

CITY HALL COUNCIL CHAMBERS  
229 MAIN STREET  
CONWAY, SOUTH CAROLINA  
MONDAY, NOVEMBER 2, 2015 – 5:30 PM

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**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, Planning Director; James Friday, Public Utilities Director; Reggie Gosnell, Police Chief; Le Hendrick, Fire Chief; Foster Hughes, Parks, Recreation, and Tourism Director; Billy Joe Sawyer, Building Official; Lynn Smith, Human Resource Director; Allison Williams, Finance Director; and Debbie F. Smith, City Clerk

**OTHERS IN ATTENDANCE:** Senator Luke Rankin, Kathy Ropp, and others

**CALL TO ORDER:** Mayor Lawson called the meeting to order. She welcomed Senator Luke Rankin and also welcomed back the City Administrator who has returned to work after having eye surgery.

**INVOCATION/PLEDGE OF ALLEGIANCE:** Mayor Lawson recognized Rev. William Miller of Bethel AME Church who gave the invocation. City Council and those in attendance recited the Pledge of Allegiance.

**APPROVAL OF AGENDA:** **Motion:** Goldfinch made a motion, seconded by Alford, to approve the agenda as presented. **Vote:** Unanimous. Motion carried.

**APPROVAL OF CONSENT AGENDA:** **City Council Minutes – October 7, 2015 and October 19, 2015.** **Motion:** Anderson made a motion, seconded by White, to approve the consent agenda. **Vote:** Unanimous. Motion carried.

**PUBLIC INPUT:** None

**SPECIAL PRESENTATIONS:**

- A. Presentation on \$250,000 state grant to assist with funding of renovation of former museum building.** Senator Luke Rankin presented Mayor and Council a mock check in the amount of \$250,000, which represents a state grant to assist with renovation of the former museum building. Rankin commented that this project is an example of good government—state and city working together to grow the economy.
- B. Presentation on services offered by SBA and FEMA service centers.** John Shaw, Internal Intergovernmental Affairs Specialist of FEMA, presented an overview of FEMA’s Individual Assistance Program and described several assistance programs FEMA offers. Tom Nocera, Small Business Administration representative, presented an overview of disaster assistance offered by the Small Business Administration loan program. Both FEMA and the SBA have set up service centers in Conway to assist those persons/businesses impacted by the recent flooding event.

Mayor Lawson abstained from discussion and vote on the following special event request for the Lawson Wedding Reception due to the reception being held at her residence. Mayor Pro Tem Blain-Bellamy presided over the meeting for this item of business.

**C. Special event request: Lawson Family wedding reception, December 12, 2015.** Emrick presented a special event request for the Lawson Family wedding reception to be held from 4:00 pm to 11:00 pm on Saturday, December 12, 2015, at the Lawson Home (1220 Pinewood Circle). Emrick noted that plans call for a band to play until 10:30 pm; therefore, approval of this request would grant a waiver of the noise ordinance. A site plan for the event accompanied the special event application. **Motion:** Alford made a motion, seconded by Anderson, to approve the special event request for the Lawson Wedding Reception as presented. **Vote:** Mayor Lawson abstained and all others voted in the affirmative. Motion carried.

**D. Employee Longevity Awards** were presented to Bill Graham, Administration, 10 years, and David Williams, Recreation Department, 15 years. Mayor Lawson made the presentation to Graham and assisted the City Administrator with the presentation to Williams.

#### **RESOLUTIONS:**

- A. Resolution authorizing the acceptance of a letter of credit from Beverly Homes LLC to guarantee the installation of infrastructure in New Castle Phase III Subdivision.** On October 6, 2015, the Conway Planning Commission approved Phase III of the New Castle Subdivision. Phase III will require infrastructure which has been approved by staff (drainage, streets, as-builts, sidewalks, ADA-accessible ramps, and shade trees). In the event these requirements cannot be met prior to the recording of the final plat, financial surety in the form of cash, cashier's check, or irrevocable letter of credit will be required to equal 125% of the cost of construction. The cost estimate for these improvements is \$97,510.00, which would require a letter of credit for \$121,887.50. Staff recommended that Council adopt the resolution as presented. **Motion:** Blain-Bellamy made a motion, seconded by Goldfinch, to adopt the resolution as recommended by staff. **Vote:** Unanimous. Motion carried.
- B. Resolution authorizing the acceptance of a letter of credit from Beverly Homes LLC to guarantee the installation of infrastructure in Rivertown Row Phase IIA Subdivision.** On June 4, 2015, the Conway Planning Commission approved Phase II-A of the Rivertown Row Subdivision. Phase II will require infrastructure which has been approved by staff (water and sewer, drainage, streets, site clean-up, erosion control, as-builts, sidewalks, ADA-accessible ramps, and shade trees). In the event these requirements cannot be met prior to the recording of the final plat, financial surety in the form of cash, cashier's check, or irrevocable letter of credit will be required to equal 125% of the cost of construction. The cost estimate for these improvements is \$301,787, which would require a letter of credit for \$377,234. Staff recommended that Council adopt the resolution as presented. **Motion:** Timbes made a motion, seconded by White, to adopt the resolution as recommended by staff. **Vote:** Unanimous. Motion carried.

**ORDINANCE FOR FINAL READING: Final reading of Ordinance #2015-10-19 (A) Establishing a student membership fee for the Riverfront Tennis Center and amending the requirements for student membership at the Conway Recreation Center.** First reading of this ordinance was approved at the October 19, 2015, Council meeting. At that time, Council suggested removal of the age limit for full-time college students in order that they may qualify for the student rate. Hughes reported that no local municipal and county recreation centers (private or public) surveyed by staff offered a student rate; however, based on staff's belief that a student membership rate would indicate the City's support of local schools and colleges, staff recommended the implementation of a student membership rate, with no age

restrictions, at the Tennis Center. To be consistent, staff also recommended that the age restrictions be removed for student memberships at the Conway Recreation Center. Staff recommended final reading approval of Ordinance #2015-10-19 (A) which includes these revisions. **Motion:** Blain-Bellamy made a motion, seconded by White, to approve final reading of Ordinance #2015-10-19 (A) with revisions as outlined by staff. **Vote:** Unanimous. Motion carried.

**PUBLIC HEARING AND ORDINANCE FOR FIRST READING: Ordinance #ZA2015-12-7 (A) Accepting the Petition of Nelson and Oreann Kempadoo to rezone approximately .53 acres of property located at 1716 Dillon Street (TMS# 136-08-30-005 / PIN 36801030001 and TMS# 136-08-30-006 PIN 36801020074) from Low Density Residential (R-1) to Medium Density Residential (R-2) for the purpose of accommodating a multi-family development.** Emrick advised Council that the property owner has requested to rezone the property at 1716 Dillon Street, which is made up of two parcels, from R-1 to R-2 to accommodate a multi-family development. All lots on the north side of Dillon Street are zoned R-1, whereas, the lots on the south side of Dillon Street (across the street from subject parcels) are zoned R-2. The Comprehensive Plan identifies the parcel as Existing Residential and Emrick noted that, for those areas with a clear and consistent development pattern, future building should reflect the land use and density already established. The Planning Commission recommended denial of the rezoning petition at its October 1, 2015, meeting. Staff recommended denial of the rezoning request. **Public Hearing:** There was no comment from the public. **Motion:** Goldfinch made a motion, seconded by Blain-Bellamy, to deny the rezoning request. **Vote:** Unanimous. Motion carried; first reading of Ordinance #ZA2015-12-7 (A) failed.

## **ITEMS FOR CONSIDERATION:**

### **A. Acceptance of bids**

- 1. Engineering services for the design of Westridge and Maple sewer lift stations.** Friday reported that funds were included in the FY 2015-16 budget for upgrading the sewer lift stations on West Ridge Boulevard and Maple Avenue. Bids were requested from seven area engineering firms and three bids were received: MBD Engineering, Conway - \$37,000; DDC Engineering, Myrtle Beach - \$40,000; and Robert L. Bellamy Engineering, Myrtle Beach - \$48,910. Staff recommended acceptance of the low bid. **Motion:** Alford made a motion, seconded by Blain-Bellamy, to accept the low bid of \$37,000 which was submitted by MBD Engineering for the design of Westridge and Maple sewer lift stations. **Vote:** Unanimous. Motion carried.
- 2. Engineering service for the design of 5th Avenue water line improvements.** Friday advised Council that bids were requested from seven area engineering firms for the 5<sup>th</sup> Avenue water line improvement project. This project will replace nearly 5,000 feet of 2-inch steel pipe and will increase the pressure and water quality to homes and businesses along 5<sup>th</sup> Avenue, as well as add eight new additional fire hydrants to the area. The following bids were received: Robert L. Bellamy Engineering, Myrtle Beach - \$33,550; MBD Engineering, Conway - \$35,000; and DDC, Myrtle Beach - \$35,000. In accordance with the City's local vendor preference ordinance, MBD was contacted but declined the opportunity to match the low bid. Staff recommended acceptance of the low bid. **Motion:** Alford made a motion, seconded by Timbes, to accept the low bid of \$33,550 which was submitted by Robert L. Bellamy Engineering for the design of the 5<sup>th</sup> Avenue water line improvements. **Vote:** Unanimous. Motion carried.
- 3. Service truck (replacement) for Public Works Department.** Chestnut reported that funds were included in the FY2015-16 budget for the replacement of a 2002 service truck for the Public Works Department. The following bids were received: Conway Ford - \$35,249 and Palmetto Chevrolet - \$33,351. Staff recommended acceptance of the low bid. **Motion:** Goldfinch made a motion,

seconded by Anderson, to accept the low bid of \$33,351 submitted by Palmetto Chevrolet for a 2016 service truck with crew cab and a platform body. **Vote:** Unanimous. Motion carried.

4. **Patrol truck (replacement) for Police Department.** Gosnell reported that the Police Department's FY2015-16 Capital Outlay budget designates funding for the replacement of a 2008 Ford F-150 pickup truck. The following bids, which include sales tax, were received: Conway Ford - \$25,390 and Palmetto Chevrolet - \$23,994. Staff recommended acceptance of the low bid. **Motion:** Blain-Bellamy made a motion, seconded by White, to accept the low bid of \$23,994 submitted by Palmetto Chevrolet for a 2016 Chevrolet Silverado 1500 pick-up. **Vote:** Unanimous. Motion carried.

- B. **Request regarding "No Parking" and "No Loitering" signage.** Gosnell reported that the Police Department has received numerous complaints in the 1400-1500 blocks of Racepath Street regarding prolonged on-street parking, loitering, and littering near several rental properties. The Police Department is requesting to reposition the current "No Parking" signs in that area and add "No Loitering" signs. Staff also recommended the removal of the "No Loitering" signs on 6<sup>th</sup> Avenue between Church and Smith Streets as the need for those signs has been remedied. **Motion:** Blain-Bellamy made a motion, seconded by White, to approve the repositioning of three "No Parking" signs and the addition of "No Loitering" signage in the 1400-1500 blocks of Racepath Street and the removal of "No Loitering" signage on 6<sup>th</sup> Avenue as recommended by staff. **Vote:** Unanimous. Motion carried.

**INFORMATION ITEM: Report on plans for upcoming municipal election.** The City Clerk presented an update on preparations that have been made for the municipal election that will be held on November 3, 2015.

#### **COUNCIL INPUT:**

**White** thanked the Police Department for implementing metal detection procedures at City Council meetings and wished all election candidates good luck.

**Timbes** requested staff and Council to consider a "festival of lights" that could be displayed annually from November to January and suggested Lake Busbee as a possible location.

**Anderson** expressed his pleasure to see the City Administrator back at work after eye surgery. He also encouraged anyone affected by the October flood event to contact FEMA should they need assistance.

**Goldfinch** expressed his appreciation to the Chamber of Commerce for housing the SBA Business Recovery Center. He also thanked the election candidates for representing Conway in a positive manner and for running a "clean" race.

#### **Blain-Bellamy**

- Thanked staff for promoting the breast cancer awareness campaign.
- Requested that the City participate in the "Green Light" initiative to honor veterans during the upcoming week and Council supported this request. After a brief discussion on possible locations for using green light bulbs to denote the City's participation, staff was asked to install a green light bulb on the upstairs porch of City Hall and at the Recreation Center (if possible).
- Requested that staff not forget the City has been put on notice of its responsibility to provide legal counsel for individuals charged with misdemeanors and that now is a good time to start planning how to take care of that mandate.

**Lawson** requested that staff review the “neighborhood yard sale” permit procedure to determine if the process for securing a permit can be simplified.

**WORKSHOP: Selection of 2015 Christmas Card Contest winner.** Hughes presented the top five cards selected by staff from the 390 entries in the City’s annual Christmas card contest. Council members were asked to pick their choice for the winning entry. The winning contestant will be notified by the City and invited for recognition at the December Council meeting.

**EXECUTIVE SESSION: Motion:** Anderson made a motion, seconded by White, to enter into executive session to consider the Employee Grievance Committee’s recommendation on an employee grievance [pursuant to SC Code §30-4-70(a)(1)]. **Vote:** Unanimous. Motion carried.

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

**CONSIDERATION OF RECOMMENDATION BY GRIEVANCE COMMITTEE: Motion:** Following the review of the recommendation from the Grievance Committee in executive session, White made a motion, seconded by Goldfinch, to uphold the decision of the Department Head as it relates to the grievance of the employee. **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 7<sup>th</sup> day of December, 2015.

  
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Debbie F. Smith, City Clerk