

November 6, 2023

CITY OF CONWAY
CITY COUNCIL MEETING
CONWAY CITY HALL
229 MAIN STREET, CONWAY
MONDAY, NOVEMBER 6, 2023 - 4:00 P.M.

PRESENT: Mayor Barbara Jo Blain-Bellamy, Mayor Pro Tem Justin Jordan, Autry Benton, Amanda Butler, William Goldfinch, Beth Helms, 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; Allison Williams, Finance Director; Timmy Williams, Hospitality & Beautification Director; Brandon Harrelson, Public Works Director; Reggie Jenerette, Solid Waste Director; Lynn Smith, Human Resource Director; Rock Rabon, Fleet Maintenance Director; Jasmine Waites Parker, City Attorney; Ted Dudley, Public Utilities Deputy Director; Jessica Hucks, Planning and Development Director; Le Hendrick, Fire Chief; Ashley Smith, Recreation Director; Robert Cooper, Construction Services Director; Dale Long, Police Chief; Rosanne Dates, Grants Supervisor; James Friday, Public Utilities Director; David Crotts, Director of Procurement/Assistant Finance Director and Alicia Shelley, City Clerk.

OTHERS: There were approximately 15 others in attendance.

CALL TO ORDER: Mayor Blain-Bellamy called the meeting to order. Mike Roberts, Saint Anne's Episcopal 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:** Butler made a motion, seconded by Benton, to approve the November 6, 2023 meeting agenda. **Vote:** Unanimous. Motion carried.

CONSENT AGENDA:

- A. Final Reading of Ordinance #ZA2023-11-06 (B), amending Article 11 – Signage, of the City of Conway Unified Development Ordinance (UDO), regarding Sign Standards in Residential and Non-Residential Zoning District, as well as requirements for Electronic Message Centers (EMC's) / Light Emitting Diodes (LED) signs with digital/animated display.**
- B. Final Reading of Ordinance #ZA2023-11-06 (C), amending Article 5 – Specific Use Regulations, of the City of Conway Unified Development Ordinance (UDO), regarding the requirements for religious institutions.**
- C. Final Reading of Ordinance #ZA2023-11-06 (D), amending Article 7 – Streets and Circulation, Article 10 – Subdivision and Land Development, and Article 12 – Nonconformities, of the City of Conway Unified Development Ordinance (UDO), regarding the requirements for installation of sidewalks.**

D. Resolution accepting dedication of roadways & drainage system in the Kingston Bay, Phase 1, subdivision (Revolutionary Way; Black Lake Way; Riverboat Way; Medlen Parkway).

E. Special Event – Conway Christmas Parade – December 9, 2023

F. Approval of October 16, 2023 Council Meeting Minutes

APPROVAL OF CONSENT AGENDA: Motion: Jordan made a motion, seconded by Helms to approve the November 6, 2023 consent agenda. **Vote:** Unanimous. Motion carried.

PUBLIC INPUT:

- Tommy Moore updated Council on the underground wiring project as to how it has affected his business and asked Council to pay him for what was damaged during the project.

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

FIRST READING

A. First reading of ordinance 2023-11-20 (A) to amend Title 7, Chapter 4, Article H, Busking (Street Performers), of the Code of Ordinances, City of Conway – Rogers said that 5 years ago the City established rules and a permitting process for buskers where they would pay \$10 to get a license to do so in the City of Conway. Busking is common among young people who are not familiar with such processes and some are transient, whom just show up and expect to be able to set up and perform for that day, and then move on. Staff has found over this time that it is limiting, so staff went back and reviewed the Ordinance as written; considered options including dropping the permit fee or eliminating the permit altogether. The Mayor’s Youth Advisory Council reviewed this proposal and recommended unanimous approval in favor of eliminating the permit requirement entirely.

Goldfinch asked if there was another Ordinance in place if the busking needed to be controlled for any reason. Rogers said that the remainder of the ordinance would stay in place and then stated some of those requirements. Rogers then said that we do have other ordinances that control noise, nuisances, etc.

White suggested that people pick up a signed form from the Police that says where they will be busking, so that Police are aware. Rogers said that the Downtown Police office is not open around the clock.

Blain-Bellamy supports this amendment especially for the impromptu person but is concerned with offensiveness of the delivery of the performance. Rogers said that the way the ordinance is written now it says the permit would be taken away and now it says the police would ask them to leave.

Motion: Blain-Bellamy made a motion, seconded by Goldfinch, to approve first reading of Ordinance #ZA2023-11-20 (A). **Vote:** Unanimous. Motion carried.

- B. First reading of Ordinance ZA2023-11-20 (B) to annex approx. 0.2 acres of property located at 120 John Doctor Road (PIN 339-12-01-0002), and rezone from the Horry County Residential, no mobile homes allowed (SF20) district to the City of Conway Low/Medium-Density Residential (R-1) district.** Hucks said that this request is being sought to reconnect city utility services. The property owner has not changed. The account was closed for over a 3-month period and was deemed as a new service, which triggered the requirement to request annexation as a condition to reconnect utility services. Restrictive covenants have been in place since 1987. There are several mobile homes across the street, all on one parcel, located within the city limits that is considered legal nonconforming and is zoned R1. Due to this property being within the City's utility service area and being contiguous to city limits, staff cannot find any reason to recommend against this request. There is a manufactured home located on the property and if annexed into the city would become a legal nonconforming structure and subject to City ordinance regarding nonconformities.

Blain-Bellamy asked if this property would be subject to the requirements if destroyed or not used for 6 months, that it would be required then to come into conformity. Hucks explained that the city would allow replacement with certain conditions that she then read aloud.

Goldfinch said that some time ago there was a discussion that John Doctor Road was a boundary for city limits and asked if the applicant wanted to be annexed into the city. Hucks said that the owner did what was required to get utility service.

Benton asked if the owner asked not to be annexed. Hucks said that they have not expressed one way or the other.

Helms asked about sanitation on John Doctor Road. Hucks said that they already go down this road occasionally to the fire training facility.

Motion: Goldfinch made a motion, seconded by Blain-Bellamy, to deny annexation and first reading of Ordinance #ZA2023-11-20 (B). **Vote:** Unanimous. Motion carried.

- C. First reading of Ordinance ZA2023-11-20 (C) to annex approx. 0.66 acres of property located at 3420 Cates Bay Highway (PIN 369-11-03-0072), and rezone from the Horry County Residential, no mobile homes allowed (SF20) district to the City of Conway Low/Medium-Density Residential (R-1) district.** Hucks said that this request was submitted as a requirement for city utility service as a result of a name change on the account. This property is adjacent to the New Castle subdivision and restrictive covenants have been recorded. The future land use map identifies this property as R1. Hucks said that staff does recommend approval of this annexation.

Motion: Jordan made a motion, seconded by White, to approve first reading of Ordinance #ZA2023-11-20 (C). **Vote:** Unanimous. Motion carried.

- D. First reading of Ordinance ZA2023-11-20 (D) to annex approx. 0.51 acres of property located at 443 Dunn Shortcut Road (PIN 337-07-01-0002), and rezone from the Horry County Commercial Forest Agriculture (CFA) district to the City of Conway Low/Medium-Density Residential (R-1) district.** Hucks stated that this request and the next one is the same property owner and the parcels are adjacent.

Blain-Bellamy said that this item and item VI.E. would be combined.

Hucks went on to say that ownership was transferred in September of this year and the applicant requested annexation as a requirement to connect to city utility services. The property owners propose to construct a single-family home. Hucks said that staff rode by the parcel and both mobile homes have been removed. The future land use map identifies the property as R1. Hucks said that staff recommended approval.

Motion: Benton made a motion, seconded by Butler, to approve first reading of Ordinance #ZA2023-11-20 (D) and Ordinance #ZA2023-11-20 (E). **Vote:** Unanimous. Motion carried.

- E. First reading of Ordinance ZA2023-11-20 (E) to annex approx. 0.49 acres of property located at 447 Dunn Shortcut Road (PIN 337-07-01-0003), and rezone from the Horry County Commercial Forest Agriculture (CFA) district to the City of Conway Low/Medium-Density Residential (R-1) district.** See previous motion.

CONSIDERATION:

- A. *Previously Deferred* – Consideration of a request for waiver of sidewalk requirements for the Fresh Seafood Market, located at 1620 Fourth Ave (formerly Coastal Ice Company).** Hucks said that this request was originally considered at the August 21 Council meeting as the applicant was seeking a waiver from the requirement to install sidewalks where they do not currently exist along the side of the property also called Church Street. The site is considered legal nonconforming due to the location of the existing structures. The Fourth Avenue side has existing sidewalks. Under the current Ordinance the applicant may request to pay a fee in lieu as recommended by the Technical Review Committee. At the August 21 meeting, Council expressed their desire to consider reducing the burden of sidewalk installation requirements on businesses which may be nonconforming sites. Staff amended the Ordinance and it was on the consent agenda at today's meeting for final reading. The amendment still requires that a sidewalk waiver be applied for however if the City's Technical Review Committee recommends that a waiver be granted, Council can consider a reduction or eliminate the fee in lieu amount entirely. The fee in lieu for this property was for 365.57 linear feet which totals \$9,354.94. Using these calculations, if the request were to be received today rather than before the increase took effect, the fee in lieu amount would be \$10,878.68.

There was some discussion regarding the existing building, the dangerous intersection, possibility of a safety barrier being put up, road improvement project, ROW and the plat.

Motion: Goldfinch made a motion, seconded by Benton, to approve the waiver of sidewalk requirements and waive the sidewalk fee. **Vote:** Benton, Helms, Blain-Bellamy, Goldfinch, Jordan, Butler voted yes. White voted no. Motion carried with a 6-1 vote.

- B. Consideration to Accept Funding for the 2024 PARD Grant** – Smith stated that the City applied for a grant requesting funds to hire a consultant to complete a comprehensive plan for the Conway Sports & Recreation Complex. The City received the grant and was approved \$11,932.0 for the PARD project. With an estimated plan cost of approximately \$50,000, the \$11,932.00 could be supplemented with \$10,000 from Recreation Professional and Contract Services, leaving a balance of approximately \$28,068. Although not currently budgeted, hospitality funds could be used to fund this balance.

Motion: Goldfinch made a motion, seconded by Helms, to accept the funding for the 2024 PARD Grant and use Hospitality funds for the balance. **Vote:** Unanimous. Motion carried.

- C. Consideration of Naming the Downtown Operations Center** – Long stated what a privilege and honor it was to have Odell Cochran for 38 years of service to the community. Long went on to inform Council of his impact and influence on others, and also his career with the Conway Police Department. Long requested that Council name the satellite office on Main Street to recognize his accomplishments in the City of Conway to the Lt. Odell Cochran Downtown Operations Center.

Motion: Blain-Bellamy made a motion, seconded by White, to approve the naming of the Police satellite office on 223 Main Street to the Lt. Odell Cochran Downtown Operations Center. **Vote:** Unanimous. Motion carried.

CITY ADMINISTRATOR'S REPORT:

Emrick informed Council of the following:

- Emrick stated that while the discussion was happening about the sidewalk on Church Street, Harrelson sent an email to SCDOT asking them to look at pedestrian safety improvements in light of the sidewalk waiver.
- In addition to the Riverwalk Expansion that is underway, we are also beginning some significant repairs to the Riverwalk stage area and repainting the railings throughout the Riverwalk.
- Couple of things to add to all of your calendars:
 - A dedication ceremony for Chestnut Bay will take place on Freeman Drive at 11 am on November 15. This event will be the official kickoff of the grant and lead to the construction of the bay and improved connectivity of Crabtree Swamp.
 - Arbor Day will be celebrated on November 16th at 11 am in Scarborough Alley.
- The calendar for December looks like the calendar for October, overwhelming and full of some amazing events and activities. Emrick mentioned two of those items, the first of which is actually in November.
 - The Christmas Tree Lighting will be November 30th in the same location as last year. Main Street will be closed and we will utilize two stages. We are changing

things just a little. For the last few years, we have had an overwhelming number of children perform in the ceremony, from Elementary School aged kids through High School. This has been fantastic, but also unmanageable. Last year, we certainly exceeded the capacity of our stage and we had a lot of little kids that could not get to their classmates or teachers and it did not work well. So, we are going to have the High School students perform at the Tree Lighting and a short while later, have the younger children perform at the stage in Riverfront Park. This will allow the traffic from Main Street to clear and to allow for a more controlled atmosphere for the little kids... and to expand the tree lighting activities to a new part of the City and longer into the evening.

- The City Staff Christmas Party will be at the Sports and Fitness Center again this year on December 5th at 6pm. We had a lot of really good feedback from last year so we are bringing back a lot of last year's setup and activities with only a few tweaks to make it even better.
- Last week, staff had the opportunity to present at the South Carolina Chapter of the American Planning Association meeting with Irene Dumas-Tyson, our consultant on the last Downtown Master Plan. Irene came up with the idea and asked us to co-present. The title of the presentation was, "So you want to be a Hallmark Town." It was very fun and we had great response from the professional planners that attended.
- On Saturday, a new local Latino radio station, El Gallo, 98.9 FM, partnered with our Parks and Recreation Department to host the first ever Day of the Dead Festival in Collins Park. There was a huge crowd and Emrick thanked everyone who made it possible. June plated a quick clip of the festival.
- The next meeting of the Youth Council is this Thursday at Conway High School. This will be the first meeting chaired by the Junior Mayor, Racheal Hernandez. Emrick asked her to stand.
- Wednesday evening will mark the next meeting of the Whittemore Task Force. The first meeting focused just on a background of the site and introductions of the committee members. The meeting Wednesday will focus on current needs and a review of some projects requested by the Task Force.
- This is a reminder that City offices will be closed on Friday to celebrate Veteran's Day.
- Emrick congratulated all of the Conway High School teams that made it to the state playoffs this season, girls' and boys' volleyball, girls golf, girls' tennis, boys' football and congratulations to Anthony Carrol for being named the Region Athletic Director of the Year.
- Staff has two items for Workshop tonight, neither of which will take that long. I think I can safely say, we all have a very busy stressful day tomorrow so we'd like to just do them in this room after Council input if that is okay.

COUNCIL INPUT:

Benton said that he is excited about doing a Master Plan for the Recreation Department. Benton said that he has had several ask about putting signage up as you pull around to where the sidewalk is to drop off, as far as cars parking there to just drop off. Benton asked if Council could put an

action item on the next Council meeting agenda to address Norman's Cleaners in hopes to get a resolution to his issue. Benton also said that he heard the City has some money in the reserve from the first phase of that project. Benton feels that the City needs to bring closure to that project. Lastly, Benton said that he is very excited to be naming the operations center after Odell Cochran as he knew him personally and doesn't think anyone finer has walked the streets of Conway. Benton said Cochran is well deserving and a great man.

Helms gave kudos to Brandon and his staff for helping Lake Waccamaw. Helms thanked all the Veterans that have and are serving. Helms recognized staff, managers and department heads, for getting up at 4 a.m. for the Halloween swap.

White asked for a 4 way stop at Hill Street and Sixth Avenue. White congratulated and thanked city staff with the 98.9 event as this is a great first step for inclusiveness.

Goldfinch said that Timmy Williams is his hero. Goldfinch said as the saying goes, See Something, Say Something, and Timmy did that this past Saturday as he was coming into town for the Golf Cart Parade and the CCU Homecoming, which was a treat. Goldfinch stated that Timmy recognized that 2 people were trying to steal his pumpkin from in front of his office on Fourth Avenue and he acted accordingly. Goldfinch reminded all of the community to See Something, Say Something.

Jordan followed Goldfinch and said that the parade was incredible, crowd was amazing and he received positive feedback. Jordan said that he drove by Collins Park Saturday night and the event was packed with a great turnout. Jordan said that yesterday was open house Downtown and he has heard from a number of businesses having record days during those 3 hours, which Jordan says was impressive to see the large number of people downtown. Jordan encouraged everyone to get out and vote tomorrow as our local election effects our lives, in Jordan's opinion, on a much larger scale than a lot of national elections.

Butler said that she was extremely impressed with the Day of the Dead Celebration and thanked staff for making it possible. Butler stated that the City should continue to be inclusive to all of the citizens in Conway to make sure that every culture is acknowledged and making sure that everyone feels like Conway is a great place to live. Butler said that she has had a few people concerned with the scooters with the speed on the sidewalks and the location of where they are being left, and not picked up at night. Butler thinks the scooters are a great idea but that Council does need to pay attention and be vigilant on how it is affecting pedestrians and ones walking around.

Goldfinch then told Chief Long that he is seeing younger ones, 14-year old's, without license driving golf carts around town. Goldfinch does not want to see something happen and someone hurt.

Blain-Bellamy piggy backed on Butler with the scooters saying that she loves them as well but also has concerns with the location of where they are being left. Blain-Bellamy also piggybacked on the Day of the Dead Celebration and said that as we come to know better, we are required to do better as that expansion of who we are continues to grow everyday and we want to embrace all of the facets of our community. Blain-Bellamy encouraged all to exercise their right to vote. Blain-Bellamy said that as of Friday at 5 p.m. that 1,032 people had already voted, which was incredible.

November 6, 2023

WORKSHOP:

Discussion Amending Title 6 – Health and Sanitation, Chapter 3- Garbage and Waste Disposal, of the City of Conway Municipal Code to update fees and amend refuse receptacle requirements. Jenerette informed Council that this discussion was to amend Title 6, Health and Sanitation, Chapter 3, Garbage and Disposal. Jenerette said that he is excited as Sanitation’s new trucks would be arriving. Jenerette said that the one-armed bandit style truck would arrive in December and it requires some housekeeping of the City Ordinance regarding the pickup of trash. Jenerette then said that the trash can has to be clear of light poles, mail boxes, and vehicles as the truck has an arm that goes out anywhere from 5-10,’ picks it up above the truck and dumps it. Jenerette said that the recycle bins are also not compatible to the trucks, and staff has been switching those out since 2018 with the 65-gallon carts. Jenerette said that the City needs to discontinue the recycle bins and move forward with the 65-gallon carts to make more compatible with the new trucks.

There was some discussion regarding the percentage of households that would need to switch to the carts, grants received by the City for the carts, cost to the residents for the carts, pickup of bulk items, financing the cost of the carts for the residents for up to 6 months, cost of the carts to the City, and the procedure for returning the green bins.

Jenerette stated that both the ERF’s would also be added into the City Ordinance and all of the customers within those areas would use the ERF.

Emrick added that at Budget Retreat, Council agreed to anyone that uses the ERF would get a 10% discount. Emrick said that Sanitation is also looking at the grease traps that are outside the businesses and will have a centralized grease trap container at the new ERF. Emrick added that there is a cost benefit to businesses to sale their oil and they will lose that by having a centralized location, so they will be offered a discount if they use the grease trap container.

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 20 day of November, 2023.


Alicia Shelley, City Clerk