

November 21, 2022

CITY OF CONWAY
CITY COUNCIL MEETING
BUILDING & PLANNING DEPARTMENT
196 LAUREL STREET, CONWAY
MONDAY, NOVEMBER 21, 2022 - 4:00 P.M.

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

ABSENT: Justin Jordan (out of town)

STAFF: Adam Emrick, City Administrator; John Rogers, Deputy City Administrator; Mary Catherine Hyman, Deputy City Administrator; June Wood, Public Information Officer; Le Hendrick, Fire Chief; Jessica Hucks, Planning & Development Director; Reggie Jenerette, Solid Waste Director; Rock Rabon, Fleet Maintenance Director; Ashley Smith, Parks and Recreation Director; Dale Long, Chief of Police; Wayne Calhoun, Community Service Officer; James Friday, Public Utilities Director; Jeff Leveille, Technology Services Director; Rosanne Dates, Grants Supervisor; Allison Williams, Finance Director; Timmy Williams, Hospitality & Beautification Director; Brandon Harrelson, Public Works Director; Kayla Fleming, Associate Judge; Bess Harry, Building Administrative Assistant; Becky Graham, Payroll Benefits Administrator; and Alicia Shelley, City Clerk

OTHERS: Erick Roberts, Priscilla Fuller, Cheryl Moore-Adamson, Maria Felomena Solomita, Sha-Ron Jones, Mike Mancuso

CALL TO ORDER: Mayor Blain-Bellamy called the meeting to order. Erick Roberts of The Rock Church 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: Hyman made a motion, seconded by White, to approve the November 21, 2022 meeting agenda. Vote: Unanimous. Motion carried.

CONSENT AGENDA:

- A. Final Reading of Ordinance #2022-11-21 (A) Amending the City's budget for Fiscal Year 2022-2023**
- B. Final Reading of Ordinance #ZA2022-11-21 (B) to amend Section 5.2.3 – Fences and Walls, of the Unified Development Ordinance (UDO), to allow fences to be placed in Public Drainage Easements with conditions.**
- C. Final Reading of Ordinance #ZA2022—11-21 (C) to adopt the 2022 Riverfront & Downtown Master Plan**
- D. Final Reading of Ordinance #ZA2022-11-21 (D) to annex approximately 0.35 acres of property located at 124 Clemson Rd (PIN 383-10-01-0014) and request to rezone from**

Horry County Single Family Residential (SF10) to City of Conway Low/Medium Density Residential District (R-1).

E. Final Reading of Ordinance #ZA2022-11-21 (E) to annex approximately 0.50 acres of property located at 570 Dunn Shortcut Rd (PIN 337-08-02-0023) and rezone from Horry County Commercial Forest Agriculture (CFA) to City of Conway Low/Medium Density Residential District (R-1).

F. Acceptance of Bid for Playground Equipment

G. Resolution to Accept Letter of Credit for Midtown Oaks Subdivision

H. Approval of November 7, 2022 City Council Minutes

APPROVAL OF CONSENT AGENDA: Motion: Goldfinch made a motion, seconded by White to approve the November 21, 2022 consent agenda. **Vote:** Unanimous. Motion carried.

PUBLIC INPUT:

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

SPECIAL PRESENTATION:

A. Presentation of National Community Foundation Week Proclamation – Mayor Blain-Bellamy presented Mike Mancuso of the Waccamaw Community Foundation with the National Community Week Proclamation.

B. Presentation of Small Business Saturday Proclamation – Mayor Blain-Bellamy presented Brooke Holden of the Conway Chamber of Commerce with the Small Business Saturday Proclamation.

C. Opening of Sealed Proposal for Whittimore Elementary School Site – Rogers presented Council with the sealed proposal for the Whittimore Elementary School Site and stated that at first glance it appeared that the basic requirements were enclosed. Rogers stated that staff would bring this item back to Council as a workshop item at the December 5, 2022 City Council meeting.

White asked if this was the only bid received. Rogers said yes, at this time, but the closing bid is December 31, 2024; however, Council has the authority to close the bid at any time.

D. Discussion of a proposal to annex approximately 1.42 acres located off Hwy 501, between Sioux Swamp Road and Highway 548 and rezone from Horry County Commercial Forest Agriculture (CFA) to City of Conway Highway Commercial (HC) (PIN 326-15-04-0002). Hucks stated that this parcel is located on Highway 501 just before Highway 548 and is currently zoned Commercial Forest Agriculture. The applicants are seeking to annex and rezone to City of Conway Highway Commercial. The parcel has frontage directly on Highway 501 and is currently vacant. The future land use map

identifies the property as split between Highway Commercial on the front half and Conservation Preservation on the back half of the property. The Planning Commission will hold a public hearing on December 8 and then staff will forward PC's recommendation to Council for first reading.

E. Discussion of a proposal to annex approximately 6.6 acres located at 2202 Camelot St and rezone from Horry County Highway Commercial (HC) to City of Conway Highway Commercial (HC) (PIN 338-07-04-0013). Hucks stated that this parcel is currently zoned Horry County Highway Commercial and the applicants are proposing to annex and rezone to City of Conway Highway Commercial. The parcel is surrounded on 3 sides by Highway Commercial. Access to the parcel is provided via Highway 501 onto Camelot Street. The future land use map identifies the parcel as Highway Commercial. There is currently a metal building on the property but the applicant has no specific proposed use. The first reading will be held by City Council on December 5 and the PC will hold the public hearing on December 8. Staff will then forward the recommendation to Council for the final reading.

F. Discussion on moving the Conway Tree Board from the Community Appearance Board (CAB) to the Board of Zoning Appeals (BZA). Hucks stated that this year there has been an uptick in tree board meetings as opposed to previous years. Staff is proposing to send these appeals to the Board of Zoning Appeals rather than the Community Appearance Board. The advantages in doing so is there is a public hearing, property would be posted, letters to surrounding property owners would be sent out, it would be advertised for public input and the appeal process would be clearer. Horry County's process is that live oaks greater than DBH of 24" goes to the Board of Zoning Appeals.

Hyman said that when he was on the Board of Zoning Appeals he thought that this needed to be there. He asked for clarification that CAB just has a few districts and not the entire city. Hucks said that is correct.

Hyman suggested that Council ask staff to change appeals to the Board of Zoning Appeals instead of the Community Appearance Board.

Emrick said that staff would draft the ordinance and bring back to Council for first reading.

CONSIDERATION:

Consideration of 2023 City Council Meeting Schedule – Emrick presented the proposed 2023 City Council meeting schedule.

Motion: Blain-Bellamy made a motion, seconded by White, to approve the schedule as presented with the second meeting in June being held on Tuesday, June 20. **Vote:** Unanimous. Motion carried.

CITY ADMINISTRATOR'S REPORT:

Emrick informed Council of the following:

- All of you have no doubt seen the mess on Laurel Street and have had your share of complaints about it. We share with you this frustration. I want to briefly tell you where we are on this and what we've discovered.
 - SCDOT issued a permit to Landscape Central, a contractor working for both 3rd & Laurel and Crooked Oak. This permit was to allow the contractor to disrupt traffic and dig up the road intersection to tie a new, larger water line into our system and continue it up Laurel Street to Crooked Oak. The City issued a similar permit to work within the road of Laurel. This permit allowed work to commence only at night and for the street to be reopened to traffic and pedestrians during the day.
 - It went south on day one, with the road and intersection being nearly undriveable. On day two, we closed the street to traffic as it presented a serious safety concern. With the road closed to traffic, we allowed the contractor to work during the day as well in an effort to get things reopened as quickly as possible.
 - It became clear that the contractor was not able to complete the work in a satisfactory manner.
 - At daybreak on Friday the 18th, City Staff began assessing the road and installation to create a plan to restore the road to working order. By mid-afternoon, it was clear that the contractor was not able to do the work and staff contacted a site work contractor to assist us in removing all of the fill materials from the road to expose the new water line and assess the work. Staff worked around the clock and reopened the road at 9am Saturday morning. It is still in bad shape, but is drivable.
 - Once exposed, we found four broken or disconnected sewer lines, the sewer main was broken in two locations, none of the water line connections, aside from Crooked Oak and 3rd and Laurel were made. There were no pressure control devices installed. The electric conduit that services the street lights on Laurel was cut. None of the appropriate materials were used to back fill the cut. All of the deficiencies were a direct result of the work that was performed by the contractor.
 - The new water lines cannot be turned on without digging out the road again, something we cannot permit until after the holiday season. Further DHEC has not permitted this work, a process that can take 6 weeks or more.
 - The contractor was not licensed by the state to do the work performed, nor did they possess a City business license at the time.

Goldfinch asked how did we let this issue get this far. Emrick said he had no comment as this may end up in litigation.

Goldfinch said that when the underground project on Fourth is complete all of that will be resurfaced and every year we have our list of streets that are to be resurfaced. He then asked if it was possible to evaluate some of these streets before they are resurfaced and if needed, replace the water lines then and not have to come back later. Emrick said that this was actually done on the Fourth Avenue project. Prior to the first phase, the water and sewer lines were upgraded

between Kingston bridge and Fourth Avenue. As we know and have the time to do, we do. On this project, the existing water line was perfectly fine for the businesses that were there but when you add the residential component to the Third and Laurel space and the addition of a 500 seat restaurant, as it will have a public benefit down the road but the public need was not there at this time to require it. Emrick said that if the city would have dug up that road, it probably would not have been with a 6" line for the businesses that are there

- The Staff Christmas Party will be December 6 at the Sports and Fitness Center.
- The Drop-in event for Boards, Commissions and Retirees is on December 7 from 4 pm-6 pm at 5th and Main.
- June has created a fantastic calendar of Christmas events which is at your seat. We have a jammed packed calendar for Christmas, starting with the Tree Lighting event on December 1.
- 10U and 15U soccer Allstars both won the all-star tournament this weekend and will play in the state tournament in Rock Hill in December. This might be the first time we've had two age groups compete at states in the same year.
- We have department reports from Public Works and Solid Waste tonight.

White asked why the employee party was separate from the board and retiree party this year. Emrick said that last year there were 425 to RSVP and that staff was looking for other locations for the employees other than the Sports and Fitness Center, but no facilities in Conway are able to accommodate more than 300 people. Emrick then said that he believes that board members and retirees get lost in the shuffle and that this would be better.

DEPARTMENT REPORTS:

Public Works – Harrelson gave an update to Council on the following:

- Received 110 service request since last report in August.
- Cleaned approximately 20 miles of ditches
- Installed 1400 LF of pipe for residents who've requested tile
 - Three new locations totaling 500 LF are awaiting scheduling
- 75 inspections have been performed on stormwater and/or erosion control
- Performed 40 plan reviews
- Crews finished ROW cutting in September and are now maintaining the stormwater within those ROW's
- Three additional employees obtained their Erosion Control Inspector Certification
- Stormwater Masterplan for downtown is wrapping up
- Awaiting to hear a response on the three grants applied for at the following locations:
 - McKeithan St. outfall
 - Beaty St. outfall
 - Pine St. outfall
- Concrete contractor is currently in the City performing repairs.

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- Crews are continuously working on Jenkins Field Rd. Curbing is expected to be installed next week.
- Crews are assisting other departments as needed for holiday decorations.
- Public Works is still patching road cuts for the City.
- Working with engineers to address the nuisance flooding in the Ivy Glen subdivision.
- King Asphalt says they will begin paving in two weeks. Paving will begin in Wild Wing and Chicora.

White asked about Highway 378 and at Sixth Avenue and Smith Street. Harrelson stated that they are State Roads but that he would keep aggravating SCDOT.

Hyman asked for an estimate on the completion of Jenkins Road. Harrelson said the goal is by January 1.

Sanitation – Jenerette gave an update to Council on the following:

- 3 open positions: 2 Heavy Equipment Operators and a Sanitation Worker
- Collected 342 tons of storm debris from Ian over 18 days
- City of Conway received a \$10,000 grant from the Horry County Solid Waste Authority to purchase 65-gallon blue recycle carts.
- Picked up a total of 789 tons of commercial waste for the month of October.
- Total bill for the landfill for the month of October was \$73,266.39

Blain-Bellamy asked if the number of tons was up. Jenerette said the commercial is up about 100 tons due to CCU's increase in attendance.

Blain-Bellamy asked if folks were recycling. Jenerette said not at Coastal.

COUNCIL INPUT:

Helms congratulated Jessica Hucks on being promoted to the Planning & Development Director and wished MC Hyman a Happy Birthday.

All in attendance then sang Happy Birthday to MC Hyman, Emrick, Hendrick and Friday.

Hyman stated that he was at the soccer tournament in Charleston and that Charleston is beautiful but he is thankful to live in Conway. He then commended staff and stated that Conway is a great town.

White thanked Chief Long for dismantling a problem on Fifth Avenue. He then thanked the city for the Mural at A Fathers Place. White said that the lots on Hwy. 378/Racepath and at Smith Jones needs cutting.

Goldfinch wished everyone a Happy Thanksgiving and stated that he had a lot to be thankful for and was thankful for all, as they were all considered his colleagues.

Blain-Bellamy also extended a Happy Birthday to all and congratulated Hucks as the Planning Director. Not many attended, but Arbor Day was fabulous. Wanda, Arborist walked up a mountain of dirt and clay that was 15-20' tall to affix three arbor day flags. The décor was perfect and only had members of our staff present. She echoed White on the mural at A Father's Place and said that it truly is a depiction of life in Conway. Blain-Bellamy stated that she has concerns regarding Scarborough Alley as the more Conway grows the less this is a safe access, and therefore asked staff to conduct an internal study on options to make it work better. She said that she is attending a conference and they are talking about what makes Downtown's work and the first is housing. She also asked staff to look at where we are in regards to housing. Blain-Bellamy then wished everyone a Happy Thanksgiving.

Blain-Bellamy called for a break.

WORKSHOP:

Collins Park – MC Hyman stated that back in September bids were received to do some changes at Collins Park that included 2 new tennis courts, 2 pickleball courts, relocation of the basketball court and adding parking. At that time Council suggested removing the tennis courts and adding more pickleball. The proposal before you today is to leave the basketball court and add up to 5 pickleball courts.

Blain-Bellamy said if there are room for 5 pickleball courts, to add those 5.

Goldfinch asked about the status of the Park View Road design. MC Hyman said that staff is talking with the neighbors and will bring back to Council.

Butler asked about having shade for the basketball courts. MC Hyman said staff could look at adding some trees.

Blain-Bellamy asked staff to look at other options while the trees are growing.

Council directed staff to proceed with bids on the proposed Collins Park renovations.

Goldfinch said he would like to add to his wish list for the city to acquire the piece of property to the North and expand along 17th Avenue

EXECUTIVE SESSION: Motion: White made a motion, seconded by Helms to enter into Executive Session for the following: Discussion of Potential Acquisition of Property [pursuant to SC Code §30-4-70 (A) (2)]. **Vote:** Unanimous. Motion carried.

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

POSSIBLE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION: Motion: Blain-Bellamy made a motion, seconded by White to authorize the purchase of the Habitat parcel. **Vote:** Unanimous. Motion carried. **Motion:** Hyman made a motion, seconded by Butler to authorize the purchase of tax sale parcels. **Vote:** Unanimous. Motion carried.

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

APPROVAL OF MINUTES: Minutes approved by City Council this 5 day of December, 2022.


Alicia Shelley, City Clerk