

October 3, 2022

CITY OF CONWAY
CITY COUNCIL MEETING
BUILDING & PLANNING DEPARTMENT
196 LAUREL STREET, CONWAY
MONDAY, OCTOBER 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 City Administrator; Mary Catherine Hyman, Deputy City Administrator; Jeff Leveille, Technology Services Director; June Wood, Public Information Officer; Le Hendrick, Fire Chief; Allison Hardin, Planning & Development Director; Lynn Smith, Human Resource Director; Reggie Jenerette, Solid Waste Director; Kayla Fleming, Associate Judge; Robert Cooper, Building Official; Rock Rabon, Fleet Maintenance Director; Allison Williams, Finance Director; Timmy Williams, Hospitality & Beautification Director; Nevada Mileur, Litter Control Coordinator; Brandon Harrelson, Public Works Director; Ashley Smith, Parks and Recreation Director; Dale Long, Chief of Police; Sergeant Christopher Johnson, Police; Wayne Calhoun, Community Service Officer; Ted Dudley, Public Utilities Superintendent; Madison Gall, Recreation Assistant; Amanda Hooper, Procurement Specialist; Hunter Fowler, Public Utilities; Stephen Williams, GIS Coordinator; Jeromy Herndon, Fire Lieutenant; Gene Paul, Hospitality & Beautification; and Alicia Shelley, City Clerk

OTHERS: Hillary Howard, Keep Conway Beautiful Committee

CALL TO ORDER: Mayor Blain-Bellamy called the meeting to order, 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.

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

CONSENT AGENDA:

- A. Special Event – CCU Homecoming Parade – October 15, 2022**
- B. Final Reading of Ordinance #2022-10-03 (A) to amend Title 7, Chapter 4, Section 7-4-12 in the City's Code of Ordinances relative to Permissive Fireworks.**
- C. Final Reading of Ordinances #ZA2022-10-03 (B) and #ZA2022-10-03 (C) to annex approximately 3.95 acres located at 220 University Plaza Dr (PINs 383-14-01-0007, 383-14-01-0008 and 383-11-04-0026) and 1.89 acres located at 107 University Plaza Dr (PIN 383-14-01-0017) and rezone all properties from Horry County Highway Commercial (HC) to City of Conway Highway Commercial (HC).**

- D. Final Reading of Ordinance #ZA2022-10-03 (D) to annex approximately 0.25 acres located at 1621 Church St (PIN 338- 10-03-0016) and rezone from Horry County Highway Commercial (HC) to City of Conway Highway Commercial (HC).**
- E. Final Reading of Ordinance #ZA2022-10-03 (E) to amend the Ekklesia Church Planned District (PD) to expand the permitted uses for the Miller Motte building at 2451 E Hwy 501 (PIN #383-11-03-0004) and the Canal Industries Facility/ “The Hub” at 2431 E Hwy 501 (PIN #383-11-04-0025).**
- F. Final Reading of Ordinance #ZA2022-10-03 (F) to amend the Carsen’s Ferry Planned District (PD) to expand the list of permitted uses on Commercial Lot B off Riverport Dr (PIN #337-05-01-0006).**
- G. Final Reading of Ordinance #ZA2022-10-03 (H) to adopt the 2022 Conway Pathways and Trails Plan and Incorporate it by Reference in the Comprehensive Plan.**
- H. Final Reading of Ordinance #ZA2022-10-03 (I) to annex approximately 0.37 acres located at 806 Johnson St (PIN 369-12-02-0022) and rezone from Horry County Single Family Residential (SF20) to City of Conway Low/Medium Residential (R1).**
- I. Final Reading of Ordinance #ZA2020-09-21 (A) to amend the Unified Development Ordinance (UDO) Article 2 – Definitions, Article 4 – Use Tables, Article 6 – Design Standards, Article 7 – Streets and Circulation, Article 9 – Landscaping and Buffer Requirements, and Article 10 – Subdivision and Land Development, regarding development and design standards for major residential developments.**
- J. Approval of Project Cooperation Agreement Between Horry County and The City of Conway for the Waccamaw River Study**
- K. Resolution Accepting Dedication of Roadway and Drainage System known as University Plaza Drive**
- L. Approval of Accommodations Tax Advisory Committee Funding Recommendations**
- M. Approval of September 19, 2022 City Council Minutes**

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

PUBLIC INPUT:

Mr. and Mrs. Casiano of 3301 New Road informed Council of their concerns with the sewer and stormwater issues on their property.

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 – September 2022 – 5 years: Madison Gall, Recreation; 5 years: Amanda Hooper, Finance; 5 years: Hunter Fowler, Public Utilities; 5 years: Mary Catherine Hyman, Administration; 15 years: Christopher Johnson, Police; 15 years: Stephen Williams, Planning; 20 years: Jeromy Herndon, Fire; 20 years: Gene Paul Jr, Hospitality and Beautification** – Emrick and White presented the employees with their longevity awards.
- B. Presentation of Keep Conway Beautiful Committee** - Williams and Mileur presented Kathy Mangum, Secretary of the Keep Conway Beautiful Committee with the 2022 Palmetto Pride Board Member of the Year.
- C. Request from Soriano Holdings, LLC to rezone approximately 0.46 acres located at 165 Hwy 905 (PIN 339-16-04-0002) and rezone from Neighborhood Commercial (NC) to Highway Commercial (HC).** Hardin informed Council that this property is located at 165 Highway 905 and abuts the railway property where the Conway station resides. The property is currently zoned Neighborhood Commercial and the property owner would like to rezone to Highway Commercial to allow for more tenant options. Properties to the north, west, and east of this site are zoned R-1 and the property across Highway 905 is zoned WRD-1.

White asked what the train depot was zoned. Hardin said the train depot is in the right of way but the parcel beside it is Low Density Residential (R-1).

Goldfinch asked about the parcels behind this property that are in the wetlands and how they would be affected. Hardin said that they are zoned R-1, but the Future Land Use Map shows this property and the properties surrounding the subject parcel as Conservation Preservation.

- D. Request from Joseph and Georgia Kapshuck to rezone approximately 0.52 acres located at 1301 Church St (PIN 338-14-01-0016) from Low/Medium Density Residential (R-1) to Highway Commercial (HC).** Hardin informed Council that this parcel is located on a corner lot at 1301 Church Street, with a single-family residential structure on site with many large trees along Church Street and Forest View Road frontages. The owners are requesting the rezoning in order to sell the property. The parcel is currently zoned R-1. Doctors Care, south of this property is zoned Highway Commercial and properties across Church Street are zoned Professional. The Future Land Use Map shows the parcel as Highway Commercial.

Goldfinch has concerns with cars coming on and off of Forest View and whether SCDOT would allow a curb cut off of Church Street.

Hyman said that this home is surrounded by homes.

White had concerns with how Highway Commercial zoning could affect the neighboring parcels.

FIRST READING

- A. First Reading of Ordinance #ZA2022-10-17 (A) to annex approximately 0.43 acres located at 3575 Hwy 701 South (PIN 381-01-04-0016) and rezone from Horry County Single Family Residential (SF20) to City of Conway Low/Medium Residential (R1).** Hardin informed Council that this parcel is located at 3575 Highway 701 S, outside the city limits, and the property owner owns the adjacent parcel that is inside the city limits. The owner wishes to take some of the 1.59-acre tract and use it to expand the area of the subject parcel. When combining lots or parts of lots, City policy is that both lots are in the same jurisdiction and have the same zoning district; therefore, this request is being made to accommodate city policy.

Hyman recused himself from this request.

Blain-Bellamy asked for staff's recommendation. Hardin said that staff recommended approval.

Motion: White made a motion, seconded by Blain-Bellamy to approve first reading of this request. **Vote:** Unanimous. Motion carried.

- B. First Reading of an Ordinance Amending Title 7, Chapter 2 – Alcoholic Beverages, of the City of Conway Code of Ordinances –** Rogers stated that this item is more of a housekeeping item as a recent review of the City's code of ordinances revealed issues with the current ordinance regulating alcohol sales and possession in the City. Poor wording in the existing ordinance effectively outlaws the sale of alcohol in stores and restaurants on weekends. Secondly, it includes a provision on the possession of alcohol in automobiles, which is redundant to state law and unnecessary in our ordinances. The proposed update removes those sections to clean up the ordinance and make it more properly match current intended regulations in the City.

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

SECOND/FINAL READING

Final Reading of Ordinance #ZA2022-10-03 (G) to amend the Unified Development Ordinance (UDO) Article 11 – Signage to create a new section, Article 11, for the proposed Conway Landmark Sign program. Hardin informed Council that this amendment regarding a Landmark Sign program was presented to Council at the last meeting. At that meeting City Council asked staff to allow these signs to be relocated after review and approval by the Community Appearance Board and staff has made the adjustments to the text that will accommodate this.

Motion: Blain-Bellamy made a motion, seconded by Goldfinch to approve first reading of this request.

Helms stated that she requests that this amendment be deferred back to staff as it is not user friendly.

Blain-Bellamy withdrew her motion.

Goldfinch asked if this deferral would hold up any businesses. Hardin said no. Goldfinch then withdrew his second.

Motion: Helms made a motion, seconded by Hyman to defer this amendment back to staff to rewrite for clarity and simplicity. **Vote:** Unanimous. Motion carried.

CONSIDERATION

- A. Discussion on Extension of Use of Two Parking Spaces at 1028 Third Avenue – M.** Hyman stated that the renovation at 1028 Third Avenue is still ongoing, and the owner and contractor have requested a third time extension of use of two parking spaces for a construction dumpster, temporary toilets, and deliveries in the City right-of-way during this rehabilitation. On September 19, City staff reached out to the owner and contractor to remind them that the use of the parking spaces ended on September 30. The contractor replied that the completion date had been delayed to October, and possibly November. Hyman said that staff recommends approval of a third time extension for use of one parking space until November 30, 2022.

Motion: Goldfinch made a motion, seconded by White to approve the use of one parking space through November 30, 2022. **Vote:** Unanimous. Motion carried.

- B. Consideration of Acceptance of Bid for Improvements at Collins Park and the Billy Gardner Recreation Complex – M.** Hyman stated that the City of Conway solicited bidders to complete improvements at Collins Park and the Billy Gardner Recreation Complex (Mill Pond). Collins Park improvements include site preparation and grading; tree removal; pavement removal; asphalt paving; concrete sidewalks; tennis court, pickleball, and basketball court construction; court surfacing; seeding and restoration. Billy Gardner Recreation Complex improvements include site preparation and grading; concrete sidewalks; concrete trench curb and clay tennis court construction. One bid was received for each project as follows: Black Water Paving, LLC - \$736,416.07 for Collins Park and \$277,225.93 for Mill Pond. Presently, the City has allocated \$450,000 in State PRT funding for the Collins Park project, and \$300,000 in ARPA funding for the Mill Pond Project. Completion of the project will require council to allocate the remaining from Hospitality funding. M. Hyman said that staff recommends that Council approve to budget \$270,000 in Hospitality funding to the improvements at Collins Park and the Billy Gardner Recreation Complex and direct staff to enter into a contract with Black Water Paving LLC to complete construction.

Motion: Hyman made a motion, seconded by Goldfinch to approve staff's recommendation.

White asked about the tennis courts at Smith Jones. Hyman said that at Budget Retreat it was discussed to resurface the courts at Collins Park and Smith Jones.

Helms stated that she went to the Recreation Center a couple of times and got hammered by pickleball and she said she went by Collins Park a few times and they are all playing pickleball. The site plan does not show a whole lot of pickleball. Helms said she has been in a discussion that the City may be able to lease the tennis courts at Conway High School for a much less sale price and maybe we could reconfigure the proposed site plan. Helms said that she knows this is last minute and she doesn't know what the need of the kids are so she asked Smith's opinion on where the money might be best utilized. Smith said that using the courts at Conway High School would be very beneficial and that has been talked about in the past. Smith said that discussions have also been made to use Coastal's as well. Smith said that he feels there is a need for pickleball courts and there are 3 courts in the Recreation Center gymnasium. Smith said that he wants tennis courts more than anybody but we may be better served doing pickleball courts at this time.

Blain-Bellamy said in support of that when you consider that people are living much longer, pickle ball tends to be more attractive to older residents, and she hears every week that we need more pickleball courts.

Smith said that when the Smith Jones tennis center is resurfaced, new banners, and fencing will be installed, and it will be nice.

Goldfinch said that Helms and Smith bring up good points and he thinks this is worthy of further discussions during a workshop at the next meeting.

Hyman withdrew his original motion.

Blain-Bellamy reiterated that Council asks staff to bring this to the next meeting as a workshop item for discussion.

- C. Consideration of Location of Flood Memorial Statue** - Blain-Bellamy stated that she wants the public to know that some months ago that she mentioned to staff and maybe others did too, there is a fountain in riverfront park honoring the former Mayor Greg Martin and it appeared to her that that fountain was so underwhelming, small and doesn't make a big splash that goes to often unnoticed. Blain-Bellamy then said that she thought it did not pay the kind of tribute to someone so important to our history as Greg Martin was. A discussion began to come up with some public art to maybe improve that. It was never the intent to undo honoring our former Mayor and just found it to be a place to do some public art, something that would speak to Conway as to who we are. Staff worked with several artists and we came up with what essentially honors the floods, the resilience and the Conway strong that we speak about so many times. A few weeks ago, Council approved the completion of a very nice sizable piece of public art that says nothing about our dear former Mayor. This grew out of something to better honor our former Mayor, who died while serving us as opposed to coming up with something that had nothing to do with him. Blain-Bellamy said that she now proposes that the City move forward with replacing the existing Mayor's fountain with the appropriate art in the location that is and, putting the flood memorial statue at the fountain at the end of Laurel Street at Chanti's.

Motion: Jordan made a motion, seconded by Goldfinch to move the flood memorial statue to the fountain at Chanti's and redo the Greg Martin fountain so that it is proper and fitting.
Vote: Unanimous. Motion carried.

White asked if the fountain at Chanti's was the one that was just painted. Emrick said yes, but that it still needed to be done.

CITY ADMINISTRATOR'S REPORT

Emrick informed Council of the following:

1. The City of Conway had no significant flooding or wind damage. We did have damage to five City properties:
 - a. The roof at City Hall lost a few slate tiles, we have filed a claim with MASC and will proceed with repairs once assessments are completed
 - b. We had a roof leak at Fire Station 3.
 - c. There was a roof leak at the Senior Center.
 - d. Fire Station 2 had an electrical short from the generator back feeding
 - e. The lift at Fifth and Main was damaged in the wind.

We did have some private property damage from downed trees and we lost a sign and a few awnings downtown. Our Public Works & Fire Crews removed 14 downed trees. We momentarily had four road closures, all were fairly quick to reopen, with Boundary and Main Street being the most expected of the four. Given our fortune during the storm, we have sent a number of our building inspectors to the coast to assist in damage assessments. Georgetown County had over 1000 buildings damaged and the roads this weekend were most inaccessible. No other crews have been requested at this time, but we stand by ready to assist any community affected by the storm if needed.

2. The mural at A Father's Place is complete.
3. The hurricane pushed the repair to the surface at Riverfront playground. I will let you know when we do when the rescheduling of this will occur.
4. We will have Charlie Barrineau from MASC at our next meeting for some Council training. This will take place at the conclusion of the meeting.
5. MASC Regional Advocacy Meetings are here in this room next Thursday, the 13 at 9:30 a.m. This is a great opportunity to meet MASC Staff and learn about what issues they see upcoming in the next year and how those issues may affect us.
6. As you know, we have a jam-packed calendar of things going on right now. I'm going to touch on just a few.
 - a. Tomorrow morning at 5th and Main, the Chamber is holding their Business Power Breakfast with Jimmy Staton the new CEO of Santee Cooper. This is at 8:00 a.m.
 - b. This Friday evening at Coastal, is the Light up the Night 5k Run
 - c. Saturday is a busy one:
 - i. Falktoberfest starting at noon
 - ii. The Spooktacular Boat Parade at 4 p.m.
 - iii. Halloween Movie Night in the Terrace – Hocus Pocus starting at 7:30
 - d. Next week we have:

- i. The Zombie Fun Run on October 12 at 7 p.m.
- ii. Smoke on the Water BBQ Festival begins on Friday and continues through Saturday, this will include on Saturday, the Kids Carnival which we had to move due to the hurricane.
- iii. The Chamber's Annual meeting and Masquerade Gala is Friday, October 14.
- iv. Coastal's Homecoming Game and associated festivities, on and off campus are on October 15. This includes the Homecoming Parade which you approved earlier tonight. Council and Administration will ride in the morning parade and I will send more details on that shortly.
- e. There are many more events this month, but I will report on those at the next Council meeting.

Emrick stated that there are 99 teams in the Fall sports program at the Conway Parks and Recreation Complex.

White asked if all kids were afforded an opportunity to play if they wanted. Smith said yes, there are anonymous donors and also a scholarship program for those that need it.

Butler asked if the events are available on Facebook. Emrick said yes, on the City of Halloween page.

COUNCIL INPUT

Butler thanked the city staff who are volunteering their services down in Georgetown and Myrtle Beach, and thanked staff for all that they do for the City of Conway, and putting in the extra work to ensure that the City is recovering from the storm.

Jordan echoed Butler and said that thankfully the city fared very well in this storm. He thanked staff for all that they do and for reaching out to our neighbors to assist with their needs as there is a long road to recovery across the coast. He then gave his thoughts and prayers to those in Florida as they were devastated from this storm.

Goldfinch echoed the previous sentiments and added that he is proud of staff that stepped up to be away from their families to look after our city and like Butler said those staff that helped our neighbors. Goldfinch said that he ran into Robert Cooper in Garden City on Saturday as he was helping people clean up from the flooding. Goldfinch said that it's nice to have that partnership with people and he is very proud. He then gave a shout out to his church on the corner of Fifth Avenue saying that they have pumpkins and also built a frame where you can go up with your kids and family to have a cool picture made.

White said ditto to everything that has been said. White said that he was out last meeting due to Covid, has had all his shots but he still got it. White then thanked the city staff for all that they do for the community.

Hyman also thanked staff, in particular Timmy, Reggie, and Brandon as we all saw the bulk of that just by riding around town, as you all do such a great job. Hyman said that he rode downtown Saturday morning and the streets were flooded with people, CCU parent's weekend, and it didn't

look like anything had happened as it was all cleaned up. Hyman said that a tree fell across the street from his house, backhoe must have been waiting for it to fall because within minutes it had been moved. Hyman said that he had calls earlier with flooding concerns and had less flooding with the hurricane than with some storms, so the City is doing something right. Hyman then said that he is looking forward to all the festivities in Halloween, South Carolina and for everyone to be safe.

Helms thanked all the City employees, as some were digging ditches before the storm in some of those areas that normally flood, that didn't flood. Helms said that she knows that double routes were ran today so that was a big deal getting all the trash off the City roads. Helms stated that before, during and after the storm all of the City employees did a great job and that made her proud. Helms then said that she wanted to discuss how the ordinance issue or things come on the agenda, and when they are brought up to Council. Helms said she thought that she had the process as it was discussed at budget retreat, workshop and then she later waited for it to come on the agenda and have some public input. Helms then said that a couple of weeks ago she and a couple of others were blindsided by the fact that the alcohol consumption ordinance got taken off the agenda, and she would like to see it put back on, and maybe have Chief Long read it again as she knows that he worked with some restaurants and downtown people to rewrite the ordinance. Helms then said to maybe also get his pros and cons on the actual ordinance. Helms then said that staff could get together some other cities that actually do this type of ordinance and also when we do open it up for public input that the Chamber, Downtown Alive, people that are for it, and people that are against it can come up and speak. Helms said that she thinks it is a big deal for Council to listen to all concerns, go out and talk to the constituents, and see where the ball falls, whether Council votes for or against it, as she thinks that all council members should be involved.

Blain-Bellamy echoed all of the kudos, and first of all God for sparing us and the prayers for those who have had personal losses and property losses as some are in the middle of devastation right now, so let's remember them. Blain-Bellamy said that she was in a press conference with Governor McMaster Saturday afternoon in Georgetown and had a number of Mayors come up to her and thanked her for what the City of Conway staff was doing to help them and she was totally unaware, but also not surprised because that is who we are. Blain-Bellamy said that last Saturday was the Conway Super Stars with outstanding vocal talent with the coolest trophies she had ever seen, they were a box with a microphone on top of it. Blain-Bellamy said there were some excited participants who did a really good job but she said that attendance was down as it was 2:00 p.m. on a Saturday. Blain-Bellamy recommended that for next year that maybe schedule for a later time in the day so that more may could attend. Blain-Bellamy said that Parks and Recreation did a really good job and she was proud of them. Blain-Bellamy said that the City does most things really well and then there are some things that we find out about catastrophes, like the Casiano's on New Road and she wants us all to pay attention to those hard issues and do all that we can, because we don't want anyone to live in those circumstances.

WORKSHOP

Discussion Regarding Fences Within Public Drainage Easements – Harrelson stated that as the Ordinance stands now, no new fences are allowed within Public Drainage Easements throughout the City. The amendment was created due to the amount of fencing being installed in these areas and lack of response and/or responsibility from owners when maintenance was required. The current text has created a hardship on City staff creating more work and is very time consuming.

City staff proposes amending the current text to allow fencing within the easement, but with stipulations. The proposed amendment would change how fences are permitted through Zoning by requiring a disclosure statement signed and recorded at the County Register of Deeds prior to applying for the permit. The disclosure statement could include acknowledgment of the easement and financial responsibility for install/removal should easement maintenance be required. An HOA approval would accompany the disclosure statement for permitting purposes, if applicable.

Blain-Bellamy asked how often this occurs. Harrelson said quite often in developments, but not so much Downtown.

Goldfinch said that it sounds as though this will fix the problem but asked staff to add a time element into the amendment.

EXECUTIVE SESSION: Motion: White 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)]; B. Discussion of Potential Acquisition of Property Located Downtown [pursuant to SC Code §30-4-70 (A) (2)]. **Vote:** Unanimous. Motion carried.

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

POSSIBLE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION: Motion: Hyman made a motion, seconded by Jordan to authorize the administrator to make an offer to purchase property located Downtown. **Vote:** Unanimous. Motion carried.

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

APPROVAL OF MINUTES: Minutes approved by City Council this 17 day of October, 2022.


Alicia Shelley, City Clerk