

**MINUTES OF MEETING  
CONWAY CITY COUNCIL  
CITY HALL COUNCIL CHAMBERS  
229 MAIN STREET  
CONWAY, SOUTH CAROLINA  
MONDAY – MAY 14, 2012 – 5:45 p.m.**

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

**STAFF:** Bill Graham, City Administrator; Michael Hardee, Finance Director; Billy Joe Sawyer, Building Official; Foster Hughes, Parks, Recreation and Tourism 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, Rev. William Lynn Peters, Barbara Streeter, Ed Streeter, Deb Canterbury, Hillary Howard, Larry Carter, Jr., Jim Holbert, Charles Jordan, Creola Harrelson, Tim Kirby, and others

**CALL TO ORDER:** Mayor Lawson called the meeting to order at 5:45 pm (the meeting was slightly delayed due to severe weather).

**INVOCATION/PLEDGE OF ALLEGIANCE:** Mayor Lawson recognized Rev. William Lynn Peters of Jamestown Baptist Church, who gave the invocation. City Council and those in attendance recited the Pledge of Allegiance.

**APPROVAL OF AGENDA:** Mayor Lawson asked that the agenda be amended to include the request to amend the Special Event request for the June 7<sup>th</sup> Alive after Five event. **Motion:** White made a motion, seconded by Blain-Olds, to approve the agenda contents as amended. **Vote:** Unanimous among those present. Motion carried.

**APPROVAL OF CONSENT AGENDA:** **City Council minutes – April 23, 2012.** **Motion:** Goldfinch made a motion, seconded by White, to approve the consent agenda. **Vote:** Unanimous among those present. Motion carried.

**PUBLIC INPUT:** Barbara Streeter gave a presentation on yarn graffiti, showing examples of “yarn bombing.” Mrs. Streeter presented a written proposal for Council’s review and advised that she would return at a later date with a formal request for a yarn bombing project. Mayor Lawson advised Mrs. Streeter that a special event application was available and that Council would take the proposal presented at this meeting as information. There was no other public input.

**SPECIAL PRESENTATIONS:**

- A. **Recognition of Shirley’s Jewelers, Inc., as a River Friendly Business.** Tim Kirby, Chairman of the Water Quality and Drainage Commission, advised Council that Shirley’s

Jewelers, Inc., has recently received designation as a “River Friendly Business” and will receive a certificate, decal, and recognition on the Access Channel.

**B. Special event requests:**

1. **Sunday at the Park, May 27, 2012, 4:00-8:00 pm.** Beth Johnson of North Conway Baptist Church has requested a special event permit for this event which will be held at Collins Park. Approximately 150 people are expected to attend. No City support services are requested. Staff recommended approval of the special event request. **Motion:** Blain-Olds made a motion, seconded by Timbes, to approve the special event application for Sunday at the Park as presented. **Vote:** Unanimous among those present. Motion carried.
2. **5K Walk for Dilla, June 2, 2012.** Tammie Barnhill of Jamestown Baptist Church has requested a special event permit for this event. Plans call for set up to begin at 7:00 am, the walk/run to begin at 8:00 am and end at approximately 10:00 am and clean up should be finished by 11:00 am. The route will be in the downtown area, beginning and ending at Conway Marina and organizers hope to have about 100 participants. No street closures are requested. Staff recommended approval of the special event request with the cost of any City support services provided to be absorbed by the City’s operating funds. **Motion:** Goldfinch made a motion, seconded by Blain-Olds, to approve the special event application for the 5K Walk for Dilla as presented. **Vote:** Unanimous among those present. Motion carried.
3. **Riverfest, June 29-30.** Kelli James of the Chamber of Commerce has requested a special event permit for this event which will take place at the Riverfront Park and at the Horry County Courthouse. Beer sales will be provided by the Chamber of Commerce and the event sponsor will be required to adhere to the Special Events Alcohol Control Policy including the use of identification wrist bands. Council reviewed a map showing the proposed designated special event area for the public consumption of alcohol during the event. Ms. James was present to answer questions regarding the request for the special event permit. Street closures requested in the special event application included Elm Street from 3<sup>rd</sup> Avenue to Marina Drive, 2<sup>nd</sup> Avenue from Elm Street to Beaty Street, and Beaty Street from 3<sup>rd</sup> Avenue to 2<sup>nd</sup> Avenue, or as recommended by the Police Department. Ms. James advised that street closures were requested only for June 30<sup>th</sup>. Noting that the car show and inflatables would be located on Elm Street, Ms. James reported that she is requesting the closure of Elm Street from 3<sup>rd</sup> Avenue to Marina Drive during the day on June 30<sup>th</sup> but plans call for the street to reopen about 7 pm; the festival will close with a fireworks display starting at 10:00 pm. Staff recommended approval of the special event request with the cost of City support services provided to be absorbed by the City’s operating funds. **Motion:** Timbes made a motion, seconded by Goldfinch, to approve the special event application for Riverfest as presented. **Vote:** Unanimous among those present. Motion carried.

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

4. **Special event permit amendment request – Conway Alive after Five.** The special event permit for Conway Alive after Five (formerly the Conway Crawl) has previously been approved by City Council for June 2012 through November 2012. Because of increased interest in participation in the car show at the June 7<sup>th</sup> event, Conway Downtown Alive has requested to amend the permit for that date's event to extend the closure of 3<sup>rd</sup> Avenue from Laurel Street to Elm Street. Council was presented with copies of the map that accompanied the original special event permit application and a revised map reflecting the amended request. Conway Downtown Alive also requested the flexibility to adjust the designated special event area for future Alive after Five events to coincide with the original map or the revised map as it deems appropriate depending on planned activities and projected attendance. White reported concerns about lack of activity during these events on 3<sup>rd</sup> Avenue past the Main Street intersection; Hillary Howard of Conway Downtown Alive advised that CDA has been talking with merchants in that area on various ways to bring more traffic to that end of 3<sup>rd</sup> Avenue. **Motion:** Goldfinch made a motion, seconded by Blain-Olds, to approve the request by Conway Downtown Alive to expand the street closure on 3<sup>rd</sup> Avenue for the June 7<sup>th</sup> Alive after Five event and to grant Conway Downtown Alive the flexibility to adjust the designated special event area for future Alive after Five events to coincide with the original map or the revised map as it deems appropriate depending on planned activities and projected attendance. **Vote:** Mayor Lawson abstained; all others present voted in the affirmative. Motion carried. See attachment.

Mayor Lawson presided over the remainder of the meeting.

- C. **Employee Longevity Awards** were presented to Dexter King, Public Works, 5 years, and Antonio Burroughs, Public Utilities Department, 10 years. The presentation was made by Council Member Blain-Olds and the City Administrator.

**PUBLIC HEARING AND ORDINANCE FOR FINAL READING: Public hearing and final reading of Ordinance #2012-05-14 (A) An Ordinance to Raise Revenues and Adopt Budgets for the General Fund, Enterprise/Public Utility Fund, Street/Drainage Fund, Storm Water Fund, Tax Increment (TIF) Fund, Accommodations Tax Fund, Community Development Fund and Hospitality Fee Fund, City of Conway, South Carolina, for the Fiscal Year Beginning July 1, 2012, and Ending June 30, 2013.** First reading of this ordinance was approved at the April 23<sup>rd</sup> Council meeting. Hardee briefly reviewed the budget proposal, noting that no tax millage increase and no water and sewer rate increase are reflected in the budget proposal. The \$33,042,525 budget proposal includes a 3% cost of living increase for employees, funding for a Public Safety facility (\$5,000,000) and funding for a new water tank in the CCU/Highway 544 area (\$1,000,000). Staff recommended final reading approval.

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

**Motion:** Goldfinch made a motion, seconded by Blain-Olds, to approve final reading of Ordinance #2012-05-14 (A). **Vote:** Unanimous among those present. Motion carried.

**ORDINANCE FOR FINAL READING: Final 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.** First reading of this ordinance was approved at the March

26<sup>th</sup> Council meeting; final reading was tabled at the April 9<sup>th</sup> Council meeting at the request of the applicant. In response to questions from Council, Leinwand advised that SCDOT could be contacted about the possibility of lengthening the short right turn lane onto Highway 501 from the property and that plans did not show an additional access lane. Staff recommended final reading approval. **Motion:** Goldfinch made a motion, seconded by Timbes, to approve final reading of Ordinance #ZA2012-04-09 (A). **Vote:** Unanimous among those present. Motion carried.

**PUBLIC HEARING AND ORDINANCE FOR FIRST READING: Public hearing and first reading of Ordinance #ZA2012-06-11 (A) Accepting the petition of Creola C. Harrelson to rezone approximately 0.2 acre of property located at 1512 Oak Street (TMS 123-14-25-027) from Medium Density Residential (R-2) to Professional (P).** The property owner has requested this rezoning in order to accommodate any future requests for uses associated with this district. The existing structure on the property, which is currently vacant, was used as a day care facility. The property has municipal water and sewer services. Although the Comprehensive Plan identifies this property as Neighborhood Commercial, Leinwand advised that staff believes Professional zoning would also be appropriate. At its last meeting, the Planning Commission voted to recommend the rezoning request. Staff recommended first reading approval.

**Public Hearing:** There was no comment from the public. Council received a written letter from Ms. Charlotte Rice expressing her concerns if rezoning this property to Professional would cause an increase in traffic on Oak Street.

**Motion:** Timbes made a motion, seconded by Blain-Olds, to approve first reading of Ordinance #ZA2012-06-11 (A). **Vote:** Unanimous among those present. Motion carried.

**ORDINANCE FOR FIRST READING: First reading of Ordinance #ZA2012-06-11 (B) Accepting the petition of Jessica L. Pereira to annex approximately 0.5 acre of property located at 551 SC Highway 905 (TMS 137-03-01-008) and to rezone the property Low Density Residential (R-1) upon annexation.** The property owner has requested to connect to the Conway sewer system. Because this parcel of property is contiguous to the municipal city limits, annexation will be required before utility service can be provided. The property owner has requested that the parcel be zoned Low Density Residential (R-1). The City's Comprehensive Plan identifies the parcel as Existing Residential. DuBose informed Council that this property will be on gravity sewer service. Staff recommended first reading approval. Council Member Koon arrived at this time. **Motion:** Blain-Olds made a motion, seconded by Goldfinch, to approve first reading of Ordinance #ZA2012-06-11 (B). **Vote:** Unanimous among those present. Motion carried. Council Member Goldfinch excused himself from the meeting at this time in order to attend the Conway High School Education Foundation Annual Banquet.

**RESOLUTION: Reaffirmation of the City's Risk Management Policy and update on City's safety program.** SC Municipal Insurance Trust and SC Municipal Insurance Risk Fund guidelines require members to adopt annually, by resolution, a commitment toward the prevention and control of accidental loss. In accordance with these guidelines, staff prepared and presented a resolution reaffirming the City's risk management commitment for Council's consideration. Baker gave a progress report of efforts being made toward reducing the City's injury and property loss experience and meeting established safety goals. Positive trends were noted, included the City's winning 2<sup>nd</sup> place in the 2011 SCMIT Occupational Safety Contest. In

response to an inquiry from Timbes, Baker responded that the responsibility for checking fire hydrants in residential neighborhoods had been delegated to the Public Utilities Department and DuBose reported these checks are done on a three-year rotation basis. Staff recommended adoption of the resolution. **Motion:** White made a motion, seconded by Koon, to adopt the risk management resolution as presented. **Vote:** Unanimous among those present. Motion carried. See attachment.

## ITEMS FOR CONSIDERATION

- A. **Authorization to apply for two 2012 Assistance to Firefighters Grants.** Staff requested permission to apply for a Self Contained Breathing Apparatus (air packs) grant in the amount of \$125,000 and a Fire Suppression Apparatus (fire engine) grant in the amount of \$425,000. Both grants require a 10% match. **Motion:** Timbes made a motion, seconded by Blain-Olds, to authorize staff to apply for the two 2012 Assistance to Firefighters Grants. **Vote:** Unanimous among those present. Motion carried.
- B. **Law Enforcement Memorandum of Understanding with the City of Florence.** Gosnell reported the agreement presented is the standard Memorandum of Understanding (MOU) similar to those which have been signed with other local municipalities over the last couple of years. Council was advised that the previous MOU between the City of Conway and the City of Florence has expired. The City of Conway currently has MOUs with the Cities of Myrtle Beach and North Myrtle Beach and Gosnell reported that, with the upcoming hurricane season, he believed it would be in the City's best interest to have an agreement in place with the City of Florence. Blain-Old expressed concerns relative to the City's liability under law enforcement mutual assistance agreements and suggested that a review or recommendation from the City's attorney be requested. **Motion:** Blain-Olds made a motion, seconded by White, to table this matter until the City's attorney has reviewed the City's role in any liability that it may take as a result of the agreement. **Vote:** Koon voted in the negative; all others present voted in the affirmative. Motion carried.
- C. **Expenditure of Justice Assistance Grant (JAG) Direct Award.** At its meeting on April 23<sup>rd</sup>, Council authorized the Police Department to accept this award in the amount of \$13,437 with the understanding that the Police Department will return at a later date with a recommendation for the specific use of these funds. Since that time, the Police Department has been notified that it would be receiving two laptop computers from the SC Department of Public Safety. After a review of the Department's needs, staff recommended that \$11,718.24 of the JAG Direct Award funds be spent to purchase software, air cards, and mounting hardware to enable these laptop computers to be used as mobile data terminals. Staff will seek Council's approval for the expenditure of the remaining \$1,718.76 of the JAG Direct Award funds at a later date. These funds will be available until July 1, 2015, for use on approved expenditures. **Motion:** Koon made a motion, seconded by Blain-Olds, to approve the disbursement of \$11,718.24 of the JAG Direct Award funds as recommended by staff. **Vote:** Unanimous among those present. Motion carried.
- D. **Acceptance of bid for the US Highway 701/501 Overpass Bridge – Electrical Conduit System.** On May 4, 2012, the Finance Department opened bids for the conduit work on the underground power system portion of the US Highway 701/501 Overpass Bridge underground utility conversion project. Santee Cooper and the City of Conway will replace three existing light poles and fixtures on the bridge with five decorative light poles and

fixtures, utilizing two existing pads that are currently not in use. Two qualified bids were received: Kingston Electric, Inc. (\$24,350) and Melton Electric, Inc. (\$29,467). Staff recommended the acceptance of the low bid in the amount of \$24,350 which was submitted by Kingston Electric, Inc. **Motion:** Blain-Olds made a motion, seconded by Koon, to approve staff's recommendation. **Vote:** Unanimous among those present. Motion carried. Following this item of business, the Public Utilities Director gave a progress report on the Elm Street overhead to underground wiring conversion project that extends from 2<sup>nd</sup> Avenue to 5<sup>th</sup> Avenue. DuBose also advised that within the next two to three weeks, the final clean up of the Laurel Street/2<sup>nd</sup> Avenue project will take place to include the removal of two light poles near the corner of Beaty Street/2<sup>nd</sup> Avenue and the conversion of any remaining overhead wires in the area behind the buildings that front Beaty Street between 2<sup>nd</sup> Avenue and 3<sup>rd</sup> Avenue.

- E. **Renewal of lease agreement for tour boat operator.** Council was requested to consider renewal of the 2007 lease agreement for tour boat operations with River Memories, LLC, based out of the Conway Marina. Proposed revisions to the five-year agreement were noted. Hughes advised Council that River Memories desires to renew the agreement and staff recommended that the lease agreement be approved. Capt. Jim Holbert of River Memories was present to answer questions concerning this matter and he invited the Mayor and Council to take a boat ride on the Waccamaw River. **Motion:** Koon made a motion, seconded by White, to approve the proposed five-year lease agreement for tour boat operations with River Memories, LLC, as presented. **Vote:** Unanimous among those present. Motion carried.

**ITEM FOR INFORMATION: Report on Conway's first swim meet.** Hughes gave a power point presentation on the Conway Tiger Sharks first home swim meet. He also reported on the City's Day of Caring/Great American Clean Up on May 12. Seventy-five participants collected over 920 lbs of trash. White commented that speeding traffic on Grainger Road made trash collection on that street dangerous during this event. He also asked if it would be possible to make the intersection of 9<sup>th</sup> Avenue/Palmetto Street/Grainger Road a four-way stop. Graham responded that he is aware this location is a bottle neck for traffic and that he had discussed a traffic study with the Police Chief. Graham also noted that these are SCDOT streets and efforts would need to be coordinated with that agency.

#### **ADMINISTRATOR'S REPORT:**

- Reminded Council of the Employees' Appreciation Picnic at Riverfront Park on May 17, 11:30 am to 2:00 pm.
- Asked Council for guidance concerning the removal of political signs for those candidates who did not qualify to be on the ballots for the June 12 primary election. After discussion, it was the consensus to allow these signs to stay up through the June 12 election process but the signs must be removed within seven days after the election as required by the City's political signs regulations.

#### **COUNCIL INPUT**

- **Timbes** conveyed requests for policing of the area around the temporary shower trailer at St. Paul's Episcopal Church so that the showers are not used by unauthorized persons.

- **White** expressed appreciation to City workers for trimming and cleaning up the azaleas at Collins Park and inquired about benches at the tennis courts. White reiterated the concerns of the business owners at the end of 3<sup>rd</sup> Avenue which he mentioned earlier in the meeting.
- **Blain-Olds** commented on an article and a list of safeguards for courtroom safety that was in a recent issue of the MASC *Uptown* magazine and asked that consideration be given to evaluating and implementing additional security measures for Municipal Court. Mayor Lawson asked staff to review the article and list and seek other appropriate measures that could be implemented as well.
- **Mayor Lawson** asked Council to give consideration to changing its meeting date to the first and third Mondays in order to eliminate conflicts with meetings of the Waccamaw Regional Council of Governments. She also suggested adjustments in Council's workshop sessions so they are more of a workshop setting. There was a consensus on the proposal to change the date for Council meetings and Graham offered to share this information with the Council members who were absent from this meeting. Mayor Lawson also expressed appreciation to Hughes and his staff for their efforts on the swim meets and the Day of Caring.

**EXECUTIVE SESSION: Motion:** Koon made a motion, seconded by Timbes to enter into executive session to consider appointments to boards, commissions and committees and to discuss a contractual matter. **Vote:** Unanimous among those present. Motion carried.

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

**Appointments to Boards, Commissions and Committees. Motion:** Koon made a motion, seconded by Blain-Olds, to make the appointments as listed below. **Vote:** Unanimous among those present. Motion carried.

Accommodations Tax Advisory Committee: Appointed George Ulrich for a three-year term.

Tennis Advisory Committee: Reappointed Lauren T. Hunter to a five-year term.

**ADJOURNMENT: Motion:** Koon made a motion, seconded by Timbes, to adjourn the meeting. **Vote:** Unanimous among those present. Motion carried.

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

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Vicky Lefler, City Clerk