

CITY COUNCIL MEETING  
CONWAY SPORTS & FITNESS CENTER  
1515 MILL POND ROAD  
TUESDAY, JANUARY 19, 2021 - 4:00 PM

**PRESENT:** Mayor Barbara Blain-Bellamy, Jean Timbes, Mayor Pro Tem Council Members: William Goldfinch, Shane Hubbard, Larry White, Alex Hyman, and Justin Jordan

**STAFF:** Adam Emrick, City Administrator; Mary Catherine Hyman, Deputy Administrator/Planning & Development Director; John Rogers, Deputy Administrator/ Grants & Special Projects Director; Jeff Leveille, Technology Services Director; June Wood, Assistant Recreation Director; Roseanne Dates, Grants Coordinator; Le Hendrick, Fire Chief; Robert Cooper, Building Official; Dale Long, Police Chief; and Barbara Tessier, City Clerk

**OTHERS:** Noel Olinger, Matt Varnadoree, Adam Buckler, Lou Guilmette, Preston McIver Floyd, Shawn Becker, Joe Burch, Rob Furlong, Cheri Smith, Mark Vollink, Mary Vollink, Andy Roumillat, Charles Busby, Jamie McLain, Lee Brown, Cedric Blain-Spain

**CALL TO ORDER:** Mayor Blain-Bellamy called the meeting to order and gave the invocation.

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 Timbes, to approve the January 19, 2021 meeting agenda. Vote: Voting in favor were Blain-Bellamy, Timbes, Hubbard, Goldfinch, White and Jordan. Hyman was absent for this vote. Motion carried.

**CONSENT AGENDA**

- A. **Final reading of Ordinance #ZA2021-01-19 (A) amendments to the UDO, *Article 5 – Conditional Uses*, regarding sidewalk cafes, outdoor dining, parklets, and shared space.**
- B. **Final reading of Ordinance #ZA2021-01-19 (B) an ordinance annex approximately 0.98 of an acre of property located at 2886 Everett Street (PIN 326-14-03-0016) and request to rezone from Horry County Residential (SF40) to City of Conway Low Density Residential (R1).**
- C. **Approval of purchase of 200 – ¾ inch water meters for Public Utilities**
- D. **Approval of a Letter of Credit for Oak Tree Farm**

**E. Approval of January 4, 2021 City Council Minutes**

**Motion:** Hubbard made a motion, seconded by Jordan, to approve the January 19, 2021 consent agenda. **Vote:** Voting in favor were Blain-Bellamy, Timbes, Hubbard, Goldfinch, White and Jordan. Hyman was absent for this vote. Motion carried.

**PUBLIC INPUT:** Noel Olinger spoke to Council about the trash and litter in Conway. He would like everyone's support in addressing this issue with education to HOAs and schools, more enforcement and making the public aware that there were penalties for littering. He noted that the Keep Conway Beautiful Board was already working hard and asked Council to support their efforts.

**Motion:** Goldfinch made a motion, seconded by Hubbard, to close public input. **Vote:** Voting in favor were Blain-Bellamy, Timbes, Hubbard, Goldfinch, White and Jordan. Hyman was absent for this vote. Motion carried.

**SPECIAL PRESENTATION:**

- A. Update on Grants Received by City in 2020 to present.** Rosanne Dates, Grants Coordinator addressed Council informing them of the grants the City had received from December 19, 2020 to January 5, 2021. The City received 31 total awards in the amount of \$676,335. The sources of these awards were federal, state, county, private and corporate. Of the total amount, the Police Department received 53% of the funds, 26% for COVID-19 (most of which came from the Cares Act) 14% for the Fire Department, 4% to Solid Waste and 1% each for Grounds, Parks & Rec, and Public Works.

In addition, there are 38 proposals submitted in the amount of \$9,339,431, and 3 proposals pending in the amount of \$8,437,346.

Her hopes are that the 2021 grant funding is back to normal. COVID grants will decline, but they are still plenty of areas to seek grants.

At this time, Council Member Hyman joined the meeting.

- B. Discussion on request to annex approximately 4.23 acres of property located at the Corner of Cox Ferry Road and Highway 501 (TMS 151-00-01-007 | PIN 383-01-04-0053) and request to rezone from Horry County Highway Commercial (HC) to City of Conway Highway Commercial (HC).** M. Hyman informed Council that this was the annexation that went along with the sidewalk waiver they approved at the last meeting. The applicant is proposing to build a 7 Eleven on this parcel. The intention is to use the existing driveways from the Waffle House and the widening of 501 will not affect that. This will come before Council for a public hearing and first reading at the next meeting.

- C. Discussion on request to rezone 6 parcels totaling approximately 0.74 acres of property located along Spivey Avenue and Church Street (PIN: 368-03-04-0079, 368-03-04-0083, 368-03-04-0084, 368-03-04-0087, 368-03-04-0088, 368-03-04-0089) from City of Conway Residential (R1) to Highway Commercial (HC). (Hyman).** M. Hyman informed Council that the applicant plans to combine the parcels for future development, but that there were no specific plans at this time. These lots are nonconforming lots on paper roads. This would help clean up the old plats for these parcels. White noted that he had received calls with neighbors concerned about invasion of their neighborhood with businesses. Blain-Bellamy also noted concerns because the Future Land Use Map identified the parcels as residential. Hubbard asked if they met the R-1 size requirements, to which M. Hyman noted they would be non-conforming lots. The only reason staff would consider this was to clean up the nonconforming lots.

Emrick commented that in order to build houses along Apple Lane, the requirement of a road be built to City standards, meaning curb, gutters, sidewalk, and street trees would have to be met. This would be such an expense that the lots would probably never be built on. The parcels have potential for commercial use, and there are already three commercial lots on the corner.

M. Hyman noted that if it were rezoned to commercial, there would have to be buffers between it and residential parcels. This will come before Council for public hearing and first reading at the next meeting.

- D. Discussion on request to rezone 5 parcels totaling approximately 73.98 acres of property located at 108 N. Clemson Circle (PIN: 325-00-00-0036), 1101 Snowhill Drive (PIN: 338-00-00-0029), 1104 Elm Street (PIN: 338-13-01-0045), 1620 Sherwood Drive (PIN: 338-00-00-0023), and 1808 Rhue Street (PIN: 368-00-00-0002) from City of Conway Residential (R1) to Institutional (IN).** M. Hyman advised Council that this request was from Horry County Schools to allow for electronic message centers, and to provide zoning uniformity will all Horry County schools in the City. The parcels are identified by the Future Land Use Map as Institutional.

M. Hyman was asked how this was different from spot zoning. M. Hyman replied that these parcels were over 3 acres as required by the UDO and the Future Land Use Map has identified them as Institutional.

M. Hyman was also asked what would happen if the school(s) moved to another location. The concern was what other types of uses could be then used on the property. A question was raised if the schools could request a variance. M. Hyman said a text amendment to the UDO would be necessary. It was noted that Whittemore Park Middle School was intending to move.

There were also concerns about digital signage in residential areas. M. Hyman commented that she did not think all the schools would be requesting signage all at once.

This request will come before Council for public hearing and first reading at the next meeting.

## **PUBLIC HEARING AND FIRST READING**

- A. **Public Hearing and first reading of an ordinance to rezone approximately 0.39 of an acre of property located at 1612 16<sup>th</sup> Ave (PIN: 338-15-03-0005) from City of Conway Low/Medium Density Residential (R1) to Medium Density Residential (R2).** M. Hyman advised Council that this request for rezoning was to allow for the applicant to build a duplex on the property.

### **Public Hearing Input:**

**Preston McIver Floyd** owns a home on 16<sup>th</sup> Avenue. Would like the neighborhood to remain single-family homes. There have been negative issues when any of the houses in the area had been rental properties.

**Charles Busby** owns property behind this parcel. Wants the neighborhood to remain single-family.

**Cedric Blain-Spain** objects to rezoning to R2 which would allow a duplex to be built.

The clerk noted that Dr. James Lee had called and was opposed to this rezoning.

**Motion:** Hyman made a motion, seconded by Goldfinch to close public hearing. **Vote:** Unanimous. Motion carried.

M. Hyman was asked if there were any duplexes in the area to which she replied there might be one on Ward Circle.

**Motion:** White made a motion, seconded by Goldfinch, to deny this request. **Vote:** Unanimous. Motion carried.

- B. **Public Hearing and first reading of an ordinance to rezone approximately 3.83 acres of property located on Cultra Road (PIN: 337-03-02-0034) from City of Conway Forest Agriculture (FA) to Medium Density Residential (R2).** M. Hyman informed Council that this request was made to allow for the building of single-family home subdivision. The request for R2 is to allow for smaller lot sizes. This request had gone before the Planning Commission in 2020 to be rezoned R1. SCDOT would not permit shared driveways and required a frontage road. At that time, the developer withdrew his request. The developer is now asking for a rezoning to R2.

### **Public Hearing Input:**

**Lou Guilmette** expressed his concern about natural habitat, road noise, drainage, traffic congestion, and ingress and egress to the property.

**William Furlong** has concerns about stormwater runoff.

**Andy Roumillat** has concerns about traffic, stormwater, and devaluation of his property.

**Mark Vollink** has concerns about run-off and safety for his child if the trees are removed.

Shawn Becker, agent of the applicant, joined the meeting at this time. He informed Council that the intent was to build strictly single-family homes and that there would be a one-sided frontage road so that homeowners could back out of their driveways safely. There would also be a landscape buffer between these homes and the existing neighborhood. There would also be a reserve of 20' for any widening of Cultra Road, and stormwater issues would be addressed. Becker explained that the lot sizes were smaller because of the road widening reserve, the right-of-way, and the frontage road.

Hubbard asked if they could remain FA and still build homes. M. Hyman replied they could, but lots had to be 2 acres each. Goldfinch supported the frontage road plan, but had concerns that if Council rezoned the property, anything that was permitted in R2 could be built there. Becker replied that they only intended to build single-family homes.

Blain-Bellamy suggested that the developer meet with the existing residents for them to be more aware of what the intentions are. Becker noted he would talk to any of the residents who were still waiting in the hallway.

The clerk noted that Francine Ducker, who had opposed the rezoning at the last meeting, was still in opposition.

**Motion:** Goldfinch made a motion, seconded by Jordan, to close public hearing. **Vote:** Unanimous. Motion carried.

White asked if they could table the motion until a later date after the developer had been able to talk to the Tiger Grand residents. Emrick noted that it was quite costly for a developer to go through all the construction plans prior to obtaining the zoning for the property. The plans, before any single house could be built, would have to be approved by the City and will have to meet all requirements of not only the City, but the state and DHEC as well. After discussion, White withdrew his question.

**Motion:** Goldfinch made a motion, seconded by Hubbard, to approve first reading. **Vote:** Unanimous. Motion carried.

## **ITEM FOR CONSIDERATION**

- A. Consideration of application for FEMA Assistance to Firefighter Grant.** Hendrick informed Council that staff was requesting permission to submit an application to FEMA for an Assistance to Firefighters grant in the amount of \$103,599 to replace 15 airpacks. This

purchase would bring all of the SCBAs (self-contained breathing apparatus or airpack) to the current standard.

An SCBA typically has a service life of ten years. Technology and features are constantly changing and the National Fire Protection Association standards are reviewed and updated every five years. The Fire Department's current airpacks meet the standards for the year they were manufactured; however, many will need to be replaced as they fall behind in technology and standards. They will reach end of life in 2023 and parts for repair will not be available.

If the grant is awarded, the City will be required to provide a 10% match of \$10,359. The exact amount of the required match is subject to change depending on the actual cost of the equipment at the time of purchase. This grant may not be awarded until next fiscal year and a one-year time frame will be allowed to complete the project. Therefore, the purchase may be pushed back into the FY 2021-22 budget year. There is no cost to apply and the City pays nothing if a grant is not awarded.

**Motion:** Goldfinch made a motion, seconded by Hyman, to approve the request to submit an application to FEMA for an Assistance to Firefighters grant in the amount of \$103,599. **Vote:** Unanimous. Motion carried.

**B. Consideration of the addition of jet ski ramps to marina.** Matt Varnadore of Waccamaw Outfitters requests to add jet ski docks at the Conway Marina.

Varnadore introduced Adam Buckler to Council. Buckler is the owner of Carolina Ski Riders and will be partnering with Varnadore on the jet ski venture. Varnadore informed Council that they will need 4 docks that they will pay for and install. They are not permanent so they can be removed if there is not much use.

There was a concern voiced about boat traffic. Varnadore commented that these would be guided tours on a specific schedule. Buckler commented that he has run many other tours and has not had issues with his tours interfering with other boat traffic.

**Motion:** Goldfinch made a motion, seconded by Hyman, to approve the addition of ski ramps to the marina. **Vote:** Unanimous. Motion carried.

**CITY ADMINISTRATOR'S REPORT:**

- SCDHEC is working with the Sports & Fitness Center to use a portion of the overflow parking lot to assist with community COVID testing and, once vaccines ramp up operations, a vaccination location as well.
- There are a few Christmas operations that did not covered at the last meeting.
  - 1) The Angel Tree at the Finance Department, arranged by Merritt Bury, was a huge success. Generous residents and employees have donated nearly \$2,000 to pay off water bills for those who were struggling. It is something the City will do again.

2) The Celebration of Lights was a big hit. Nearly 30,000 vehicles went through this year. The previous high was 15,000 in 2016. A big reason for the increase is that it was free. Staff proposes the consideration of charging only \$1.00 per person over 10-years old. It will help with the traffic congestion that was seen in 2020, while still offering it at a very affordable rate.

3) The train was very popular. Thousands of people rode the train in a short amount of time. Staff would also like to explore charging \$1.00 to ride the train. It will help reduce the lines as many people like to ride over and over.

- This year's budget retreat cannot be held in Pinopolis due to their COVID restrictions. Staff is working to find an alternative location that is suitable. The retreat is scheduled from March 4-6. Staff is hard at work on the budget and intends to present you with a two-year budget, which will allow for a more thorough planning of financial expectations.
- A bill has been introduced by Tim McGinnis to regulate the water rates the City can charge outside of the City limits. We have defended this right to charge a higher rate all the way to the Supreme Court of South Carolina. The Court held that not only could we charge a higher price to those not in the City, we had an obligation to do so for the benefit of our resident tax payers. This bill, as introduced, would create a board to determine the prices charged for water with representation from inside the City and outside the City. A board would tell you, our council, how much can be charged for water and sewer rates, both inside the City and outside the City. Not you, the elected officials who are charged with creating and balancing a budget.

If out-of-City rates were no longer allowed to be higher than the inside City rates, water and sewer rates for Conway citizens would have to be increased dramatically to offset the difference in revenue. Balancing the bill that benefits Carolina Forest on the backs of the residents of the City of Conway. It is another example of people who have chosen not to live in the City to demand City level services and demand it a City level pricing, despite not paying any tax obligations to the City.

- Staff has fielded numerous emails, texts, Facebook messages, and calls from angry drivers experiencing delays on Highway 905. SCDOT is paving from Conway to Old Reaves Ferry Road on 905. In March, they will do additional surfacing work. The work cannot be done at night, as the work is all in residential areas and noisy. Delays should be expected for the next few weeks.
- Update on other downtown projects
  - 1) Teal Alley has been cleared and prepped. CCU students will get their first look at the alley this week and begin work next week.
  - 2) The building next to City Hall is almost ready to welcome Jeff Leveille and an office for a downtown police officer. They should be able to move in next week.
  - 3) The building at the corner of Laurel and Second is underway. All carpeting has been removed, and a few interiors wall are down. The back warehouse area is currently being occupied by the theater department of CCU for the spring semester. Exterior work is being quoted and rendered before CAB can review.

- 4) The parking lot behind the Peanut Warehouse is now resurfaced and striped. Landscaping will be coming.
  - 5) The completion of survey and title work is almost completed which will allow us to make some of the property transfers previously approved by Council.
- The City is in moderate flood stage, but the river is receding and should be in minor flood stage by the weekend. The water table has been extraordinarily high for the last 5+ years and the rain events we get are more soaking than ever before. Unfortunately, that combination results in flooding without any major storms.
  - The additional wayfinding signage that was requested for several schools has been installed.
  - Staff has been interviewing applicants for the Public Information Officer position. They have narrowed the field down. While this is typically not a Council hire position, but there had been some interest from Council in it being a Council hire position. Emrick asked if Council wanted to conduct the final interviews or leave it to staff. Goldfinch noted that he had faith in staff, but he had no problem with any Council members attending the interviews. If there was an issue, then the decision would come before the full Council. Emrick invited Blain-Bellamy and Timbes to the interviews, commenting that if everyone was in agreement, staff would make the decision, if not, it would come before full Council.
  - Department heads Robert Cooper and Dale Long will give their department reports

#### **Robert Cooper, Building Department**

- In the past year, the Building Department has issued 259 new single-family permits, 23 new commercial permits, and 1,080 other permits (fences, sheds, electrical, plumbing, etc.) The inspectors performed 6,533 building inspections and 902 property maintenance inspections.
- Building Maintenance has built the trash facility on Laurel Street, the coal car for the train, remodeled the new HR offices, remodeled the building at the shooting range, replaced the HVAC system in the Finance building

Blain-Bellamy asked Cooper if there had been any complaints about the ERF (trash facility). Cooper reported that he was not aware of any complaints.

#### **Dale Long, Police Department**

- Not all of reports have been closed for the year, but he will give an update on what he has
- Calls for Service for the year was at about 22,000. This was lower than previous years, but is attributed to March and April with stay at home orders, but picked up in the last half of the year.
- Bias Committee – meets on quarterly basis and a report is generated at the end of the year based on statistical data from Call for Service, traffic stops, arrests, citations and warnings. They seek out complaints and record them. There were none for 2020 made either through officer generated lists or external sources coming in.
- Mask compliance - for the past several weeks' officers have been doing mask compliance checks. Previously they had responding to complaint driven locations. Some of the school resource officers have been re-tasked as school has not been in session. Fifteen to twenty



compliance checks are being done daily. While there is a lot of compliance, there have been some citations issued. Education is still the main goal.

- There is one new recruit at the academy and four waiting to go. Three have passed background checks. There should be eight new officers by mid-summer.
- Two officers currently out with COVID and three on quarantine. About six total out with COVID during the year, but about 25 that had to be quarantined because they were exposed to someone with COVID.
- It is time for the Leadership Team awards. There will be no meal, as in the past, but awards will be given.
- Long thanked Council for their support.

### **COUNCIL INPUT:**

**Hyman** congratulated Conway Downtown Alive for the well-attended skating rink event and apologized for being late to the meeting.

**Goldfinch** noted that all the restaurants were packed on Saturday.

**Hubbard** was glad to be back in person and also gave congratulations on the skating event.

**Timbes** asked Emrick to reach out again to CCU about the Conway Critters sculptures, asked for a condolence card be sent to former Mayor John Rhodes family as he had passed away over the weekend, asked for assistance for citizens trying to get signed up for the COVID vaccine. She indicated that people were having issues getting through on the phone or online. Expressed thankfulness that this Council, whether they agreed with each other or not, acted civilly and without the types of things that had happened in Washington.

**White** mentioned that the Whittemore Elementary School seemed to be on a back burner. Emrick commented that he had a Zoom meeting the next day with the architects. White asked about the Smith Jones swimming pool being made ready for summer. Emrick noted that the pool was being handled through Community Development Block Grants that were federal funds. Staff is jumping through hoops to make sure they are approvable costs. White noted the residents of the Myrtle Street/Woodward Drive would like a 4-way stop sign at the intersection. White asked about assisting in getting a historical marker at the Whittemore Elementary School.

**Jordan** asked if the white lights on Main Street would be staying up. Emrick commented that some of the lights would stay up, and noted that if they all stayed up, it would not be as spectacular at Christmas. Jordan was glad to see everyone in person and welcomed Hubbard back.

**Blain-Bellamy** commented that there had been complaints about the rented skates and in the future can make known what we expect for equipment going forward. She stands for what she believes is right and believes our forefather made a wise decision in making Council non-partisan. People can work together, even if they don't agree on all things and still keep their heads about them. We can set a good example. Good out powers evil.

January 19, 2021

## **EXECUTIVE SESSION**

Consideration of appointments to boards, commissions and committees [pursuant to SC Code §30-4-70(A)(1)]

**Motion:** White made a motion, seconded by Jordan, to enter into Executive Session. **Vote:** Unanimous. Motion carried.

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

### **POSSIBLE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION:**

**Appointments to boards, commissions and committees [pursuant to SC Code §30-4-70(a)(1)].**

**Motion:** Goldfinch made a motion, seconded by Timbes, to approve the following appointments as discussed in executive session. **Vote:** Unanimous Motion carried

Accommodations Tax Advisory Committee: Denise Blackburn-Gay, reappointed for a 3-year term expiring December 31, 2023.

Board of Zoning Appeals: Charles Byrd and Jay Sellers reappointed for a 3-year term expiring December 31, 2023. Sandra James, and Lesley Collins Hill each appointed for a 3-year term expiring on December 31, 2023.

Community Appearance Board: Duc Watts and Jacqueline Kurlowski each reappointed for a 4-year term expiring December 31, 2024.

Construction Board of Appeals: Anna Saville Barnhill reappointed for a 3-year term expiring December 31, 2023.

Lakeside Cemetery Committee: Vivian Chestnut and Deborah Vrooman reappointed each for a 3-year term expiring December 31, 2023.

Planning Commission: David Sligh reappointed for a 3-year term expiring December 31, 2023 and Jessica Wise appointed for a 3-year term expiring December 31, 2023.

Recreation Advisory Committee: Don Rockey, Jr. reappointed for a 3-year term expiring December 31, 2023.

Water Quality & Drainage Committee: Jackie Taylor reappointed for a 3-year term expiring December 31, 2023.

January 19, 2021

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

**APPROVAL OF MINUTES:** Minutes approved by City Council this 1<sup>st</sup> day of February, 2021.

  
Barbara A. Tessier, City Clerk