

CITY OF CONWAY
CITY COUNCIL MEETING
CONWAY CITY HALL
229 MAIN STREET, CONWAY
MONDAY, JUNE 3, 2024 - 4:00 P.M.

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

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; Timmy Williams, Hospitality & Beautification Director; Lynn Smith, Human Resource Director; Rock Rabon, Fleet Maintenance Director; Dale Long, Police Chief; Ted Dudley, Public Utilities Deputy Director; Brandon Harrelson, Public Works Director; Allison Williams, Finance Director; Kayla Fleming, Municipal Judge; Jessica Hucks, Planning and Development Director; Jason Perzan, Deputy Fire Chief; Reggie Jenerette, Solid Waste Director; James Friday, Public Utilities Director; Robert Cooper, Construction Services Director; John Sumter, Administration Summer Intern; Kayla Chiles, Administration Summer Intern; and Alicia Shelley, City Clerk.

OTHERS: Priscilla Fuller, Brandon Oates. There were approximately 25 others in attendance.

CALL TO ORDER: Mayor Blain called the meeting to order. Rev. Andrew Cooke, First United Pentecostal 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.

CONSENT AGENDA:

- A. Final Reading of Ordinance #2024-06-03 (A), Fiscal Year 2024-25 Budget, an Ordinance to Levy Taxes and Establish a Municipal Budget for the City of Conway, South Carolina.**
- B. Final Reading of Ordinance #2024-06-03 (B), amending Title 1, Chapter 1, Section 1-4-4 Creation of Specific Departments**
- C. Final Reading of Ordinance #ZA2024-06-03 (C), to amend Article 6 – Residential Design Standards, of the City of Conway Unified Development Ordinance (UDO), regarding design standards for residential dwellings and dimensional requirements for fee-simple single-family attached dwellings.**
- D. Approval of Councilmembers' Participation in the State Insurance Benefits Program offered by SCPEBA**
- E. Approval of May 20, 2024 Council Meeting Minutes**

APPROVAL OF CONSENT AGENDA: Motion: Goldfinch made a motion, seconded by Butler to approve the June 3, 2024 consent agenda. **Vote:** Unanimous. Motion carried.

Motion: Jordan made a motion, seconded by Helms to approve the June 3, 2024 agenda. **Vote:** Unanimous. Motion carried.

PUBLIC INPUT:

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

SPECIAL PRESENTATION:

- A. Presentation of Longevity Awards – May 2024 – 5 Years: Chad Hancock, Fire; 5 Years: Koby Avant, Recreation; 10 Years: Kara Gainey, Finance; 20 Years: Shon Doctor, Public Works; 25 Years: Tammy Carter, Police –** Emrick and Helms presented the longevity awards.
- B. Proclamation Recognizing Juneteenth –** Blain presented the Juneteenth Proclamation to Ms. Adamson and Ms. Butler.
- C. Proclamation Recognizing National Garden Week –** Blain presented the National Garden Week Proclamation to the Club President and others present.
- D. Presentation on Community Resource Center at the Shepherds Table –** Brandon Oates, Executive Director of the Shepherds Table gave a presentation to Council on the need for a Community Resource Center at the Shepherds Table. Oates told the mission of the center and how it would be used.
- E. Presentation by Madison Cooper, Coastal Carolinas Association of Realtors –** Cooper gave a presentation to Council on the housing, availability, affordability and zoning in Horry and Georgetown Counties.

Goldfinch encouraged the CCAR to reach out to the delegation in Horry and Georgetown Counties for incentives to give to people that are already here.

CONSIDERATION:

- A. Consideration of Awards of 2024-25 Economic Development Grants –** Rogers said that the city solicited applications for the Economic Development Grant program, which is in its fifth year and was due May 6. Rogers said that seven applications were received, and staff recommendations were as follows: (1) Conway Chamber of Commerce – Riverfest 2025, \$69,000; 2024 Conway Christmas Parade, \$2,000; and Performing Arts Center Marketing Analysis, \$62,000. (2) Horry County First Steps – Early Childhood Community Day, \$5,000.

Jordan asked why the 3 were excluded. Rogers said that the Music Festival and Back to School Bash were incomplete applications, and the deconstruction and material reuse

application was due to not fitting the purpose of economic development and budgetary matters.

Butler asked if those applicants that were not recommended were aware. Rogers said not yet, but staff will reach out and offer to help them have a more competitive application next year if they are interested in the help.

Helms asked if the leftover funds would be available after staff help. Rogers said that in the past Council has kept it open and solicited applications again, but that would be at Council's discretion of the remaining \$12,000.

Motion: Blain made a motion, seconded by Butler, to approve staff funding recommendations. **Vote:** Unanimous. Motion carried.

- B. Consideration of a Special Event –Praise on the Hill – June 15, 2024** – Rogers said that Cherry Hill Missionary Baptist Church has requested a special event for Praise on the Hill to be held on June 15, 2024 from 12 Noon to 3:00 p.m. The event will be an outdoor church service and fellowship with dances, singing, games, prayer, and preaching. The church has requested the closure of Fifth Avenue between Smith Street and Highway 501 during this time.

Motion: Goldfinch made a motion, seconded by Jordan, to approve the special event application for Praise on the Hill. **Vote:** Unanimous. Motion carried.

- C. Consideration of Agreements to Grant Utility Easements to Dominion Energy** – Rogers stated that Dominion Energy has been working with Santee Cooper to receive the right to two permanent and two temporary easements along the south side of the Lake Busbee property. Before this process can be completed, the property will transfer to ownership by the City of Conway. Now, the city must consider the easement. The easement will allow Dominion Energy to construct and operate a 12-inch natural gas pipeline that will run from Conway to Myrtle Beach. Rogers said that Dominion is requesting a permanent easement of 2.7 acres of land and a temporary construction easement of an additional 2.61 acres. Dominion agrees to pay the city \$11,355 in exchange for the easements.

There was some discussion regarding the new pipe, crossing the Waccamaw, actual location, Ride IV, SCDOT, timeline, and the dollar amount.

Rogers said that in the agreement it states that Dominion would be held responsible for any damage caused during construction or operation.

Emrick stated that Dominion has already been talking with Santee Cooper, and that he would be reluctant to negotiate since Santee Cooper is giving the property to the city.

Motion: Blain made a motion, seconded by Goldfinch, to authorize staff to enter into agreements to grant permanent and temporary utility easements to Dominion Energy. **Vote:** Jordan, Goldfinch, Blain, Butler, Helms voted yes. Hardwick voted no. Motion carried with a 5-1 vote.

CITY ADMINISTRATOR'S REPORT:

Emrick informed Council of the following:

- Last Tuesday, the Mayor's Youth Advisory Council had their final meeting of the year in Council Chambers. This group of kids was very impressive and active in their roles. This fall a new Council will be seated and will continue their involvement as future leaders of our community.
- Conway High School's graduation is tomorrow evening.
- On Friday, June 7th at 10 a.m. the city will celebrate the renovations of the parking lot behind Jerry Cox.
- Staff had hoped to begin work on the next phase of the Scarborough Alley/Garden Walk/Town Green project this week, but a new engineer was brought in to finish the drawings. Staff hope to redo a portion of this project prior to the fall festivities, but there is a chance that it may need to wait for another window of opportunity to improve that area and make the public area a little larger.
- The pickleball courts at Collins Park are getting some amazing use since they came online last fall. Looking at the entirety of the park, traffic was up 34% for the month of May year over year. That's nearly 6,000 more visits in the month of May 2024 vs May of 2023 prior to the pickleball courts being constructed.
- Despite the high interest rates and high prices affecting our housing market, we are still seeing large numbers of new homes being built. In April, the city permitted 46 new single-family homes. In total, 170 building permits were issued in April.
- The Riverwalk Extension is still moving at a good pace. The area where pilings are being driven currently has a lot of debris in the water, which makes the going slow, but steady.
- We are officially in Hurricane season now. With experts predicting a very busy season we are watching the weather carefully and will be through November. The water temperatures are at record highs in many places for this time of the year and that only exacerbates storm season. Typically, we have several days if not longer to watch a storm track across the Caribbean to prepare. One of the things we are concerned with this year is storms that seem to spring up out of nowhere right at the Coastline and hit us quickly and powerfully with little warning. So fun times ahead!
- The Recreation Department's summer camp is full this summer.
- On June 15th, the Recreation Department is having a Juneteenth Family Fun Festival at Smith Jones Park from 10 a.m. until 2 p.m.
- The Summer Movie Series begins this Friday at the Terrace with The Sandlot. Friday the 21st is Grease. July 12th is Diary of a Wimpy Kid. Emrick said that his favorite movie of all time would be shown on July 26th, the Goonies.
- On the 29th of June, the city will host the 2024 Summer Slam Mixed Doubles Pickleball Tournament.
- The WES Football and Cheer Camp will be held all day on June 29.
- Tennis Camp for children ages 8-12 runs every week in June beginning next week.

Blain introduced John Sumter and Kayla Chiles, Administration Summer Interns.

COUNCIL INPUT:

Helms said that she went to the swearing in of the new police officers and was thankful to be able to go. Helms congratulated Coastal and said that Will Smith did a great job pitching. Helms appreciates all that Gilly has done for Conway and Coastal and congratulated him. Helms said that Groovin on the Green was a success.

Butler wanted to reiterate what the Administrator said about Juneteenth and said that she was excited about the celebration at Smith Jones on Saturday, June 15 from 10-2. Butler said that the Conway High School graduation is tomorrow as that will be an exciting time for the seniors and asked that all keep the seniors in your thoughts and prayers as they enter the real world. Butler said that the Conway Architectural Salvage Heritage reached out to her, and she wants to make sure that they are aware of why they did not receive funding and what can be done to help them in the future.

Goldfinch piggybacked on everything that had already been said and stated that if you haven't been downtown on Friday nights to Groovin on the Green, that you missed a good time. Goldfinch said that he believes in these quality-of-life events and said let's keep up the good work, as there are lots of good things going on.

Hardwick piggybacked on what was already said and congratulated the graduates of Conway High School. Hardwick said they are a phenomenal group that are going to do some marvelous things. Hardwick congratulated the parents and hoped they would make it through this transition also. Hardwick said that there were lots of people at Groovin on the Green and the car show was fabulous. Hardwick said that there are so many good things going on, and it is exciting to see what is going on at Coastal and the City of Conway with the athletic teams and the summer programs that are being offered by the city at the Recreation Department as it is exciting to hear that they are full.

Blain said that this is the first year that the Youth Advisory Council has been acted upon and was able to seat all that applied. Blain said that part of what was saw was their maturity and seriousness as they took their job has to do with the fact that is who they are anyway, but she said that she does like to think that they grew. Blain said that their meeting was set up like Council's and she was very proud of them. Blain said that Councilman White was out with his family on vacation, but that he and Blain were in DC last week at a flood convention and there were interesting people from various communities, but most were from South Carolina, North Carolina and Georgia. Blain said there was also a contingency from Iowa and Texas. Blain said that she learned the most of that everyone's flooding story is so very different and are learning together how to best manage mother nature. Blain said that she missed Groovin on the Green but heard wonderful things about it as is the case that every week over the last few years to the staff of the city, she hears remarkable comments about how people have noticed that there are more to do and see, community is more pleasant, more excepting, and she is proud that staff made it so.

WORKSHOP:

Santee Cooper easement on Highway 378- Jentry Ward of Santee Cooper explained the need for a right of way easement on Highway 378 at Wright Blvd. and Racepath Avenue. Ward said that the franchise improvement project is to replace the poles with cross arms. Council asked for possible electricity in that area for Christmas decorations.

Hyman said that the staff is talking to Santee Cooper regarding the electricity. Hyman also said that this easement would need 2 readings for approval.

Godfrey and Freeman – Harrelson informed Council that Godfrey and Freeman Streets were obtained from SCDOT and now belong to the city. Chestnut Bay will encompass the entire area near Trinity Church to include these streets. The City’s process to permanently close both roads will be more streamlined and quicker than awaiting SCDOT. Both Godfrey and Freeman will eventually be required to be abandoned completely and City Council will be required to take action at that point with the guidance of an outside attorney. Harrelson said that both roads do not serve any homes, but access will be left to Trinity for purposes of accessing their parking lot.

Amendment to Article 10 – Subdivision and Land Development, of the City of Conway Unified Development Ordinance (UDO), regarding revisions to various standards contained within Article 10. – Hucks informed Council that Planning staff began going through the UDO towards the end of 2022/beginning of 2023 to identify any inconsistencies or incorrect information contained within each of the 15 articles of the UDO. At the 2023 budget retreat, Council was presented with a proposal to amend or revise each article within the UDO that would clean up these inconsistencies. However, 2023 was a challenging year for the Planning Department, with several large-scale annexations and projects being submitted, so several items on the to-do list, including the amendments that including housekeeping items, was temporarily put on hold. Now that several large projects are being submitted for review; many of which are a result of the number of annexations and rezoning requests over the past year and a half, staff felt that the first Article of the UDO that needed to be amended was Article 10 since it contains the city’s land development regulations. So, while a majority of the UDO contains zoning regulations, Article 10 contains regulations which control site design, street layouts, provisions for utility services, requirements for preliminary plan and final plat approvals, among other subdivision regulations. Simply put, while zoning regulations control what can be developed on a property and how land is developed *vertically*, land development regulations govern how that land is developed *horizontally*. The presentation includes some of the biggest items included in the amendment; most of which are things that staff has put into practice, such as requiring a master plan to be submitted for conservation subdivisions and Planned Developments, for wetlands to be platted outside of lots intended to be developed and instead keeping in common areas of open space, requiring lots to be accessed internal to subdivisions only and not outside of the subdivision, as well as the revisions to Wastewater Pump facilities. One item that was discussed at the 2023 budget retreat was to remove the requirement for council to approve letters of credit for subdivisions and to accept approval of the letter of credit contingent on approval of the Technical Review Committee. While it doesn’t happen often, there are times where scheduling can cause delays in getting final plats approved for individual phases of development because staff cannot approve the plats that would create the lots without the letter of credit being approved and received from the bank. There are other revisions contained within the proposed amendment, but most of them are housekeeping changes. What is not included in this amendment are revisions to open space requirements as well as revisions to the conservation subdivision standards; both of which are contained in Article 10. The reason being that these changes will be comprehensive, and each warrants their own

amendment. Changes to the city's open space requirements were also discussed at the 2023 budget retreat, and staff provided a few different options on how to best revise the standards for open space that would best serve the needs of the city. Staff are hoping to get the text amendment for open space revisions on the July Planning Commission agenda for consideration and public hearing and bring those to you at a meeting in August. As far as the proposed amendments to Article 10, Planning Commission is scheduled to hold the public hearing and make their recommendation at their meeting this Thursday, June 6, and their recommendation will be forwarded to Council for first reading later this month.

There was some discussion regarding sidewalk requirements.

Discussion on possible Future Land Use Map amendments for properties located off Main Street, between 5th and 16th Avenue

Hucks informed Council that the city's future land use map is part of the Land Use Element of the Comprehensive Plan. It differs from the current zoning map of property, in that the current zoning of a property regulates uses that would be currently permitted on property. Future land use maps guide the future growth and development of the city. Typically, you would want the future land use map to be consistent with how property is currently zoned; but future land use maps do not necessarily have to be parcel-based; however, Conway's future land use map is parcel-specific. An example of when an amendment to the future land use map may be necessary is a recent future land use map amendment for a property that contained a church adjacent to a residential area that was mostly zoned R-1 (low/medium density residential) (Sessions Street), but the property owner was interested in having a daycare at that location. The current zoning did not permit a daycare; however the structure existed, and it had always been a church. Even if the property owner demolished the church, the permitted uses wouldn't have changed. That property was also less than 3 acres, and when less than 3 acres, the only zoning districts that a property could be rezoned to without being considered "*spot zoning*" are those that are consistent with the future land use map of the comprehensive plan or the surrounding zoning districts, which included either low/medium-density residential or highway commercial, and highway commercial was not an option that could be supported by staff due to the location of the property. Because the future land use identified for that property was residential, the applicant had to request a future land use map amendment to a district that would permit the use of a daycare in addition to a request to rezone the property. The zoning district that was assigned to the property was the Professional district, which permits commercial uses that do not detract from the residential area and serves as a transitional zone between the more intense commercial areas and the residential areas. Even though future land use would typically match the current zoning of a property, it does not mean that the current zoning of a property is the preferred zoning or that the current use of the property is permitted in the current zoning. This is the case with several properties just outside of the downtown area. Residential areas located a block or so off Main Street, between 5th and 16th Ave, have uses that are not permitted in the current zoning district, and the future land use map designation is also inconsistent with how the property is currently being used. This may not ever become an issue for most properties; however, the City's *Unified Development Ordinance* also prevents uses that are "*abandoned*" or "*destroyed*" due to natural disasters or fires, from ever being re-established. So, when you have a duplex or a quadplex on a property currently zoned R-1, which only permits single-family residential, and the future land use map also identifies the property as R-1, if the use were abandoned or destroyed beyond a certain percentage, the use could not be re-established. More recently, a request to rezone a property just off Main Street from the R-1 district to the Professional district to construct a duplex on the property was denied,

due to concerns with commercial uses encroaching further into the residential areas. Due to the size of the property and the surrounding zoning of adjacent properties, the only zoning district that could be requested was the Professional district. Staff have gone through several parcels along Main Street and the surrounding blocks to see what uses currently exist on many of the properties that are currently zoned R-1 as well as properties that may be inappropriately zoned due to their location. Some of these areas are shown in the presentation. Staff identified several properties that contain a duplex, a quadplex, and even a multifamily development in the R-1 district, which again, only permits single-family detached residential dwellings. Another issue we noticed directly on Main Street were a few properties that were zoned Neighborhood Commercial – one with a single-family residence and the other next to the library, where Shine Café was previously located. Residential uses are not permitted in NC. The better zoning district for these properties may be Professional, which allows some commercial uses along with some residential uses. The only other properties zoned NC (on Main) contain an auto repair shop, a gas station, or vacant property, as well as the old Barker’s gas station location at the corner of Main and 6th Ave, which is proposed to be redeveloped as a gas and service station.

Hucks said should council be in favor of amending the future land use maps for some properties with frontage on Main Street, or around Main Street, doing so does not change the current zoning district of any of the properties or any uses that are currently permitted without the property also being rezoned and/or a future land use map amendment. However, it would provide an opportunity for property owners with property currently zoned R-1 the option to seek a rezoning and future land use map amendment to a district that provides housing options outside of single-family detached dwellings.

Council asked staff to proceed with the amendments.


EXECUTIVE SESSION: Motion: Jordan made a motion, seconded by Helms to enter into Executive Session for the following: **(A) Discussion on Contractual Negotiations Incident to the Development of Riverfront Property [pursuant to SC Code §30-4-70(A) (2)]; and Discussion on Contractual Negotiations Incident to Property near Racepath Street [pursuant to SC Code §30-4-70(A) (2)].**

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

POSSIBLE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION: None

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

APPROVAL OF MINUTES: Minutes approved by City Council this 17 day of June, 2024.


Alicia Shelley, City Clerk