

November 7, 2022

CITY OF CONWAY
CITY COUNCIL MEETING
BUILDING & PLANNING DEPARTMENT
196 LAUREL STREET, CONWAY
MONDAY, NOVEMBER 7, 2022 - 4:00 P.M.

PRESENT: Mayor Barbara Blain-Bellamy, Alex Hyman, Mayor Pro Tem, 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; June Wood, Public Information Officer; Le Hendrick, Fire Chief; Allison Hardin, 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; Robert Cooper, Building Official; Jeff Leveille, Technology Services Director; Rosanne Dates, Grants Supervisor; Allison Williams, Finance Director; Braxton Fleming, Public Works Superintendent; Nikki Goldman, Clerk of Court; Lynn Smith, Human Resources Director; Bryson Gillig, Hospitality and Beautification Manager; Alex Cook, Building Plan Reviewer and Alicia Shelley, City Clerk

OTHERS: Andrew Salley, Priscilla Fuller, J.B. Clark, Chris Snyder, Sha-Ron Jones

CALL TO ORDER: Mayor Blain-Bellamy called the meeting to order. Andrew Salley 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 7, 2022 meeting agenda. **Vote:** Unanimous. Motion carried.

CONSENT AGENDA:

- A. Final Reading of Ordinance #ZA2022-11-07 (B) to rezone 3.38 acres located off of Lochwood Ln (PIN 338-07-01-0033) from Low/Medium Density Residential (R-1) to Highway Commercial (HC).**
- B. Final Reading of Ordinance #ZA2022-11-07 (E) to annex approximately 1.45 acres located at 2637 Long Ave Ext (PIN 324-16-03-0024) and rezone from Horry County Single Family Residential (SF20) to City of Conway Low/Medium Residential (R-1).**
- C. Approval of a Major Amendment to a FY2022-23 Economic Development Grant**
- D. Resolution to Accept Letter of Credit for Rivertown Row North Phase 1**
- E. Resolution to Accept Letter of Credit for the Completion of Kiskadee Loop in the Kiskadee Park Development**

F. Resolution to Authorize Participation in the South Carolina Local Government Investment Pool

G. Approval of October 17, 2022 City Council Minutes

APPROVAL OF CONSENT AGENDA: Motion: Butler made a motion, seconded by Jordan to approve the November 7, 2022 consent agenda. **Vote:** Unanimous. Motion carried.

Blain-Bellamy introduced the following new employees: Michael Maiello, Police; Eric Seitz, Police; Jason Gulley, Police; James Cox, Police; Jessica Kebreau-Pierre, Administration/Grants; Coitlett Brown, Recreation; Aleah Hargrove, Building; and Maegean Foster, Human Resources

PUBLIC INPUT:

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

SPECIAL PRESENTATION:

Presentation of Longevity Awards – October 2022 – 5 years: Richard Currier, Police; 10 years: Jimmy Davis, Fire – Emrick and Butler presented Jimmy Davis with his longevity award.

PUBLIC HEARING AND FIRST READING:

Public Hearing and First reading of Ordinance #2022-11-21 (A) Amending the City's budget for Fiscal Year 2022-2023 – Rogers stated that the purpose of the proposed ordinance is to amend the City's FY 2022-2023 budget to reflect the current needs of the City as follows:

- 1) General Fund – Increase of \$100,000 to complete the training facility for the Fire Department.
- 2) General Fund – Increase of \$35,000 for Fire Station 2 roof repairs
- 3) General Fund – Increase of \$15,000 to provide funding for a Temporary part time administrative assistant for Court.
- 4) General Fund – Increase of \$206,000 for a fork lift and a service/fuel truck for the Fleet Maintenance Department.
- 5) General Fund – Increase of \$25,000 for new cameras for the Technology Services Department.
- 6) General Fund – Increase of \$55,800 for the hire of the City Attorney as a full-time staff position.
- 7) General Fund – Increase of \$40,000 to replace a truck destroyed in an accident for the Hospitality and Beautification Department.
- 8) General Fund – Increase of \$40,000 to purchase additional dumpsters and roll off containers for the Solid Waste Department.
- 9) Utility Fund – Increase of \$100,000 for a flatbed truck for Public Utilities.
- 10) General and Utility Fund – Increase of \$11,000 to cover the increase of on call pay from \$30-\$80.

Rogers stated that these changes will increase the City's FY 2022-2023 total budget \$627,800.

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

Motion: Goldfinch made a motion, seconded by Hyman to approve first reading of Ordinance #2022-11-21 (A). **Vote:** Unanimous. Motion carried.

FIRST READING:

- A. First 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.** Fleming stated that the current UDO does not allow fencing within the Public Drainage Easements but has created a hardship on City staff with lots of complaints from the public as well as created a hardship on property owners who are unaware of existing public drainage easements on their property. Staff proposes to amend the current text to allow fencing within the Public Drainage Easements, but with conditions that require a Disclosure Statement signed and recorded at the Horry County Register of Deeds Office prior to applying for the permit. The Disclosure Statement would include acknowledgement of the easement and financial responsibility for install/removal should easement maintenance be required by the City. HOA approval must accompany the Disclosure Statement, if applicable. Fleming said that staff recommends this text amendment to place the responsibility of fences in Public Drainage Easements on the property owner rather than City staff and create a more streamline and yielding process for City residents.

Motion: Hyman made a motion, seconded by Helms to approve first reading of Ordinance #ZA2022-11-21 (B). **Vote:** Unanimous. Motion carried.

- B. First Reading of Ordinance #ZA2022—11-21 (C) to adopt the 2022 Riverfront & Downtown Master Plan.** Irene Dumas Tyson of Boudreaux gave an overview of the Riverfront and Downtown Master Plan.

Motion: Hyman made a motion, seconded by Goldfinch to approve first reading of Ordinance #ZA2022-11-21 (C). **Vote:** Unanimous. Motion carried.

- C. First 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).** Hardin informed Council that this parcel is located at 124 Clemson Road and is contiguous by both properties along Clemson Road. The annexation request was submitted as part of the requirements for connection to water and/or sewer utilities.

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

- D. First 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). Hardin informed Council that this parcel is located at 570 Dunn Shortcut Road and is contiguous by properties along Green Fir Loop and Dunn Shortcut Road. The annexation request was submitted as part of the requirements for connection to water and/or sewer utilities.

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

CONSIDERATION:

- A. Consideration of a Request for Waiver of Sidewalk Requirements for Homewood Estates** – Hardin stated that Homewood Estates bound by Highway 65, Highway 813 and Lite Road has requested a waiver of the sidewalk requirements. Highway 65 and Highway 813, both SCDOT state highways, are considered arterial streets under the City’s UDO, which requires that properties abutting arterial streets require sidewalks. The applicant is complying with the regulations on internal streets; under these regulations, they would also need to install a 381.33 linear foot sidewalk along Highway 813 and a 1,383.74 linear foot sidewalk along Highway 66. Hardin stated that she got word today that DOT does not favor encroachments into the right of way. If a property owner or developer requests a waiver of the requirement to construct a sidewalk because there is not foreseeable connectivity, the waiver is presented to City Council for consideration. In accordance with this section of the UDO, the exemption of sidewalk requirements can be granted only by City Council. Should the waiver be granted, the property owner and/or developer will be required to contribute, in lieu of the sidewalk, an amount equal to the construction cost of the required sidewalk, including any required infrastructure improvements for the sidewalk. The payment is to be used by the City to build or complete pedestrian, bikeway, and/or pathway systems. Hardin said that using the 2022 value of \$24.37 per linear foot for labor and construction, the estimate for a payment in lieu of sidewalk construction including the sidewalk, grading, and clearing, is \$43,014.76.

Goldfinch asked if SCDOT does not want the City to install sidewalks, does the City have the right to charge. Emrick said we could require the sidewalks to be installed on the applicants own property.

Goldfinch stated that this is in a rural area and residents will not be walking to a store, etc. in this neighborhood.

White stated that if Council does not require the sidewalks to be put in now, the costs will not be the same in a couple of years. It is called walkability and the people that live there need somewhere to walk. Complete streets is also a term that goes along with this.

Hyman stated that the point of Highway 813 and Highway 65 is a cemetery, there will never be connectivity as it would just be a sidewalk to nowhere.

Goldfinch said that he agrees with both, but that there will be sidewalks inside the neighborhood for the ones that live there.

Blain-Bellamy said that we already use fee in lieu where sidewalks are needed. Emrick said yes, there is a long list where sidewalks are needed.

White asked about Highway 701 towards the bank, where a sidewalk was just built and then stops, are we going to continue that sidewalk. Emrick said that SCDOT is repaving that road and the city was able to piggyback on that project and did use some of the sidewalk funds to be able to do that but just going from Conway Feed and across was about \$50,000.

Blain-Bellamy asked when was the last time that Council looked at a sidewalk priority list. Emrick said this year at budget retreat. Blain-Bellamy asked for a copy to be sent.

Motion: Goldfinch made a motion, seconded by Blain-Bellamy to approve the waiver for the sidewalk requirement and accept the payment of \$43,014.76. **Vote:** Blain-Bellamy, Helms, Hyman, Goldfinch, Jordan and Butler voted in favor while White voted no. Motion carried 6-1.

- B. Consideration of a Resolution to Approve the Donation of Land from Palmetto Properties of Conway LLC and Rosehaven Property Owners' Association Inc. to Rose Hill Cemetery** – Hardin informed Council that Palmetto Properties and Rosehaven POA has offered to donate a total of approximately 1.75 acres of land to combine with the existing Rose Hill Cemetery, which would allow the existing graves on these properties to become part of the Rose Hill Cemetery parcel. As a condition of the agreement, the donated property would count towards the needed open space for the new Rosehaven Townhouse Development. The new combined parcel would include the existing SCPSA ROW easement and no structures and/or gravesites would be permitted in that existing easement.

White asked if this would not be used for burials. Emrick said that is correct, but there are existing burials on the site.

Blain-Bellamy asked if this would impact the City's workload. Emrick said there would be additional work but manageable.

Goldfinch said that he understands this is leftover, but why was it not included to begin with. Emrick said this is more of a housekeeping issue.

Motion: Goldfinch made a motion, seconded by Blain-Bellamy to approve the Resolution accepting the donation of land. **Vote:** Unanimous. Motion carried.

- C. Consideration of Award of 2022-23 Economic Development Grant** – Rogers stated that the Go Get Your U Foundation has applied for a 2022-23 Economic Development Grant to fund their Juneteenth celebration next year. The foundation has applied for all of the \$10,000 remaining after Council awarded grants in July.

White recused himself from this request.

Motion: Jordan made a motion, seconded by Blain-Bellamy to approve the economic development grant. **Vote:** Unanimous. Motion carried.

D. Discussion on the extension of use of two parking spaces for a construction dumpster and deliveries in the City right-of-way during the rehabilitation of the building located at 318 Laurel Street, Conway, South Carolina (PIN 368-04-02-0081 and 368-04-02-0082). MC Hyman stated that the contractor at 318 Laurel Street is currently renovating the existing building. City Council approved the temporary placement of construction dumpsters in two parking spaces on Laurel Street for 60 days, which ended on November 5. The contractor is seeking an extension until December 5.

Blain-Bellamy said that it seems an extension is always needed but she sees no abuse. MC Hyman stated that the ordinance does not state a time limit and contractors never know of the unknowns.

Emrick stated that when this request came before Council the first time that the applicant asked for longer, but it was shortened by Council.

Motion: Blain-Bellamy made a motion, seconded by Hyman to extend use of the two parking spaces until November 30. **Vote:** Unanimous. Motion carried.

CITY ADMINISTRATOR'S REPORT:

Emrick informed Council of the following:

- October was an absolutely wild month in Conway. As hospitality and other revenue numbers come in, I will report them to Council. Early estimates are that we had 20x the number of people in the City compared to a typical October. Let that sink in. 20x.
- But alas, Halloween is over and Christmas is here! You may have noticed that we have started putting up Christmas already. We have heard on social media that some would like us to wait until after Thanksgiving to start Christmas, but it takes 6-7 weeks to put up Christmas and we have 5. We do have many of our favorite activities returning and a few exciting things to add to the festivities this year:
 - The Celebration of Lights set up has started. It will be the same route as last year, down Ashpond Road and onto Marina Drive, where it will end at Elm Street. The show will begin on December 1 and continue through Christmas, every Thursday, Friday, Saturday and Sunday.
 - The Annual Christmas Tree Lighting will be December 1. This year, we are closing Main Street and 3rd Avenue. The City Tree will return to in front of City Hall.
 - The Christmas Card Contest is currently open but all entries are due today! We will have them ready for review and selection at the next Council meeting.
 - This year we are adding several things to our celebration. First, we are adding a walk-through light display at Riverfront Park. We are lighting up the trees and peninsula. This is free and will be open every night of the season beginning December 1st.
 - We are also adding to the end of the light show festivities with Santa's Village, where there will be train rides, hot beverages, photos with Santa and arts and crafts vendors each night the Celebration of Lights is open.

- There will also be three outdoor movies show at the Terrace, the dates will be forthcoming, so stay tuned, but the movies are Elf, Polar Express, and The Christmas Story.
- A full schedule of events will be out soon, and I will update Council of these at the next meeting.
- The Staff Christmas Party will be December 6 at the Sports and Fitness Center. We will be mixing things up a bit this year.
- One thing we are doing is bringing back the Drop-In event for Boards, Commissions and Retirees. This will be on December 7 from 4 p.m.-6 p.m. at 5th and Main. The Staff Party will be limited to employees and one guest only.
- A last note on Christmas, there is a decorating contest for residents and businesses, so get to work untangling those lights and making sure your ladders are safe.
- At the next meeting we will again discuss the amenities at Collins Park and adding Pickleball.
- If you missed the Blackout Game at Coastal last week, you missed an amazing effort by the Chanticleers. The last home game of the season is Saturday, where we hope to raise our record to a pretty remarkable 9-1.
- But... the only thing that might upset the weekend, a tropical system is making its way toward Florida right now that is predicted to turn northward up the coast and make itself known to us, bringing a lot of rain and wind and coastal flooding. Someone needs to remind Mother Nature that its November, and that we're done with bad weather now. Staff is monitoring this storm closely and will update both Council and the public as we continue to do so.
- Finally, this Friday is Veteran's Day and we'd like to thank all of our Veteran's and those in active military service for their sacrifices to our country.

COUNCIL INPUT:

White thanked Chief Long and the Police Department for assisting in the neighborhood.

Helms thanked staff for addressing the fencing issues as she had a lot of calls.

Blain-Bellamy said that she was bombarded with a ratio of 20-1 with compliments with the City's showing at Halloween. People really enjoyed the activity, decorations and the Mayor said that she noticed most days you could not find a park downtown nor get a seat at a restaurant. Blain-Bellamy said that she always says she is not the one to compliment, that it is the City staff and people are complimenting staff by the day for their creativity, hard work and the good outcome that results.

Blain-Bellamy called for a break.

WORKSHOP:

Ride IV

Blain Bellamy introduced Wayne Gray, Ride IV Chairman.

Emrick stated that City staff has identified three priorities:

1. A new bridge over the Waccamaw River, with 3 ideas that have been presented by different entities: 1. From 319 to International Drive; 2. Busbee Bypass; and 3. Cell project which connects Highway 22 down to the south end.
2. Redesign at Fourth Avenue, Highway 378 and Highway 501 where New Road and Third Avenue would connect and a new exit at Marina Drive
3. Access Management for Highway 501 from Central Park to Conway High School

Wayne Gray, Ride IV Chairman updated the Council, saying that \$700 Million is expected to be collected for these projects.

Goldfinch recommended a toll both set up on the west side of Highway 501 and 22 intersection to encourage people to use Highway 22.

New Road

Fleming stated that Public Works has recently received several complaints of the drainage system along New Road. Due to larger rain events than normal, the system has been inadequate and causing several issues. New Road consist of 46 single family homes that directly access the roadway and rely on the drainage system in place for run – off between HWY 701S and Cedar Ln. The system also provides drainage for Jefferson Cir. and Heritage Rd. There have been no reports of damages due to flooding, however it does cause the gravity sewer system to back up and overflow from the manholes. The drainage system in this area consist of mostly older 15” galvanized or RCP drainage tile and small open ditches. Several years ago, the galvanized pipe at 3301 New Rd. was replaced with RCP and the outfall size was increased from 18” to 24”. Unfortunately, we believe the 24” is no longer capable of handling the amount of run – off it receives. Repairs would need to include 3,848’ of 18” RCP and 720’ of 36” RCP along with 32 catch basins. Total project cost would be +/- \$214,435 for the entire road. A second option would be to replace the two outfalls only. This would only help the run – off move faster. There would be some reduction in nuisance flooding, but it would be limited during larger rain events. The cost for this option is approximately +/- \$68,468.

Blain-Bellamy asked if both options would have the same outcome and remedy the situation. Fleming said yes.

Emrick stated that neither options are budgeted but stated that we could monitor the expenditures and squeeze option 2 into the budget.

Council recommended that staff go with option 2.

Crosswalks

Emrick told Council that motorists are ignoring the crosswalks downtown and Council advised staff to purchase some signage that advises drivers to stop for pedestrians.

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GSWSA Agreement for non-city services

Emrick stated that GSWSA can do the billing for non-city services and include our stormwater and sanitation fees. Staff is working with GSWSA and will bring it back to Council at a future meeting.

Downtown Social District

Rogers stated that staff is still researching and has discovered that Downtown Aiken has one that is probably comparable to Conway. Staff will bring a more formal proposal at a future meeting.

Horry County Maintained Roads

MC Hyman stated that staff has been working with Horry County on taking over some County maintained roads where the City has more than 50% jurisdiction beginning 2023. Staff has asked them not to give us any unpaved roads. This will give the City an additional 7.46 miles of roadway to maintain. State law says that we have to take them.

The roads to be added are Bohemia Court, Carolyn Street, Collins Jollie Road, Columbia Street, Patricia Street, Clemson Street, Cottage Lane, Drew Lane, E. Country Club Drive, Hagwood Circle, Bradford Drive, Siwel Road, Husted Road, University Blvd, Mercedes Drive, Plantation Circle, and Sellers Road.

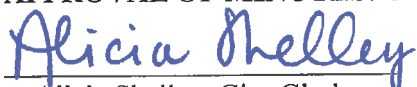
EXECUTIVE SESSION: Motion: Hyman made a motion, seconded by White to enter into Executive Session for the following: A. Consideration of Appointments to Boards, Commissions and Committees [pursuant to SC Code §30-4-70 (A) (1)]; B. Discussion Regarding Personnel Matters in the Planning Department [pursuant to SC Code §30-4-70(A)(1)]. **Vote:** Unanimous. Motion carried.

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

POSSIBLE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION: Motion: Hyman made a motion, seconded by Blain-Bellamy to give approval to staff to fire and hire internally within the Planning and Development Department. **Vote:** Unanimous. Motion carried.

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

APPROVAL OF MINUTES: Minutes approved by City Council this 21 day of November, 2022.


Alicia Shelley, City Clerk