

**MINUTES OF MEETING
CONWAY CITY COUNCIL
CITY HALL COUNCIL CHAMBERS
229 MAIN STREET
CONWAY, SOUTH CAROLINA
MONDAY – AUGUST 6, 2012 – 5:30 p.m.**

PRESENT: Mayor Alys C. Lawson, Mayor Pro Tem Larry A. White, and 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; Jerry Barnhill, Public Works Director; 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, Luke Anderson, Rev. Rhett Talbert, and others

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

INVOCATION/PLEDGE OF ALLEGIANCE: Mayor Lawson recognized Rev. Rhett Talbert of Kingston Presbyterian Church who gave the invocation. City Council and those in attendance recited the Pledge of Allegiance.

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 of Ordinance #ZA2012-08-06 (A) Accepting the petition of Zebedee A. Pack to annex approximately 1.59 acres of property located at 3565 South Highway 701 and 3564 Copperhead Road (TMS# 149-00-03-002) and to rezone the property Low Density Residential (R-1) upon annexation

B. City Council minutes – July 16, 2012

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

PUBLIC INPUT: None

SPECIAL PRESENTATIONS:

A. Special event request: Terror under the Bridge, October 25-31, 2012. Luke Anderson has requested a special event permit for this event to be held at the Lower River Warehouse. The requested time of the event is from 7:00 pm to 11:00 pm nightly and approximately 2,500 attendees are anticipated over the course of this seven-night event. The applicant has requested services from the City Police and Fire Departments. Staff recommended approval

of the request, including a waiver of the noise ordinance, with the applicant to pay the cost of City services provided (\$2,240). Luke Anderson was present in support of his special event request. **Motion:** Koon made a motion, seconded by Blain-Olds, to approve the special event application for Terror under the Bridge as recommended by staff. **Vote:** Unanimous. Motion carried.

- B. Employee Longevity Award** was presented to Vili Schwenke, Police Department, 10 years. Stephen Wolfe, Public Works Department, 5 years, and George Griffin Jr., Public Works Department, 15 years, were recognized for their service but were unable to attend the meeting. The presentation was made by Council Member Koon and the City Administrator.

PUBLIC HEARING AND ORDINANCE FOR FIRST READING: Ordinance #ZA2012-09-04 (A) Amending the City of Conway Unified Development Ordinance to add Section 12.1.7 Nonconforming Mobile Homes and Mobile Home Parks. At its last meeting, Council agreed to conduct a public hearing and first reading on this proposed amendment at its August 6th meeting. Staff recommended first reading approval. **Public Hearing:** There was no comment from the public. **Motion:** White made a motion, seconded by Goldfinch, to approve first reading of Ordinance #ZA2012-09-04 (A). **Discussion:** Blain-Olds expressed concern regarding the City's ability to enforce Section 12.1.7 C. Discussion followed by Council and staff on methods that are available to the City (such as water/electricity accounts/connection permits) for verification of the information being provided by the owner to determine the approximate time of vacancies. Leinwand advised Council that he believed the proposed amendment to the UDO contained sufficient information for enforcement of nonconformity regulations. Mayor Lawson requested that, if possible, some action be taken at the water department so that accounts for mobile homes inside City limits will be flagged when those accounts experience activity such as disconnect/reconnect. **Vote:** Unanimous. Motion carried.

ITEMS FOR CONSIDERATION:

- A. Proposed contract with Grand Strand Housing and Community Development Corporation to assist the City in administering its 2012-2013 CDBG housing rehabilitation program.** In January, 2012, City Council approved the allocation of \$100,000 of its 2012-13 Community Development Block Grant for its Low-to-Moderate Income Housing Rehabilitation Program. At the June 25, 2012, Council meeting, representatives from Grand Strand Housing and Community Development Corporation presented its proposal to assist the City with the administration of this program for a 15% fee. Staff recommended that Council authorize the City Administrator to execute the contract on behalf of the City with Grand Strand Housing and Community Development Corporation and to waive building permit fees for any work associated with the 2012-13 housing rehabilitation program. **Motion:** Timbes made a motion, seconded by Goldfinch, to approve staff's recommendation. **Discussion:** Leinwand briefly reviewed the criteria for eligibility in this program and the procedure for payment to Grand Strand Housing. Blain-Olds wanted the record to reflect her concern that it would add to the City's liability if the contract did not specify that Grand Strand Housing and Community Development Corporation (the sub sub-recipient) is not acting as the City's agent while working on these projects. Graham commented that this company is administering these funds on behalf of the City of Conway and the contract does, in fact, make it the City's agent in this program. **Vote:** Unanimous. Motion carried.

- B. Bid for construction of sidewalk and drainage project in the Sugar Hill area.** The Public Works Department advertised a request for bids for this project and eight bids were received. This project is funded by a HUD Community Development Block Grant. The areas to be improved by this project include Whittemore Street from Singleton Street to 9th Avenue, Palmetto Street from 9th Avenue to Bayside Avenue, Leonard Avenue from Live Oak Street to Palmetto Street, Temple Street from 9th Avenue to Lincoln Park Drive, and Lincoln Park Drive from Temple Street going approximately 250 feet. The lowest bid was submitted by Paving Services; however, it was determined that this contractor's license was inadequate for a job of this size and this bid was disqualified. The next lowest bid was \$205,171, submitted by Greenwall Construction. The original cost estimate for the Sugar Hill project was approximately \$165,000. Because a cost overrun was anticipated, Conway City Council, in January 2012, approved approximately \$165,000 in additional funding for existing CDBG infrastructure projects which includes the areas located at Sugar Hill and Grainger Road. The cost overrun for this project will be covered by this additional funding. Staff recommended that Council accept the lowest qualified bid in the amount of \$205,171 which was submitted by Greenwall Construction. **Motion:** Anderson made a motion, seconded by Blain-Olds, to award the contract for this project to Wade Lott, the second lowest bidder. **Discussion:** Council discussed Anderson's concerns in regard to Greenwall's work on the City's last underground wiring project. Mayor Lawson asked for and received direction from the City Administrator in regard to accepting a bid other than the lowest qualified bid. Graham also explained that local vendor preference could not be given in projects funded by federal funds and reiterated staff's recommendation to accept the low bid for this project. Anderson withdrew his motion and abstained from further discussion and voting. **Motion:** Timbes made a motion to table this issue. The motion failed for lack of a second. **Motion:** Goldfinch made a motion, seconded by Koon, to accept the low bid as recommended by staff. **Vote:** Anderson abstained; all others voted in the affirmative. Motion carried.
- C. Sale of 1998 pumper truck to Brindlee Mountain Fire Apparatus, LLC.** The FY 2011-12 budget included the replacement of this 1998 Salisbury Pumper Fire Truck. A replacement for this pumper truck has been purchased from the City of Myrtle Beach and has been put into service. Accordingly, the 1998 pumper truck is now surplus and staff believes it would not be prudent for the City to keep it based on its condition. In April 2012, Brindlee Mountain Fire Apparatus, LLC, appraised the surplus pumper truck and made an offer of \$35,000. The City has advertised the surplus truck on govdeals.com with a reserve of \$35,000; the highest bid received before closing was \$20,000. Brindlee Mountain has been contacted and the company is willing to honor its offer of \$35,000 to purchase the surplus pumper. Staff recommended that Council approve the sale of the pumper truck to Brindlee Mountain Fire Apparatus LLC for \$35,000. **Motion:** Koon made a motion, seconded by White, to approve staff's recommendation. **Vote:** Unanimous. Motion carried.
- D. Purchase of five replacement patrol vehicles.** Bids were received from Palmetto Chevrolet of Conway and Herndon Chevrolet of Lexington, SC, for five 2013 Chevrolet Impala vehicles to replace some of the department's older high mileage front line patrol vehicles. The low bid of \$20,047 per unit was submitted by Herndon Chevrolet; however, in accordance with the local vendor preference section of the City's procurement policy, Palmetto Chevrolet was contacted and has agreed to match the low bid. Staff recommended that Council approve the purchase of these five replacement vehicles from Palmetto Chevrolet at a cost of \$20,047 per unit for a total of \$100,235. Funding for this purchase will come from the Police Department's FY 2012-13 capital outlay budget. **Motion:** Blain-Olds

made a motion, seconded by Timbes, to approve the purchase of the replacement vehicles as recommended by staff. **Vote:** Unanimous. Motion carried.

E. Purchase of safety systems to equip five new patrol vehicles. Bids were obtained for the purchase of emergency lighting and audio systems that meet current OSHA standards for emergency vehicle operations requirements from State Procurement Services. Staff recommended that Council approve the purchase of this equipment from State Contract provider Dana Safety Supply at the following prices: five Whelan light bars at \$1,175.25 each, five Whelan siren and light controllers at \$220.40 each, and five Whelan siren speakers and brackets at \$93.05 each for a total cost of \$7,443.50. Funding for this purchase will come from the Police Department's FY 2012-13 equipment budget. **Motion:** Goldfinch made a motion, seconded by Koon, to move forward with the purchase of the safety systems as recommended by staff. **Vote:** Unanimous. Motion carried.

F. Renewal of partnership agreement with Shoreline Behavioral Health Services for the Community Action and Safe Tomorrow (CAST) action plan. Gosnell reported that the South Carolina Department of Alcohol, in conjunction with Shoreline, is sponsoring this plan to address underage drinking and DUI-related vehicle crashes. Under the two-year partnership agreement (June 30, 2012, through June 30, 2014), local law enforcement agencies agree to provide off-duty officers to participate in alcohol related enforcement activities. Participating agencies will be reimbursed for the officer's overtime at the rate of \$35 per hour. Staff recommended approval of the proposed partnership agreement. **Motion:** White made a motion, seconded by Anderson, to approve the partnership agreement as presented. **Vote:** Unanimous. Motion carried.

G. Bid for engineering services to construct an additional water tank near Coastal Carolina University and Hwy 544. Funds were included in the FY 2012-13 budget to design, engineer, and construct a new water tank in the Coastal Carolina University/Highway 544 area of Conway's East Water System. Requests for proposals for engineering services and bid packets were sent to six qualified engineering firms. Bids were received from three companies. Staff recommended that Council accept the low bid of \$54,230 which was submitted by Marziano & McGougan, PA, of Conway, and give authorization for this company to move forward with the work. **Motion:** Timbes made a motion, seconded by Anderson, to approve staff's recommendation. **Discussion:** There was discussion on bidding procedures with regard to this project and the City Administrator was requested to provide City Council with additional information on procurement procedures. There was also discussion on the possibility of leasing space on the new water tower to a cell phone company. In response to an inquiry from Mayor Lawson, no opposition was voiced to adding this as an option to the design specifications. **Vote:** Unanimous. Motion carried.

ADMINISTRATOR'S REPORT: Graham reported that Friday, August 10th, marks the beginning of the display of "Conway Tigers" flags on the days of Conway High School sporting events. The Conway National Bank Kickoff Classic is scheduled for that day, beginning at 6:00 p.m. at Conway High School. Fifteen businesses plan to fly the flags on that day, five of them in the downtown area.

COUNCIL INPUT:

Koon

- reported that some political candidate signs are still up around the City and need to be removed.
- offered assistance with fall decorations.

Timbes reported that a number of “cheater” advertising signs have been put up around the City and asked that they also be picked up.

Anderson

- reported that Squires’ Tree Nursery has large, good quality crepe myrtle trees and suggested that the City consider purchasing some of these trees for planting.
- stated his continuing concerns that Main Street Bridge is not pedestrian-friendly and the guard rail is hazardous; Mayor Lawson asked the City Administrator to invite DOT representatives to come look at the bridge and discuss options to remedy the situation.

White asked for a resolution recognizing Amber Campbell, CCU alumna and Olympic athlete. Council was in agreement with this resolution being prepared and presented to Ms. Campbell.

Blain-Olds reiterated her concerns regarding the speed limit on Boundary Street and requested that DOT representatives also visit the Darden Terrace area.

EXECUTIVE SESSION: Motion: Koon made a motion, seconded by White, to enter into executive session to consider appointments to boards, commissions and committees. **Vote:** Unanimous. Motion carried.

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

Appointments to Boards, Commissions and Committees. Motion: Anderson made a motion, seconded by Blain-Olds, to reappoint Linda Boyd to the Municipal Election Commission for a six year term ending April 26, 2018. **Vote:** Unanimous. Motion carried.

EXECUTIVE SESSION: Motion: White made a motion, seconded by Goldfinch, to enter into executive session to consider Grievance Committee recommendations on employee grievances. **Vote:** Unanimous. Motion carried.

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

Consideration of Grievance Committee recommendations: Motion: After receiving the recommendations from the Grievance Committee, Goldfinch made a motion, seconded by White, to uphold the decision of the Department Head as it relates to the grievances of both employees. **Vote:** Blain-Olds voted in the negative; all others voted in the affirmative. 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 _____ day of _____, 2012.

Vicky Lefler, City Clerk