston Baptist Church, requested to annex and rezone this property from a split-zoned Horry County Commercial Forest Agriculture and Forest Agriculture zoning district to City of Conway Institutional (IN) zoning. The *Comprehensive Plan* identifies this parcel as Rural Residential in the Future Land Use map; however, the adjacent parcel across Old Dunn Lane is zoned RE4, one of the most intense commercial zoning districts at the County zoning, and additional Institutional zoning (IN) is within a few hundred feet. The Planning Commission recommended approval of the annexation and rezoning request. The public hearing for this item is scheduled for the May 4th Council meeting. Staff recommended first reading approval. **Motion:** Anderson made a motion, seconded by Alford, to approve first reading of Ordinance #ZAZA2015-05-04 (A). **Vote:** Unanimous. Motion carried.
- B. **Ordinance #ZA2015-05-04 (B) Accepting the petition by Michael Wallace Anderson to annex and rezone approximately 2.3 acres of property located at 141 East Cox Ferry Road (TMS #151-00-04-013/PIN #38301020023) from Horry County Commercial Forest Agriculture to Heavy Industrial (HI).** Emrick advised Council that Michael Wallace Anderson, through his agent, Dean Varner, requested to annex this property which is adjacent to the Conway city limits. This parcel is currently occupied by both a cell phone tower and a shipping and receiving truck/van

company. Emrick noted the property owner plans to subdivide out a parcel of property where the cell tower is currently located. He further reported that the cell tower, upon annexation, would become a legal nonconformity subject to the requirements of the UDO; however, the property owner has agreed to landscape the perimeter of the tower structure to bring it into conformance as much as possible. The *Comprehensive Plan* identifies this parcel as Industrial in the Future Land Use map. The Planning Commission recommended approval of the annexation and rezoning request. The public hearing for this item is also scheduled for the May 4th Council meeting. Staff recommended first reading approval. **Motion:** Anderson made a motion, seconded by White, to approve first reading of Ordinance #ZA2015-05-04 (B). **Vote:** Unanimous. Motion carried.

C. Ordinance #ZA2015-05-04 (C) Accepting the request by Sonya K. Miles to annex approximately 0.78 acres of property located at 3313 Cates Bay Highway (TMS# 136-11-04-005 / PIN# 36912020035) and to rezone the property Low Density Residential (R-1) upon annexation. Emrick advised Council that this annexation has been requested in order that the City may provide water service to an existing single family detached home on the property. City water and sewer service is available to this property which is contiguous to the City limits. The *Comprehensive Plan* identifies this parcel as Existing Residential. Staff recommended first reading approval. **Motion:** Alford made a motion, seconded by Blain-Olds, to approve first reading of Ordinance #ZA2015-05-04 (C). **Vote:** Unanimous. Motion carried.

D. Ordinance #2015-05-04 (D) Amending the Code of Ordinances for the City of Conway by replacing Title 3, Chapter 6, Stormwater Management and Sediment Control, in its entirety. Chestnut reported that the City's National Pollutant Discharge Elimination System (NPDES) Phase II Municipal Separate Storm Sewer System (MS4) Permit requires the City to update its Stormwater Management Ordinance. The City recently contracted with Bowman Consulting to assist with the review and update of the City's Stormwater Management Ordinance and Chestnut reviewed the recommended changes in the proposed ordinance. Chestnut noted that all changes made to the proposed ordinance were required by DHEC. Staff recommended first reading approval. **Motion:** Anderson made a motion, seconded by Timbes, to approve first reading of Ordinance #2015-05-04 (D). **Vote:** Unanimous. Motion carried.

E. Ordinance #2015-05-04 (E) Authorizing the lease of City-owned property to A Father's Place. Graham reported on November 3, 2014, in a workshop session, City Council heard a request from Wallace Evans, Executive Director of A Father's Place, for a long-term lease of the City's former satellite police station on Racepath Avenue and two vacant adjacent properties owned by the City. Graham reported that staff had worked in conjunction with representatives of A Father's Place to develop terms of a lease agreement which would benefit both parties. Graham shared with Council an updated proposed lease with revisions based on subsequent discussions with representatives from A Father's Place. Staff recommended first reading approval. **Motion:** Anderson made a motion, seconded by White, to approve first reading of Ordinance #2015-05-04 (E). **Discussion:** Blain-Olds and Alford stated their concerns about potential loss to the City due to the length of time allowed for notice to be given for insurance policy revision or cancellation and Blain-Olds also requested a correction in punctuation in the proposed lease. Graham advised that these concerns would be addressed and changes made before the ordinance (with lease) is presented for final reading. **Vote:** Unanimous. Motion carried.

ITEMS FOR CONSIDERATION:

A. Acceptance of bid to provide architectural services for renovation of the old post office building. Graham reported that staff had solicited proposals for providing the architectural and engineering services on the preliminary schematic design for renovation of the former museum/post

office building at the corner of 5th Avenue and Main Street for use as a community center. The following bids were received: Springs Associates (Dennis Springs) - \$59,500; Mazingo and Wallace Architects LLC - \$41,700; and Pike McFarland Hall - \$18,980. Staff recommended acceptance of the low bid. **Motion:** Blain-Olds made a motion, seconded by White, to approve the low bid submitted by Pike McFarland Hall in the amount of \$18,980 for architectural and engineering services. **Discussion:** Blain-Olds and Timbes expressed concern regarding final decisions on the schematic design and whether questions had been resolved regarding the responsibility for day-to-day operation of the proposed community center should Conway Downtown Alive occupy office space in this building. Graham shared copies of the schematic design that was discussed at the budget retreat with Council. He noted that, prior to the budget retreat, he had met with Hillary Howard of Conway Downtown Alive and the revisions to the design were made based on Hillary's input at that meeting. Anderson questioned the selection of an architectural firm before the plans were finalized. Mayor Lawson suggested that the architects be asked to meet with City Council to review the schematic design and answer any questions Council may have. **Vote:** Anderson voted in the negative and all others voted in the affirmative. Motion carried.

- B. Acceptance of bid for replacement cylinders for Self Contained Breathing Apparatuses (SCBA).** Hendrick reported that \$15,000 was allotted in the FY 2014-15 budget for SCBA cylinder replacement. A total of 40 cylinders are in need of replacement and this allotment will replace approximately 15 cylinders. An allocation has been requested in the FY 2015-16 budget to purchase additional cylinders. Bids were solicited and the following companies responded: Anderson Fire & Safety, Anderson, SC - \$14,445.00; Rhinehart Fire Services, Asheville, NC - \$14,268.45; and Municipal Emergency Services, Charlotte, NC - \$13,738.80. Staff recommended acceptance of the low bid. **Motion:** Blain-Olds made a motion, seconded by Timbes, to accept the low bid in the amount of \$13,738.80 which was submitted by Municipal Emergency Services for 15 replacement SCBA cylinders. **Vote:** Unanimous. Motion carried.
- C. Proposed water line extension to serve the Budget Inn property just east of the Waccamaw River.** Friday reported that Budget Inn, east of the Waccamaw River and outside the City limits, has requested City water services. The owners have agreed to pay all fees up front (\$20,000) and half of the estimated construction cost for the project (\$67,500); the total estimated construction cost for the project is \$135,000 including a 15% contingency. The property owners would pay a total of approximately \$87,500; however, they have asked to finance their share of the construction cost. After reviewing the benefits of extending this water line, Friday noted that, if this request was approved, the total expenditure for this project (\$135,000) will need to be included in the FY 2015-16 budget. Staff recommended approval of this request. **Motion:** White made a motion, seconded by Timbes, to approve the request for the water line extension and the inclusion of \$135,000 for this project in the FY2015-16 budget. **Vote:** Unanimous. Motion carried.
- D. Proposal to purchase body worn cameras for Police Department (State Contract).** In the FY 2014-15 budget, \$31,920 was included to cover the cost of Radio User Fees (RUF) that were expected to be imposed by Horry County to support the updating of its county-wide radio system. It now appears that any decision regarding these fees will be deferred until December 2016, freeing these funds to support the purchase of body worn cameras for the Police Department. After testing and evaluation, staff recommended the purchase of a body worn camera that is manufactured by L3 Communications and is compatible with the City's Police Department's digital in-car system. The total cost for 52 cameras and supporting hardware, available on state contract, is \$31,470.26 (\$399 per unit). The expected delivery of two to three months after the order is placed will allow time for policy decisions and will also necessitate the rebudgeting of \$31,500 from FY 2014-15 to FY 2015-16 for this purchase. Staff recommended that Council approve the purchase of 52 Body Vision cameras under state contract from L3 Communications at a cost of \$31,470.26. **Motion:** Blain-Olds

made a motion, seconded by Alford, to approve the purchase of body worn cameras as recommended by staff. **Vote:** Unanimous. Motion carried.

E. ITEM FOR INFORMATION: Police Department update. Gosnell presented to Council a detailed report on recent police department efforts and initiatives to combat crime in the City. There are currently four positions open within the Police Department and offers of employment have been made for three of these positions. The need for additional officers will be assessed for six to eight months before a decision is made on whether to request additional officers. Plans to expand and enhance the SRO Program, the Drug Enforcement Unit, and the Street Crimes Unit were discussed as well as police efforts to track gang activity. Gosnell commented on services provided to at-risk youth through cooperative efforts of the Police Department, Salvation Army, and the Housing Authority as well as the Department's work with Community Watch groups and the recent, very successful, "C STAND Program." Information was also provided on crime statistics, calls for service and gang activity. Gosnell elaborated on the diverse types of mandated state training which is required for each officer. In response to inquiries from Council, Gosnell provided explanations regarding staffing issues and the length of time sometimes involved in the department's hiring process. He also noted that the new salary schedule is having a significant impact on recruitment and any changes to include higher pay for college degrees would be a Council decision. In reference to the recent tragic incidents that have occurred between police officers and citizens across the country, Gosnell confirmed that the review and analysis of these events by police officers, along with interaction training programs, have been valuable training opportunities.

COUNCIL INPUT:

Alford inquired about sight requirements at intersections and asked staff to determine if old regulations and penalties apply to cars parked beside the street and outside of marked parking spaces.

Timbes commented that work needs to be done to remove limbs, leaves, etc., that are obscuring "Neighborhood Watch" signs and asked if police officers could make note of any such signs while on patrol.

Anderson remarked on and encouraged attendance at an upcoming solar power workshop sponsored by MASC. He also shared concerns regarding bushes that are blocking drivers' vision at the intersection of Mill Pond Road and Highway 501.

Blain-Olds congratulated Police Chief Gosnell and the City Administrator on the successful outcome of the C-STAND program. She also remarked that allegations of involvement in criminal activities had been made for a long time against some of the offenders who were arrested as a result of the C-STAND program.

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

WORKSHOP SESSION:

Discussion on potential USDA Grant and potential revolving loan program. Emrick reported that the City likely qualifies for the USDA's Rural Business Enterprise Grant. These grants range up to \$100,000 with 0% match and Emrick advised that, among other things, these funds could be used to create a revolving loan program. Information based on staff research on such a loan program was shared with Council and Emrick suggested that a revolving loan program could be used to encourage development of additional housing opportunities downtown. He suggested that the Waccamaw

Riverfront District and the Central Business District be targeted for these incentives. In addition to obtaining the grant, a local banking partner is needed to make this program possible. **Outcome:** There was a consensus for staff to move forward to pursue a USDA Rural Business Enterprise Grant and if the grant is awarded, to consider the use of such funds as outlined by staff.

Report on proposed amendment of landscaping and buffer requirements in the City's Unified Development Ordinance. Emrick reported that following Council's input at an earlier workshop session, he presented this issue at the Planning Commission meeting on April 2, 2015, and the commission unanimously supported the proposed amendment. **Outcome:** Council was in agreement that staff should move forward with drafting a proposed ordinance for consideration of first reading and scheduling the necessary public hearing.

Discussion on proposed changes to FY 2015-16 budget proposal. The total proposed budget is now \$31,835,798. No tax increase is proposed. Graham reviewed changes in the budget proposal that were made as a result of discussions at the budget retreat:

- General Fund: increase totaling \$55,550 to cover adjustments from the Budget Retreat plus additional funds for a centralized time and attendance system, additional funds toward the purchase of sail shades for the playground, and rebudgeted funds for the purchase of body cameras.
- Public Utilities: increase totaling \$235,000 for water and/or sewer line extensions and other projects unidentified at this time.
- Hospitality Tax Fund: increase totaling \$10,950 to cover adjustments from the Budget Retreat plus additional funds for the purchase of Christmas/Winter Lights.

Graham included in his review the sources of funds to cover these increases. He also reported that contingency funds were included that would cover staff's recommendation of a 1% employee COLA increase. Lynn Smith reported on her research into possibilities of offering an Employee Professional Healthcare program. She reviewed proposals received from Doctor's Care, Agape Physicians Care, and Conway Medical Center. Graham reviewed with Council the options for funding the healthcare program and recommended that the safety and sick leave incentive bonuses each be set at \$100 and be implemented on a calendar year basis to start January 1, 2016. Staff also recommended the Employee Professional Healthcare Program be implemented July 1, 2015. Graham commented that staff recommended acceptance of Option I from Agape Physicians Care with further negotiations by Graham with the provider on the cost of any additional visits beyond the number included in Option I. **Outcome:** The recommended changes will be incorporated into the budget proposal and consideration of first reading will be scheduled for the May 4th Council meeting.

EXECUTIVE SESSION: Motion: Times made a motion, seconded by Blain-Olds, to enter into executive session to discuss appointments to boards, commissions and committees. **Vote:** Unanimous. Motion carried.

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

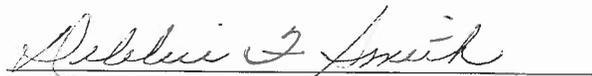
A. Appointments to City Boards and Commissions:

1. **Conway Housing Authority Board of Directors. Motion:** Blain-Olds made a motion, seconded by White, to reappoint Clayton Mauldin to the Board of Directors for the Conway Housing Authority for a five-year term ending April 24, 2020. **Vote:** Unanimous. Motion carried.

2. **Horry County League of Cities representative from the South Grand Strand Area on the Horry County Solid Waste Authority Board of Directors.** Motion: White made a motion, seconded by Anderson, to vote “no” on the recommendation of Myrtle Beach and Surfside to nominate Dan P. Gray for this appointment based on an August 14, 2014, opinion from the State Attorney General’s Office that concurrent service on the State Board for Technical and Comprehensive Education, of which Dan Gray is a member, and the Horry County Solid Waste Authority Board of Directors would violate the State’s prohibition against dual office holding. 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 4th day of May, 2015.


Debbie F. Smith, City Clerk