

January 16, 2024

CITY OF CONWAY  
CITY COUNCIL MEETING  
CONWAY CITY HALL  
229 MAIN STREET, CONWAY  
TUESDAY, JANUARY 16, 2024 - 4:00 P.M.

**PRESENT:** Mayor Barbara Jo Blain-Bellamy, Mayor Pro Tem Larry White, Amanda Butler, William Goldfinch, Julie Hardwick, Beth Helms, Justin Jordan.

**STAFF:** Adam Emrick, City Administrator; Mary Catherine Hyman, Deputy City Administrator; John Rogers, Deputy City Administrator; June Wood, Public Information Officer; Jeff Leveille, Technology Services Director; Allison Williams, Finance Director; Timmy Williams, Hospitality & Beautification Director; Reggie Jenerette, Solid Waste Director; Lynn Smith, Human Resource Director; Rock Rabon, Fleet Maintenance Director; Jessica Hucks, Planning and Development Director; Le Hendrick, Fire Chief; Ashley Smith, Recreation Director; James Friday, Public Utilities Director; Dale Long, Police Chief; Ted Dudley, Public Utilities Deputy Director; Kayla Fleming, Municipal Judge; Katie Dennis, Planning Concierge; and Alicia Shelley, City Clerk.

**OTHERS:** There were approximately 40 others in attendance.

**CALL TO ORDER:** Mayor Blain-Bellamy called the meeting to order. Matt Wilson, Ekklesia 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.

**ADMINISTRATION OF OATHS OF OFFICE:** Larry White, re-elected in the November 2023 election, was sworn in and his Oath of Office was administered.

**APPROVAL OF AGENDA:** Motion: White made a motion, seconded by Butler, to **approve** the January 16, 2024 meeting agenda. Vote: Unanimous. Motion carried.

**CONSENT AGENDA:**

- A. **Final Reading of Ordinance #ZA2024-01-16 (A), to annex approximately 0.14 acres located at 127 Quail Run (PIN 383-09-04-0077), and rezone from the Horry County Residential, no mobile homes allowed (SF10) district to the City of Conway Low/Medium-Density Residential (R-1) district.**
- B. **Final Reading of Ordinance #ZA2024-01-16 (D), to annex approximately 9.24 acres of property located at 2325 Hwy 501 East (PIN 383-11-01-0004), and rezone from the Horry County Highway Commercial (HC) district to the City of Conway Highway Commercial (HC) district.**
- C. **Final Reading of Ordinance #ZA2024-01-16 (F) of an amendment to Article 2 – Definitions and Article 5 – Specific Use Regulations, of the City of Conway Unified Development Ordinance (UDO), regarding the requirements for Electric Vehicle Charging Stations (EVCS) and associated equipment.**

**D. Approval of the 2024 Risk Management Resolution**

**E. Approval of Bid for Purchase of Vehicles in the Public Utilities Department (Budgeted)**

**F. Approval of January 8, 2024 Council Emergency Meeting Minutes**

**G. Approval of January 2, 2024 Council Meeting Minutes**

**APPROVAL OF CONSENT AGENDA:** **Motion:** Goldfinch made a motion, seconded by Blain-Bellamy to **approve** the January 16, 2024 consent agenda. **Vote:** Unanimous. Motion carried.

**ELECTION OF MAYOR PRO TEM FOR 2024:** **Motion:** Jordan made a motion, seconded by Goldfinch to elect Larry White as Mayor Pro Tem for 2024 by Acclamation. There was no objection and the motion carried unanimously.

**PUBLIC INPUT:**

- Brian Von, owner of Palmetto Taps spoke in opposition of the ERF being built at the corner of Fourth Avenue and Kingston Street.
- Priscilla Fuller thanked the Mayor for attending the press conference regarding the cross burning, MLK Day celebration, and for supporting a proposed hate crime law. She then thanked all of Council for their work.
- Phyllis Nye spoke on behalf of the McMillan's, who own the Jerry Cox building, regarding the placement of the ERF proposed at the corner of Fourth Avenue and Kingston Street and said that she sent an email to Council regarding new locations.
- Greg Bryson spoke regarding the proposed Tributary Planned Development District.

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

**SPECIAL PRESENTATION:**

**Presentation of Employee of the Month for January 2024 – Pubic Service** – A. Smith presented Veronica Ricardo as Employee of the Month.

**PUBLIC HEARING AND FIRST READING:**

**Public Hearing and First Reading of Ordinance #ZA2024-02-05 (A), of a request by Lennar Carolinas, LLC and Thomas & Hutton, to enter into a Development Agreement with the City of Conway for property located at or near the corner of HWY 378 & Juniper Bay Rd, Hwy 378 & Airport Rd, Dayton Drive, and Dunn Shortcut Rd (PIN's 336-00-00-0043, -**

**0044, -0045, 336-13-04-0006, 336-14-04-0011, 336-15-03-0003, 337-00-00-0009, -0011, -0012, 337-08-01-0004, 370-00-00-0011, and 370-04-01-0004)**

**Motion:** Goldfinch made a motion, seconded by White, to **combine** items IX. and X.A regarding the property located at or near the corner of HWY 378 & Juniper Bay Rd, Hwy 378 & Airport Rd, Dayton Drive, and Dunn Shortcut Rd and **hold the Public Hearing** as advertised.

**Vote:** Unanimous. Motion carried.

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

**Motion:** Goldfinch made a motion, seconded by Butler, to **defer** these items to a Workshop at a later date. **Vote:** Unanimous. Motion carried.

### **FIRST READING:**

- A. First Reading of Ordinance #ZA2024-02-05 (B), to annex approximately 486 +/- acres of property, located at or near the corner of HWY 378 & Juniper Bay Rd, Hwy 378 & Airport Rd, Dayton Drive, and Dunn Shortcut Rd (PIN's 336-00-00-0043, -0044, -0045, 336-13-04-0006, 336-14-04-0011, 336-15-03-0003, 337-00-00-0009, -0011, -0012, 337-08-01-0004, 370-00-00-0011, and 370-04-01-0004), and rezone from the Horry County Commercial Forest Agriculture (CFA), Horry County Highway Commercial (HC), Horry County Residential, no mobile homes allowed (SF40), the City of Conway Heavy Industrial (HI), City of Conway Low/Medium-Density Residential (R-1), and City of Conway High-Density Residential (R-3) districts to the City of Conway Planned Development (PD) district.**

See previous motions.

- B. First Reading of Ordinance #ZA2024-02-05 (C), to annex approximately 8.96 acres of property located at/near the intersection of Mill Pond Road and Highway 501 (Church Street) (PIN 338-10-01-0015), and rezone from the Horry County Highway Commercial (HC) to the City of Conway Highway Commercial (HC) zoning district.**

Hucks stated that this property is located between parcels that are all within the city limits, all of which are zoned Highway Commercial (HC). The property is currently zoned Horry County HC, and the applicant has requested to be zoned City of Conway HC upon annexation. Surrounding uses include vacant property, a gas station/convenience store, and is across from a coffee shop and a restaurant. The city's future land use map of the comprehensive plan identifies the entire property as Conservation Preservation (CP), due to the existence of the AE flood zone and a floodway on a small portion of the property. If first reading is approved, a future land use map amendment will also be brought forward for consideration, which has already been to Planning Commission. The proposed use is medical; specifically, a freestanding ER. However, specific uses are not typically considered when a rezoning is requested. All uses that are permitted in the HC district could be permitted on this property if the request is approved.

Hucks said that an amendment to the Unified Development Ordinance was adopted last year regarding the split zoning of parcels, which in general, prohibits split zoning of parcels, but the amendment carved out an exception for properties that contained environmentally sensitive areas, such as wetlands, flood zones, or floodways, in that the portions containing the environmentally sensitive areas could be zoned Conservation Preservation upon annexation.

Hucks stated that the Planning Commission recommended approval of the request to rezone the property as HC upon annexation, but also recommended that the portions within a floodway or the AE flood zone be zoned CP upon annexation. Staff recommends the same, as a majority of the property would be zoned HC and the applicant intends to combine this property with the adjacent property, already in the city limits and zoned HC. Should council approve the request as recommended by Planning Commission and staff, the ordinance will be updated to reflect the split zoning of the property upon second reading.

**Motion:** Goldfinch made a motion, seconded by Blain-Bellamy, to **approve** first reading of Ordinance #ZA2024-02-05 (C) as recommended by Planning Commission and staff.

**Vote:** Unanimous. Motion carried.

**C. First Reading of Ordinance #2024-02-05 (D) amending the Business License Ordinance to update the Class Schedule in accordance with the Business License Standardization Act (2020 ACT No. 176).**

Williams stated that the Standardization Act requires that each municipality levying a business license tax must adopt, by ordinance, the latest Standardized Business License Class Schedule as recommended by the Municipal Association of South Carolina.

Williams said that staff recommends approval of first reading of ordinance.

**Motion:** Blain-Bellamy made a motion, seconded by Jordan, to **approve** first reading of Ordinance #ZA2024-02-05 (D). **Vote:** Unanimous. Motion carried.

**CONSIDERATION:**

**A. Consideration of a Special Event – Running with my Peeps – April 13, 2024**

Rogers informed Council that this 5K is a request from A Fathers Place. The set-up and registration will begin at 7:00 a.m. and clean-up should be complete by 10:30 a.m.

Several Council members supports the run but had concerns with the closing of both Laurel and Elm, and the blocking off of the Marina.

**Motion:** Blain-Bellamy made a motion, seconded by Jordan, to **defer** the request so that staff can work with the applicant on the route. **Vote:** Unanimous. Motion carried.

**B. Recommendation on selection of firm to complete Nomination Package(s) for the National Register District Boundary Increase for the Conway Downtown Historic**

## **District and Waccamaw River Warehouse Historic District located in downtown Conway, SC.**

Hyman said that these are two of the National Historic Districts that are located in the City of Conway and that in the last few years staff has had a lot of inquiries from property owners about expanding these districts. With that it gives the businesses opportunities to apply for certain tax credits and the honor of saying that you are part of a national historic district. Hyman said that the good thing about these downtown properties is that they already have to go through the Community Appearance Board for review, so this is not added an extra level that they don't already have with that review process of the Community Appearance Board. This was discussed at Budget Retreat last year and funding was put towards it. Since that time staff has advertised for proposals and received 3 that staff has scored, with Rogers Lewis Law Firm scoring the highest. Hyman said that staff recommends the selection of Rogers Lewis Law.

**Motion:** Blain-Bellamy made a motion, seconded by White, to approve the hiring of Rogers Lewis Law Firm to complete the nomination package for the National Register District Boundary Increase for the Conway Downtown Historic District and Waccamaw River Warehouse Historic District. **Vote:** Unanimous. Motion carried.

## **CITY ADMINISTRATOR'S REPORT:**

Emrick informed Council of the following:

- The City weathered last week's storm events very well. Expect some very cold temperatures for the remainder of the week. Everyone is looking forward to warm, dry weather ahead.
- Staff received the local market update from Coastal Carolina Association of Realtors today. Over the last year, the housing market has cooled slightly, but housing prices have not. New listings are down by 4.5%, closed sales are down by almost 12% and the days on the market until sold are up by a little over 6%. But the median sales price grew by 1.8%. As interest rate hikes stop and maybe begin to fall, this should lead to some renewed energy in the housing market. All forecasts still predict our area to grow exponentially over the coming years.
- During the month of December, the City had nearly 110,000 people visit our downtown, the most visitors we've ever had in any December. The majority of these guests do not live in the City of Conway. For comparison purposes, in 2019, pre-Covid we had 73,000 visitors in the same time period.
- During the month of October, the City had 123,000 people visit our downtown. For that same comparison, in 2019, we had 79,000 visitors.
- Emrick said that he brought these numbers up with optimism in mind and staff is going to try something new. Everyone knows that Conway is pretty awesome, but have you thought about Conway as the best place in the area for date night? Beginning soon, Conway will be your Valentine's Day destination. February is traditionally a slow month for our downtown, but hopefully not this year. The Father Daughter Dance at the Sports and Fitness Center has already sold out. Beginning next Friday, the 26<sup>th</sup>, appropriately

themed movies will begin at the Terrace including Lady and the Tramp, Valentine's Day and more. And of course, there will be places for you to get your new profile pic on every corner.

- Spring sports registration is now open.
- The Ride IV discussion has moved to public information meetings. There will be one of these meetings at our Planning and Construction Services meeting room on 1/23 at 4 pm.
- The Jr. Mayor will report on activities of the Mayor's Youth Advisory Council at the next Council meeting.
- Staff is in full swing budget planning mode now. Emrick asked Council if they had anything that they would like to see included or any topics to be researched, please get them to staff as soon as possible to include in the retreat discussions.
- Tonight, there are department head reports from Chief Dale Long and Rock Rabon.

**Fleet Maintenance** – Rabon, Director of Fleet Maintenance reported that the Fleet Maintenance Department has a total of 8 employees, including Bobby Wallace, Deputy Director; Krista Bruce, Administrative Support Specialist 1; Tony Collins, Brandon Danser, Billy Brewer, Shaun Nunn, Automotive Mechanics; and Esteban Cruz-Turner, Welder/Fabricator. The Fleet Maintenance Department is responsible for the repairing of all City vehicles and equipment. Rabon said that Esteban was hired from the Palm Charter program and is working out well. Rabon stated that more parts are available now than during the Covid Pandemic and the costs are leveling off some but still are more expensive than pre-pandemic. The Maintenance Shop does an average of approximately 185 work orders per month. The outside labor cost for this budget year so far has dropped \$128,000 for the 22/23 budget year and \$36,000 so far for 23/24 budget year.

**Police Department** – Chief Long informed Council that the language for a proposed hate crime ordinance is being reviewed by the City Attorney and a version will be available soon for consideration.

Chief Long stated the following for the City of Conway Police Department:

- Call for Service for 2023 held steady at 26,335. In 2022 there was 393 more.
- Part 1 crimes were down in every category except B&E Autos, which were up from 45 to 62.
- Overall larcenies were down from 559 to 449.
- Aggravated assaults were down from 107 to 72.
- Stolen vehicles dropped from 63 to 38.
- The City went from 3 homicides to none. One case from December is still under investigation, but all evidence currently appears to be a self-defense incident.
- Lost 12 officers in 2023 and were able to hire 8 to replace them. The department has 1 starting 1/29, and possibly 2 others depending on the last testing phase they undergo next week. Our Class 1 staffing is 59, with 5 Class 3 Basic Officers, a Victim Advocate, and 4 civilian staff.
- Lt. Chris Williamson completed his bachelor's degree from Liberty University.
- Lt. Johnathan McAllister completed his master's degree from Lander University.
- The Police Department has several more employees attending HGTC.

January 16, 2024

- On December 8, 2023, The Conway Police Department was awarded the Santee Cooper Excellence in Law Enforcement Award.

### **COUNCIL INPUT:**

**Hardwick** thanked the departments that presented to Council and said that it is always good to hear what the City is doing. Hardwick said that she is excited about Valentines and that there were some great events over the weekend with the MLK Holiday. Hardwick said that the proactive stands that Council takes such as the Hate Crime and acknowledging and talking about these things is a bridge to prevent disasters that are seen in other communities. Hardwick said that she is very proud to be a part of Council and a member of this City.

**Jordan** thanked staff and the hours that were put in this past week as the City dodged a bullet with the storm, and the sanitation workers for working all day Saturday to catch the route up were very much appreciated.

**Goldfinch** thanked Larry and Amanda as they are on the Committee that did the program yesterday, and said it was not only about celebrating MLK but also informative, as the lady that spoke at the beginning gave history that Goldfinch said he had never heard. Goldfinch said that he hoped they would continue the trend to not only celebrate but educate. Goldfinch said that the first Public Information meeting regarding the RIDE IV program will be held next Tuesday, January 23<sup>rd</sup> at 4:00 p.m. at the Planning and Construction Services Conference Room. Goldfinch said this is an opportunity for everyone to hear what is different this time regarding the infrastructure projects that are needed in this community. Goldfinch then gave a brief background on RIDE IV and an update, including a 25-year transportation plan. Goldfinch said that he is excited about Valentines and he appreciates staff doing one more thing. Goldfinch said he had much rather be in a position to have to tell Administration no, or not yet, or we are not ready, or that is too much tone it down, than to have an Administrative team that has no creativity or vision. Goldfinch thanked staff.

**White** said that he received the email from Mr. Nye and would love for the City to consider his recommendation on moving the ERF if possible, and the wall height. White said that bringing the road through the Macala area will produce more cars going through the community and then asked if it would go through the City shop. Emrick said that would be discussed at the next workshop. White said that at Bethel next Monday at 4:30 p.m. there will be a Community Interfaith meeting and he invited all to attend. White invited all of Council to the League of Cities meeting on Thursday at 6:00 p.m. at Fifth and Main. White said that his concern at the meeting will be the Hate Crime as a result of the cross burning and encouraged other communities to attend as well.

**Blain-Bellamy** also encouraged all of Council to attend the League of Cities meeting that is being held on Thursday at 6 p.m. at Fifth and Main.

There was a short break.

### **WORKSHOP:**

#### **Estate Lots**

January 16, 2024

Hucks told Council that estate lots are large lots within a development or subdivision, known for their generous size, often with custom built luxury homes built on them. Estate lots are designed to provide property owners with exclusive and prestigious living environments. Estate lots typically feature upscale amenities, such as gated entrances, private roads, landscaping, and community facilities like parks and trails. Estate lots are typically found in both urban and suburban areas, and are often in proximity to amenities like golf courses, country clubs, or waterfronts.

Hucks said that staff was able to find some counties or cities with ordinances that mentioned “estate” in their definition of a zoning district, but included rural, as in rural estate lots, in their code. For instance, Greenville County has a “Rural Estate Lot Development Option”, which is not necessarily a “zoning district” as much as it is a development design, similar to the city’s option of a Conservation Subdivision Design. Some places have zoning districts classified as Rural Estates which are intended for single-family detached units on large “estate” lots. These types of districts are typically reserved for truly rural areas. Horry County has a “Rural Estates” zoning district that was created for rural family farms with restrictions on housing types and agricultural uses.

Hucks said that this has come about a couple of times over the past year; particularly with regard to one property in particular: Collins Jollie Conservation Subdivision. Tract H is located on Randall Rd, currently unimproved. The City has been approached about allowing estate lots, 5 acres or greater in size, in the Collins Jollie development, which is also bound by a development agreement.

After discussing some options, and while any new ordinance would not necessarily benefit the tract in the Collins Jollie development, staff wanted to bring the issue to council to see if there was an interest in developing either a Rural Estates zoning district, OR drafting an ordinance for Rural Estates Lot Development, which could be similar to the conservation subdivision design ordinance. Some of the things that could incentivize development as a rural estates design could be less roadway standards, with the requirement to pave being maintained, but not requiring curb/gutter or sidewalks for the road internal to the subdivision. Additionally, exempting street trees could be another incentive, as the overall intent of having the design choice is to encourage large lots with large areas remaining undeveloped or undisturbed.

Another option discussed was to allow residential development in the conservation preservation district, which currently is only permitted if done as a conservation subdivision, but the ordinance could be amended to allow single family detached units on 5 acres and greater in CP.

After much discussion, Council asked staff to move forward with an estate lot design.

**EXECUTIVE SESSION: Motion:** Goldfinch made a motion, seconded by Jordan 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 of Employment of City Administrator [pursuant to SC Code §30-4-70 (A)(1)]. **Vote:** Unanimous. Motion carried.

**RECONVENE FROM EXECUTIVE SESSION: Motion:** Blain-Bellamy made a motion, seconded by Hardwick to leave Executive Session. **Vote:** Unanimous. Motion carried.

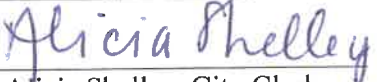


January 16, 2024

**POSSIBLE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION:** Motion: Blain-Bellamy made a motion, seconded by Goldfinch to reappoint Jacquelyn Taylor to the Water Quality and Drainage Commission. Vote: Unanimous. Motion carried.

**ADJOURNMENT:** Motion: Jordan 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 February, 2024.

  
Alicia Shelley, City Clerk