

January 3, 2022

CITY OF CONWAY
CITY COUNCIL MEETING
CONWAY CITY HALL
229 MAIN STREET, CONWAY
MONDAY, JANUARY 3, 2022 - 4:00 P.M.

PRESENT: Mayor Barbara Blain-Bellamy, Alex Hyman, Mayor Pro Tem
Council Members: Amanda Butler, William Goldfinch, Beth Helms, Justin Jordan, Larry White

STAFF: Adam Emrick, City Administrator; John Rogers, Deputy Administrator; Jeff Leveille, Technology Services Director; Jessica Hucks, Planner; Allison Williams, Finance Director; June Wood, Public Information Officer; Dale Long, Police Chief ; Wayne Calhoun, Police; Reggie Jenerette, Solid Waste Director; Robert Cooper, Building Official; Ashley Smith, Recreation Director; Le Hendrick, Fire Chief; James Friday, Public Utilities Director; Kent Bitting, Public Utilities Superintendent; Brandon Harrelson, Public Works Director; Lynn Smith, Human Resource Director; Timmy Williams, Grounds & Maintenance Director; Judge Andy Hendrick; Glen Black, Public Utilities; Anthony Campagna, Shop; Ben Lawson, Police; and Alicia Shelley, City Clerk

OTHERS: Judge Butler, Robert Lewis, Hillary Howard, Jeff Cox, Georgia Bryant, Mike Clausing, Howard Richardson, Juli Cochran, Alison McQuarrie, Steve Dunn, Tripp Nealy, Dan Park, and approximately 17 other residents of West Cox Ferry Road.

CALL TO ORDER: Mayor Blain-Bellamy called the meeting to order. John Long gave the invocation and led the Pledge of Allegiance.

The requirements for posting notice of this meeting under South Carolina's Freedom of Information Act (FOIA) were met.

ADMINISTRATION OF OATHS OF OFFICE: Oaths of Office were administered during the swearing in ceremonies for the Council members that were elected/re-elected in the November 2021 election.

William Goldfinch was sworn into office by The Honorable Andy Hendrick and was accompanied by his wife, Sallie and their children.

Amanda Butler was sworn into office by her father, the Honorable Aaron C. Butler and was accompanied by her son, Michael Butler.

Beth Helms was sworn into office by the Honorable Andy Hendrick and was accompanied by her parents.

APPROVAL OF AGENDA: Motion: Hyman made a motion, seconded by White, to approve the January 3, 2022 meeting agenda. Vote: Unanimous. Motion carried.

CONSENT AGENDA:

Approval of December 20, 2021 Minutes

APPROVAL OF CONSENT AGENDA: **Motion:** Hyman made a motion, seconded by Jordan to approve the January 3, 2022 consent agenda. **Vote:** Unanimous. Motion carried

ELECTION OF MAYOR PRO TEM FOR 2022: **Motion:** Goldfinch nominated Council Member Alex Hyman for the office of Mayor Pro Tem for 2022. White seconded the nomination. There were no other nominations. **Vote:** Unanimous. Motion carried.

PUBLIC INPUT:

Mike Clausing told Council that he is concerned with the speeding down Long Avenue Extension and the increase in crime over the past few years.

Howard Richardson, resident at intersection of Country Club and Long Avenue Extension is concerned about the crime in this area.

There was no further public input. **Motion:** Goldfinch made a motion, seconded by Hyman, to close public input. **Vote:** Unanimous. Motion carried.

SPECIAL PRESENTATION:

- A. Presentation of Longevity Awards – December 2021 – 15 years: Anthony Campagna, Shop; 5 years: Glen Black, Public Utilities; 5 years: Ben Lawson, Police Department; 5 years: John Rogers, Administration** – Emrick and Hyman presented longevity awards to Anthony Campagna, Shop – 15 years; Glen Black, Public Utilities – 5 years; Ben Lawson, Police Department – 5 years; and John Rogers, Administration – 5 years

- B. Request to add 1.01 acres of property located at 2908 4th Ave (PIN 368-08-03-0006) from City of Conway Low-Density Residential District (R1) to Jamestown Baptist Planned Development (PD)** Hucks informed Council that this was a housekeeping issue. Jamestown Baptist owns the property in question, which is located next door. In 2016, the church applied for and received approval of a rezoning request to create a Planned Development district for a new church site consisting of 10.4 acres. The proposed two-phased PD included a new church campus with passive and active recreation facilities and future institutional facilities, such as a sanctuary, fellowship hall, classrooms, etc. The area currently subject to rezoning had a single-family dwelling on site until recently, and County tax maps showed the property as a separate tax parcel. While researching the property for a demolition permit, however, City staff discovered that the parcel line was just for assessment purposes, not an actual division of property. The City's policy is that zoning lines follow actual property boundaries. Once staff determined that the map line shown between 2908 Fourth Avenue (the house) and 2916 Fourth Avenue (the church site) was not a property boundary, staff requested the rezoning petition from the church to extend the PD zoning to the full boundary.

PUBLIC HEARING AND FIRST READING:

Public Hearing and First Reading of Ordinance #ZA2022-01-18 to annex 40.07 acres of property located at 1237 W Cox Ferry Rd (PINs 382-00-00-0005 and 382-09-02-0001) and rezone from Horry County Commercial Forest Agriculture (CFA) to City of Conway Low-Density Residential (R1) for the purpose of designing and constructing a new single-family residential neighborhood. Hucks informed Council that the applicants have filed an application to annex two tracts of land totaling approximately 40.07 acres. The applicants are proposing to develop a residential neighborhood and have requested R1 zoning. The developer is proposing to use the conservation subdivision principles available in the R1 zone to design the site, a proposed layout showing 131 single-family lots. The property is contiguous and surrounded by Conservation Preservation on three sides by the National Refuge. Water from the City of Conway and sewer from Grand Strand Water and Sewer are available from the lines in place on West Cox Ferry Road. The Comprehensive Plan future land use map identifies this tract as Conservation Preservation.

Public Input:

Georgia Bryant spoke in opposition of this request and has concerns with access, traffic, infrastructure and flooding. She then read an opposition letter from her neighbor, Janet Haigh.

Jeff Cox spoke in opposition of this request and has concerns with traffic and would like to see it as Conservation Preservation as stated on the City's Comprehensive Plan future land use map.

Juli Cochran spoke in opposition of this request and has concerns with the traffic and wildlife preserve.

Alison McQuarrie spoke in opposition of this request and has concerns with police enforcement, traffic and wildlife.

Blain-Bellamy asked for a show of hands of those in attendance that were against this request and approximately 17 people were present.

Steve Dunn, owner of the property said he wishes to sell the property so that he can retire.

Tripp Nealy, developer further explained the request and said the CP plan has a 100' buffer around the property. He stated that he has a land plan and a tree survey completed.

Dan Park of Earthworks stated that he designed the plan and would be glad to answer any questions.

There was no further public input. **Motion:** Blain-Bellamy made a motion, seconded by Hyman, to close public input. **Vote:** Unanimous. Motion carried.

Helms asked if the parcel were not annexed into the city would the owners still be able to develop within Horry County. Hucks said yes, they would be able to develop in the County as

Commercial Forest Agriculture (CFA), which is .5 acres lots or they could ask for a rezoning in the County but would have to sign City Restrictive Covenants.

Emrick informed Council that if the request were denied there would not be another reading. If first reading were unanimously approved, the item would be placed on the consent agenda for second reading. If majority approved first reading, then there could be an opportunity to speak at second reading.

Blain-Bellamy restated what Emrick said.

Hyman stated that he visited the property. He said that if the property remained in the County as CFA that it could be developed; however, the property could also be clear-cut. He then said that if the property is annexed into the city, then not all are happy.

Emrick said that the County does have some protected tree requirements but they are not as strict as the City.

Hyman said that in the issue paper that the Police Department had some concerns about expanding the city limits for large subdivisions. Emrick said that there is already a subdivision on West Cox Ferry and that this is unique as it is a dead end street, which makes it difficult for fire, police, and garbage and could be a burden. Emrick said that the fire protection goes beyond the service boundaries and that fire would service this area regardless.

White asked about charging impact fees to help with police and fire. Emrick said that impact fees are used for growth issues and not administration.

Goldfinch said that the police protection footprint is already so big and we are trying to fill in donut holes. He is concerned that this type of growth is not paying for itself and it puts a huge stress on the community. He said that the City's square mileage is huge and the taxes are not high enough to cover. He also said that this parcel is also in the middle of the Waccamaw National Wildlife Refuge.

Motion: White made a motion, seconded by Jordan, to deny first reading of this request. **Vote:** Unanimous. Motion carried.

CONSIDERATION

- A. Consideration of a Resolution regarding an abandoned building incentive** – Hyman informed Council that this Resolution is to certify that 3 building sites have been abandoned pursuant to the South Carolina Abandoned Buildings Revitalization Act of 2013, Title 12, Chapter 67, Section 12-67-100 et seq., of the Code of Laws of South Carolina (1976), as amended, regarding property located at 1028 Third Avenue, Conway, South Carolina (PIN 36804020071). Third and Laurel, LLC intends to rehabilitate the existing building located at 1028 Third Avenue for future use as office, retail, and residential. The renovation will include eight apartments on 1st, 2nd and 3rd floors, with an ADA apartment on the 1st floor. 49 new exterior windows will be added, and five

existing windows will be repaired. The building is listed on the National Register of Historic Places and 66% of the square footage of the building has been vacant or used exclusively for storage for over 5 years. The estimated rehabilitation expense is \$2,148,738. The property owner intends to utilize several incentives. The projected completion date is end of May 2022.

The South Carolina Abandoned Building Revitalization Act of 2013 (the "ACT") was enacted in Title 12, Chapter 67 of the South Carolina Code of Laws to create an incentive for the rehabilitation, renovation and redevelopment of abandoned buildings located in South Carolina. The Act provides that restoration of abandoned buildings into productive assets for the communities, in which they are located, serves a public and corporate purpose and results in job opportunities.

This act provides a procedure whereby a municipality may, by binding resolution, certify a site as being abandoned. This is not required by SCDOR; however, tax credit investors request this as a condition of the syndication of the tax credits. The Act also allows a building or site to be divided into separate units, which each will be considered a separate abandoned building under the Act.

Therefore, Third and Laurel, LLC is requesting that this be certified as three separate abandoned building sites (1 for each floor). Included in your packet were copies of the Notices of Intent sent to SCDOR for each of the three abandoned building sites and the acknowledgment letters from SCDOR.

Robert Lewis, property owner further explained the request.

Motion: Goldfinch made a motion, seconded by Hyman, to approve the City Certification Resolution of abandonment of the site. **Vote:** Unanimous. Motion carried.

- B. Discussion on temporary placement of construction dumpster in right-of-way –** Hyman informed Council that Third and Laurel LLC located at 1028 Third Avenue intends to rehabilitate the existing building for future use as office, retail and residential. A construction dumpster is needed for demolition, framing and sheetrock. The contractor has asked to utilize two parking spaces on Laurel Street for the construction dumpster. The scaffolding will be needed for about two months and the dumpster about 6 months.

Motion: Blain-Bellamy made a motion, seconded by Hyman, to allow the temporary placement of the construction dumpster.

Robert Lewis, owner stated that the dumpster may be needed for about 6-7 months and the construction may take place for 7-9 months.

White asked about the safety of the children that attend the adjacent dance class. Lewis said that they plan to build a tunnel barricade system that will be a covered walkway on the sidewalk. He said that the Mustard Seed would close from January 15 – March 1, 2022.

Motion: Blain Bellamy restated her motion to approve the temporary dumpster for 6 months. Hyman again seconded the motion.

White asked about the parking for others. Lewis said that he would try to work out a lease for the residents, as this will be short-term rentals.

Vote: Unanimous. Motion carried.

- C. Consideration of Acceptance of Bid for Recreation Maintenance Building** – Smith stated the City Council allotted \$150,000 for the replacement of a maintenance building in the Capital Budget for the 2021-2022 Fiscal Year. The bid was sent to SCBO, placed on the City web page, and sent to various vendors. He recommended that Homewood Metal's bid of \$186,000 be accepted for the new recreation maintenance building located at the Billy Gardner Sports Complex. The additional \$36,000 will come from the TIF fund.

Motion: Hyman made a motion, seconded by Blain-Bellamy, to approve the bid from Homewood Metal for the recreation maintenance building. **Vote:** Unanimous. Motion carried.

CITY ADMINISTRATOR'S REPORT:

Emrick informed Council of the following:

- He said he would like to officially welcome our two newest Council members and he greatly looks forward to working with each of them for the next at least four years.
- Second, he wanted to confirm to Council and all in attendance that the workshop to discuss Whittemore Elementary School would be here on January 24 at 6 p.m.
- Next, he would like to report on Christmas. It was a major success this year. We had 27,405 people come through the Celebration of Lights. We have a few ideas to enhance it next year and will begin working on those immediately. The train was also a hit again. We had nearly 3,000 riders on the train with over 400 on one night in a two-hour window. The end of the Celebration of Lights has always been a tricky thing to program. We learned a lot this year and have some great ideas to enhance it as well. The Master Plan will also give us a big boost depending upon how the redesign of this area is suggested. We do need to do some major work on the train, however. We used an old tractor that is undersized for the job it is doing. So we need to look at a new tractor. It will be a budget discussion this March, something to look forward to.
- Speaking of the Budget, we have begun internal budget work already. Remember, though, last year we approved a two-year budget. Our hope is at this year's retreat, March 3, 4, 5, most of that budget will be sound and only a few minor tweaks will be needed. The rest of the time can be spent on 30,000 planning discussions for the City's future.
- Hometown Legislative Action Day is February 1. If any of you need a hotel, room for this and have not already spoken to Alicia about reserving a room, please do so ASAP.
- We have two Master Planning efforts underway right now. Our downtown/riverfront consultants will be here February 2-4 conducting interviews, stakeholder meetings and

other background research. Council is invited to drop in on February 3 from 1:30-3:30 at the new Planning & Building Department for one session. Mary Catherine will be reminding each of you via email soon.

- The second plan is our Trails and Pathways plan. We have a meeting later in the week to schedule their visit and input meetings. I will let you know those dates as soon as they are scheduled.
- We have received the final survey of Smith Jones Pool. Our engineers are submitting the final project to DHEC for approval. We should be out to bid for construction in February

COUNCIL INPUT:

Butler said that she was excited to serve the citizens and look forward to working with everyone. She thanked everyone and said that she looks forward to the future.

Goldfinch said that he has also served with some great people and he thinks that the best is still yet to come. He thanked everyone for the opportunity.

White welcomed the new members and Goldfinch back. He asked that staff get the new members some city shirts and business cards. He encouraged them to attend the MASC training and get involved. He said that he did not attend the special called meeting because he thought that we broke our own rules and he did not think it was fair. He then thanked staff for the Christmas decorations but asked if we could include the recreation center and add more lights next year. He said that Covid is back and he encouraged everyone to wear masks, especially in city buildings. He then told everyone Happy New Year.

Hyman told everyone Happy New Year and that he looks forward to working with all the new members.

Helms said that she has appreciated staff's help. She then gave a kudos to the Mayor for the way she handled the meeting earlier and she looks forward to working as a team.

Blain-Bellamy She said that from Halloween on she has a great sense of pride in the look of Downtown Conway. She said that people come up to here and say that they drive through three counties to come to Conway just to see our decorations. It goes without saying that the lights from the water tower are just astounding. She said that rumor has it if you are on top of the sky wheel in Myrtle Beach that you could see the water tower lights and people on planes say it is easy to point out. She said at least one radio station has had a contest and she asked how many lights were on the tower.

Emrick said that Daisy Fair had a contest and there are 9,600 lights. He then said they are taking them down as the wind has messed a few of them up.

She said that Collins Park was lit up last year but that it was dark this year and that vagrants have been hanging out. Emrick said that staff walked the park with Santee Cooper and are looking at lighting options. They will also be doing Collins, Sherwood and Smith Jones.

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Blain-Bellamy thanked staff for all that they do.

EXECUTIVE SESSION: Motion: Goldfinch made a motion, seconded by Hyman to enter into Executive Session for the following: A. Discussion of Pending Litigation Regarding a Former Development Agreement [pursuant to SC Code §30-4-70 (A) (2)]; and B. Discussion of Potential Acquisition of Property on Highway 378 [pursuant to SC Code §30-4-70 (A) (2)]. **Vote:** Unanimous. Motion carried.

RECONVENE FROM EXECUTIVE SESSION: Motion: Hyman made a motion, seconded by Goldfinch to leave Executive Session. **Vote:** Unanimous. Motion carried.

POSSIBLE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION: None

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

APPROVAL OF MINUTES: Minutes approved by City Council this 18 day of January 2022.


Alicia Shelley, City Clerk