

**CITY HALL COUNCIL CHAMBERS
229 MAIN STREET
CONWAY, SOUTH CAROLINA
MONDAY, JULY 20, 2015 – 5:30 PM**

PRESENT: Mayor Alys C. Lawson, Mayor Pro Tem Barbara Blain-Bellamy 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; Kevin Chestnut, Public Works Director; Adam Emrick, City Planner; James Friday, Public Utilities Director; Michael Hardee, Finance Director; Le Hendrick, Fire Chief; Foster Hughes, Parks, Recreation, and Tourism Director; Reggie Gosnell, Police Chief; Debbie Smith, City Clerk; and Timmy Williams, Beautification Director

OTHERS IN ATTENDANCE: Rev. Bruce Davenport, Hillary Howard, and others

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

INVOCATION/PLEDGE OF ALLEGIANCE: Mayor Lawson recognized Rev. Bruce Davenport, Langston Baptist Church, who gave the invocation. City Council and those in attendance recited the Pledge of Allegiance.

APPROVAL OF AGENDA: **Motion:** White made a motion, seconded by Blain-Bellamy, to approve the agenda as presented. **Vote:** Unanimous. Motion carried.

APPROVAL OF CONSENT AGENDA:

- A. Final Reading of Ordinance #ZA2015-07-20 (A) Accepting the petition of JD Investing SC, LLC, to annex approximately 1.86 acres of property located off Country Club Drive (PIN 32416040041) and rezone the property R-1 (Low Density Residential) upon annexation**
- B. Resolution recognizing the retirement of Linda McCray, Finance Department**
- C. City Council Minutes – June 15, 2015**

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

PUBLIC INPUT: There was no input from the public.

SPECIAL PRESENTATIONS:

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

A. Special event requests:

1. **2015 Conway Fall Festival – Saturday, October 30, 10 am – 5 pm.** The City's Parks, Recreation and Tourism Department submitted this special event request. Hughes reviewed the street closures requested for the festival and the proposed locations of vendors, kids' play zone, live music, and other activities. As a part of the festival, Conway Downtown Alive requested that local businesses within the designated special event area be allowed to sell beer and wine for public consumption from their establishments if they so desire. Maps showing the special event area and the designated area for public alcohol consumption accompanied the application. Staff recommended approval of the special event application. **Motion:** Goldfinch made a motion, seconded by Anderson, to approve the special event application for the 2015 Conway Fall Festival as presented. **Vote:** Mayor Lawson abstained, Timbes voted in the negative, all others voted in the affirmative. Motion carried.

Mayor Lawson presided over the remainder of the meeting.

2. **Conway BBQ Fest – October 16 and 17.** George Ulrich of the Conway Area Philanthropists, a non-profit entity, submitted this special event request. This event is planned to be held at Riverfront Park from 5:30 pm – 10:30 pm on October 16th and 10 am – 5 pm on October 17th. A map of the special event and area designated alcohol consumption zone accompanied the special event application. The park will be open to the public; however, an admission fee will be charged in order to participate in the Conway BBQ Fest. 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:** Anderson made a motion, seconded by White, to approve the special event application for the Conway BBQ Fest as presented. **Vote:** Unanimous. Motion carried.

- B. Employee Longevity Awards** were presented to Tony Martin, Fire Department, 10 years; also Sandy Martin, Fire Department and Alford Smith, Volunteer Fire Department, 25 years. Greg Holt, Public Works Department (Street), 10 years, was recognized but was unable to attend. The presentations were made by Council Member White and the City Administrator.
- C. Employee of the Month Award for June** was presented to Gene Paul, Beautification Department. The presentation was made by the City Administrator, accompanied by the Beautification Director.
- D. Recognition of educational achievements.** Police Lieutenant Selena Small was recognized and commended for having recently received the FBI's Law Enforcement Executive Development Trilogy Award. Police Lieutenant Reggie Hill was also recognized and commended for having completed the Conway Chamber of Commerce Leadership Conway Program. The presentation was made by the City Administrator, accompanied by the Police Chief.

RESOLUTIONS:

- A. Resolution accepting a letter of credit from St. John's Ridge, LLC, guaranteeing the installation of infrastructure in St. John's Ridge Phase 2 Subdivision and completing necessary infrastructure in Phase I.** On June 4, 2015, the Conway Planning Commission approved Phase 2 of the St. John's Ridge Subdivision. Phase 2 will require infrastructure which meets City specifications. City regulations require that a financial guarantee equal to 125% of the value of the work remaining must be approved by Council. Emrick reported that the estimate to complete the required infrastructure improvements provided by the developer's engineer and approved by the Public Works Director is \$363,120; this amount includes sidewalks on both sides of the street, street trees every 50 linear feet, traffic control signage, and a second access to Dunn Shortcut Road. Emrick also noted that

the developer has asked to include the remaining infrastructure cost for Phase 1 (\$32,400 for sidewalks and street trees) into the same letter of credit for a total of \$395,520; 125% of this value is \$494,400. Staff recommended that Council adopt the resolution accepting the letter of credit in the amount of \$494,400 from St. John's Ridge LLC to financially guarantee the installation of infrastructure in Phase 2 and completing the necessary infrastructure in Phase 1 of St. John's Ridge Subdivision. **Motion:** Anderson made a motion, seconded by Blain-Bellamy, to adopt the resolution as recommended by staff. **Vote:** Unanimous. Motion carried.

- B. Resolution accepting a letter of credit from Southern Land Partners, Inc., guaranteeing the installation of infrastructure in Jordan Estates Subdivision.** The Planning Commission approved this subdivision in May 2011. This subdivision will require infrastructure which meets City specifications. City regulations require that a financial guarantee equal to 125% of the value of the work remaining must be approved by Council. Emrick reported that the estimate to complete the required infrastructure improvements provided by the developer's engineer and approved by the Public Works Director is \$379,565; 125% of this value is \$474,456.25. This amount includes sidewalks on both sides of the street, street trees every 50 linear feet, and water and sewer utility installation. Staff recommended that Council adopt the resolution accepting the letter of credit in the amount of \$474,456.25 from Southern Land Partners, Inc., to financially guarantee the installation of infrastructure in Jordan Estates Subdivision. **Motion:** Goldfinch made a motion, seconded by White, to adopt the resolution as recommended by staff. **Vote:** Unanimous. Motion carried.

ORDINANCE FOR FIRST READING: Ordinance #2015-08-03 (A) Amending the Code of Ordinances by replacing Section 1-3-7, Agenda, in its entirety. Graham advised Council that effective June 8, 2015, the requirements for notice and agendas for meetings of public bodies under the Freedom of Information Act, SC Code §30-4-80, was amended by changing the procedure for adding an item to a public meeting agenda. The proposed ordinance replacing Section 1-3-7 would bring the City's Code of Ordinances into compliance with state law. Staff recommended first reading approval. **Motion:** Blain-Bellamy made a motion, seconded by Anderson, to approve first reading of Ordinance #2015-08-03 (A). **Vote:** Unanimous. Motion carried.

ITEMS FOR CONSIDERATION:

- A. Acceptance of bid for replacement street sweeper for Public Works Department/Solid Waste.** The FY 2015-16 budget included funds for the purchase of a replacement street sweeper for Solid Waste. Chestnut reported the eight year old street sweeper being replaced will be kept and used as a spare. Bids received were from Amick Equipment Company - \$184,178, and Public Works Equipment and Supply - \$242,000. Staff recommended the low bid submitted by Amick Equipment be accepted. **Motion:** Timbes made a motion, seconded by Goldfinch, to accept the low bid in the amount of \$184,178 which was submitted by Amick Equipment for the replacement street sweeper for Public Works. **Vote:** Unanimous. Motion carried.
- B. Acceptance of bid for road improvements in The Pines Subdivision.** Chestnut stated that both roads in The Pines Subdivision have inverted crowns and water drains down the center of the road to the back of the subdivision. Southern Asphalt has the contract to mill and resurface the roads, but the contract does not include grading and site work. Staff solicited bids from two site work contractors to perform the grading and site work in The Pines Subdivision. Bids received were: Wade Lott, Inc. - \$15,756 for site work plus \$6,120 as-needed for base material totaling \$21,876; and King Construction - \$17,762 for site work plus \$4,900 as-needed for base material totaling \$22,662. Staff recommended that Council accept the low bid which was submitted by Wade Lott, Inc. **Motion:** Timbes made a motion, seconded by White, to accept the low bid in the amount of \$15,756 which was submitted by Wade Lott, Inc. **Vote:** Unanimous. Motion carried.

COUNCIL INPUT:

Blain-Bellamy thanked City employees who attended the funeral service of Tiffany Dixon, the wife of Police Officer Kendall Dixon. She also expressed her concerns regarding the speed limit on Boundary Street as well as the potholes at the intersection of Boundary Street and Oak Street Extension.

Goldfinch commented on information gained at the MASC conference he recently attended in Hilton Head and congratulated Mayor Lawson on being the first president of the MASC from Conway in 75 years.

Anderson also commented on the MASC conference and his opinion of the good job the City is doing. He, too, thanked staff who attended Mrs. Dixon's service.

Timbes inquired about the safety measures the City takes in reference to heat safety for City employees who work outside and asked about the availability of a staff nurse. Graham reported that safety measures are and will continue to be stressed in meetings with employees and he expects the medical assistance program for employees to be finalized in the very near future.

White

- inquired as to how the crevices where extended sidewalks are not even with the curb on Racepath and possibly other streets are being cleaned since the street sweeper is too large to maneuver in and out of those spaces;
- inquired about the possibility of decreasing the speed limit on Pittman Street from 35 mph to 25 mph; and
- suggested that more activities, such as movies in the park or gospel music, be offered in the City parks, including Riverfront and Smith Jones Park.

Alford requested staff to check with boating companies that serve Conway to ascertain interest in offering boat tours to Conway and, if there is no interest, explore the possibility of slightly subsidizing such tours in some way. He also requested staff to see if there is someone who can determine the age of the larger live oak trees in Conway.

Lawson congratulated staff for its winning entries in the MASC Achievement Awards Program--four in the last seven years--and congratulated staff and Council for these award-winning projects that are taking place in the City of Conway. She also complimented the staff on a glowing report she had received from a new resident on the excellent customer service provided by staff in the City's water department.

WORKSHOP SESSION:

- A. Discussion of rewriting the Comprehensive Plan for the City of Conway.** Emrick reported that it is time for an update or rewrite of the Comprehensive Plan as is required by state law. Emrick suggested to Council that the plan be rewritten (rather than updated) and to allow staff, working with stakeholders on elements in which they may be involved, to undertake this process. Each element, or small groups of elements in the plan would be presented to Council for review and approval as they are completed. **OUTCOME:** Council was in agreement for staff to proceed with rewriting the City's Comprehensive Plan as proposed.
- B. Discussion of current residential open space standards and the possibility of amending said standards.** Emrick reviewed for Council the current regulations in the UDO pertaining to residential

open space standards and noted that the current requirements are about four times more than the old zoning ordinance. Emrick discussed how the current requirements would affect the Country Club Landing annexed earlier in this meeting. Mayor Lawson asked about a fee in lieu for that development but Emrick advised that the developer declined to request this. He suggested that Council consider waiving the open space requirement if less than one acre would be required and clarified that one method of calculating a fee in lieu is by dividing the fair market value of the site by its total acreage. Another options to consider, Emrick pointed out, is requiring developers to put in the open space up front before any lots are sold and allowing fees to be paid in lieu of open space. Anderson questioned the financial hardship that could be imposed by requiring installation of the amenities upfront before any lots are sold. Noting the probability that sometime in the future Country Club Drive would be widened, there was discussion on the required open space for Country Club Landing being across the front of the lots rather than across rear. Mayor Lawson suggested that Council start considering what is required for open space, such as ballfields, basketball courts, etc. Emrick clarified for Council passive open space versus active open space and noted that more open space is required if it is passive open space. **OUTCOME:** Council agreed that staff should present this issue to the Planning Commission, research other cities, and bring more specific recommendations to Council at a later date.

A. Discussion of setting parking limitations on commercial vehicles in residential neighborhoods.

Emrick informed Council of the increased number of complaints being received by the Planning Department and the Police Department about commercial and recreational vehicles parking in residential neighborhoods, some alongside the roadways. Currently, there are no restrictions on commercial vehicle parking along the streets in a residential neighborhood. In staff's research, it was found that a length restriction seemed to be the most popular means of regulation and Council was asked for guidance including any preferences in regard to vehicle weight and/or length. Graham recounted for Council recent feedback received by staff on boats and trailers parked in residential neighborhoods and explained that enforcement of the current regulations limit the parking of recreational vehicles (beyond 24 hours) to carports, enclosed building or rear yard and current regulations do not address parking such vehicles along residential roadways. Photographs of particular situations in Pecan Grove and Newcastle subdivisions were shared. Council discussed the feasibility of allowing these recreational vehicles to be parked on other areas of residential lots, except the front yard, if it is concealed, such as by a fence which meets City standards. Gosnell clarified vehicle weight classifications and where information on a vehicle's classification can be found. **OUTCOME:** The majority of Council was in agreement that staff should continue to enforce the current UDO regulations with regard to the parking of recreational vehicles. Staff was asked to conduct more research with regard to parking limitations for large recreational vehicles and commercial vehicles and report back at a future workshop. Staff was also asked to provide photos as a part of that report to illustrate examples of various length commercial vehicles.

B. Discussion on approval process for special event applications. Mayor Pro Tem Blain-Bellamy clarified her concern on this issue was that the process for handling special event requests should conform to ordinance requirements and that the City Administrator should act on all requests within his purview and Council should only hear requests that are required to be approved by Council. Graham recounted the current practice for dealing with special event requests; in the past twelve months, 134 special event applications were received and Graham reported that Council approved 32, staff approved 101, and he gave explanations for the four that were denied. During discussion Mayor Lawson expressed some concern that Council be kept informed of special events being held that have been approved by staff (and, therefore, do not come before Council) but it was noted that special events are posted on Council's calendar. During discussion, concerns were voiced regarding dogs being allowed at special events and the handling of requests for events that include public alcohol consumption or an expansion in the usual public alcohol consumption area. Mayor Lawson expressed her desire that Council be kept informed of all special events including those that had been approved

by staff. Graham proposed that the ordinance be amended to define those special events requests to be heard by Council as those that include public consumption of alcohol, closure of a public park, major street closures, events that include the attachment of items to public property, and any other unusual requests that the City Administrator believes should be acted upon by Council. **OUTCOME:** There was consensus for staff to draft an amendment, for consideration of first reading by Council, to the special event ordinance that will codify the current practice for handling special event requests and define events that will be heard by Council.

EXECUTIVE SESSION: Motion: Anderson made a motion, seconded by Goldfinch, to enter into executive session. **Vote:** Unanimous. Motion carried. **Motion:** Blain-Bellamy made a motion, seconded by Anderson, to come out of executive session. **Vote:** Unanimous. Motion carried.

A. Discussion on personnel matter [pursuant to SC Code §30-4-70(a)(1)]. Motion: Anderson made a motion, seconded by Timbes, to approve the request from the Board of Commissioners for the Conway Housing Authority to replace Solanda Moody as a member of that board. **Vote:** Unanimous. Motion carried.

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

APPROVAL OF MINUTES: Minutes approved by City Council this 3rd day of August, 2015.



Debbie F. Smith, City Clerk