

July 18, 2022

CITY OF CONWAY
CITY COUNCIL MEETING
CONWAY CITY HALL
229 MAIN STREET, CONWAY
MONDAY, JULY 18, 2022 - 4:00 P.M.

PRESENT: Mayor Barbara Blain-Bellamy, Alex Hyman, Mayor Pro Tem
Council Members: Amanda Butler, William Goldfinch, Beth Helms, Justin Jordan, Larry White

STAFF: Adam Emrick, City Administrator; John Rogers, Deputy Administrator; Mary Catherine Hyman, Deputy Administrator; Jeff Leveille, Technology Services Director; June Wood, Public Information Officer; Le Hendrick, Fire Chief; Allison Hardin, Planning & Development Director; Dale Long, Police Chief; Mike Prosser, Police; Steven Pearce, Police; Lynn Smith, Human Resource Director; Timmy Williams, Hospitality & Beautification Director; James Friday, Public Utilities Director; Reggie Jenerette, Solid Waste Director; Kayla Fleming, Associate Judge; Alex Cook, Building Plan Reviewer; Brandon Harrelson, Public Works Director; Robert Cooper, Building Official; David Crotts, Assistant Finance Director; David Williams, Assistant Recreation Director; Rock Rabon, Fleet Maintenance Director; Ashley Smith, Recreation Director; Katie Dennis, Planning Concierge; and Alicia Shelley, City Clerk

OTHERS: Conway 10U Fast Pitch Softball Allstar team and parents, and approximately 10 others in attendance.

CALL TO ORDER: Mayor Blain-Bellamy called the meeting to order. Pastor Matt of Seacoast Church gave the invocation and led the Pledge of Allegiance.

The requirements for posting notice of this meeting under South Carolina's Freedom of Information Act (FOIA) were met.

APPROVAL OF AGENDA: **Motion:** Hyman made a motion, seconded by Goldfinch, to approve the July 18, 2022 meeting agenda with the moving up of XI. Workshop before IX. City Administrator's Report. **Vote:** Unanimous. Motion carried.

CONSENT AGENDA:

- A. Final Reading of Ordinance #ZA2022-07-18 (A) to annex approximately 0.19 acres of property located at 604 Lesia Ln (PIN 382-05-04-0120) and request to rezone from Horry County Single Family Residential (SF6) to City of Conway Low/Medium Density Residential District (R-1).**
- B. Final Reading of Ordinance #ZA2022-07-18 (B) to annex approximately 0.37 acres located at 118 Clemson Rd (PIN 383-10-01-0017) and rezone the property from Horry County Single Family Residential (SF10) to City of Conway Low/Medium Density Residential District (R-1).**
- C. Final Reading of Ordinance #ZA2022-07-18 (C) to annex approximately 3.93 acres of property located at 970 West Cox Ferry Road (PIN 382-07-04-0011) and request to**

rezone from Horry County Commercial Forest Agriculture (CFA) to City of Conway Low/Medium Density Residential District (R-1).

- D. Final Reading of Ordinance #ZA2022-07-18 (D) to annex approximately 0.5 acres of property located at 107 Country Club Dr (PIN 339-01-02-0016) and request to rezone from Horry County Single Family Residential (SF20) to City of Conway Low/Medium Density Residential District (R-1).**
- E. Resolution Accepting Dedication of Roadways and Drainage System in Carsen's Ferry, Phases 1-4**
- F. Acceptance of Bid for Audio Video Equipment for the City Hall Project (budgeted)**
- G. Approval of Purchase of Water Meters for Public Utilities (budgeted)**
- H. Acceptance of Bid for Turf Installation at The Terrace (budgeted)**
- I. Approval of July 5, 2022 City Council Special Workshop Minutes**
- J. Approval of July 5, 2022 City Council Minutes**

APPROVAL OF CONSENT AGENDA: Motion: White made a motion, seconded by Hyman to approve the July 18, 2022 consent agenda. **Vote:** Unanimous. Motion carried.

PUBLIC INPUT:

Laura Dilandro said that this is her second appearance speaking about fireworks and she hopes to leave today with a better understanding of the Ordinance. She then asked if anyone knows what the penalties are. Blain-Bellamy informed Dilandro that this is not interactive as a question and answer period.

Whitney Crosby, VP of the Conway High School Band Booster Club, spoke to bring awareness of the Conway High School Band program.

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

SPECIAL PRESENTATION:

- A. Proclamation Honoring the Conway 10U Fast Pitch Softball State Champions –** Mayor Blain-Bellamy presented the team and coaches with the Proclamation honoring them as the Conway 10U Fast Pitch Allstar Softball State Champions.
- B. Presentation of the Waccamaw Community Foundation Grant –** Brent Groome of the Waccamaw Community Foundation presented the City of Conway a \$26,625 Knight Foundation Grant to complete a pathways and trails study.

- C. Employee of the Month of July – Public Service** – Rogers and Hyman presented Alicia Shelley, City Clerk with the Public Service Employee of the Month for July.

PUBLIC HEARING AND FIRST READING

Public Hearing and First Reading of Ordinance #ZA2022-08-01 amending Article 2, Definitions and Article 5, Section 5.2.8 – Residential Swimming Pools & Spas, of the Unified Development Ordinance (UDO), regarding requirements for residential swimming pools, hot tubs, and spas. Hardin informed Council that Article 2 Definitions were added for residential swimming pools, spa and hot tub. Hardin said that currently, the ordinance states that “*the edge of water must be at least three and a half (3.5) feet from all required setbacks and from any buildings.*” Section 5.2-Accessory Uses & Structures states that the setbacks shall be a minimum of five (5) feet from all property lines. Therefore, the edge of water must be 3.5 feet from the 5 feet required accessory use/structure setback in order to comply. Staff feels that this ordinance could be simpler by enforcing a six (6) foot setback similar to Horry County, stating that the edge of the water in the pool and/or spa must meet a six-foot minimum setback from all property lines, and meet building codes for separation from buildings; provided there is a principal structure on the parcel and the pool and/or spa is not located forward of the principal structure. Pools or spas may not be placed in any existing easements. Pool enclosures or pool decks over twelve inches in height must also meet a six-foot minimum setback. Swimming pools not capable of holding more than 24 inches of water are exempt from permitting procedures.

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

Motion: Hyman made a motion, seconded by White to approve first reading of this amendment. **Vote:** Unanimous. Motion carried.

CONSIDERATION

- A. Consideration of a Name for New Subdivision on Collins Jollie Road – “Westwood Reserve”** - Hardin stated that the proposed development is being reviewed by the Technical Review Committee and plans call for this portion of the Conservation Subdivision development to have a total of 214 lots, located on Collins Jollie Road. The applicant requests to name the subdivision Westwood Reserve upon final recording of the plat for subdivision of the property (PIN 295-00-00-0010 and 295-00-00-0036). According to Section 10.3.18 of the City of Conway UDO, all subdivision names must be reviewed and adopted by Conway City Council.

Motion: Blain-Bellamy made a motion, seconded by Hyman to approve this request to name the subdivision Westwood Reserve. **Vote:** Unanimous. Motion carried.

- B. Consideration to Issue a Request for Proposals for a Mini-Playground at the Sports and Fitness Center** – Smith stated that this proposal to use American Rescue Plan Funds is to build a mini playground and picnic shelter at The Billy Gardner Sports Complex on the West side of the campus between Field E and Field G. Currently, the kids have to walk

to the other side of the complex to play, which is a burden to parents. This addition will add a place for children to play when they are on this side of this complex.

Motion: White made a motion, seconded by Jordan to approve this proposal to allow staff to issue a request for proposals for this request. **Vote:** Unanimous. Motion carried.

Hyman asked about additions at the soccer and football fields in the future. Smith said that was in the Master Plan.

Goldfinch asked if the City is told how to spend the American Rescue Plan Funds. Emrick said there are some limits but that it is mostly at the discretion of City Council.

Goldfinch said that if Council moves forward with this tonight, when would we actually do it. Emrick said we could begin immediately as the money has already been received and we have to report to ARPA how we use the funds.

Goldfinch said that he loved the idea but he thinks there may need to be a broader conversation about next year as the economic environment concerns him and wants council to be mindful. Emrick stated that the funds cannot be used for salaries and things like that as it cannot just go into the general fund unless it is reimbursing for expenses that have already been sustained.

Blain-Bellamy asked that even though we have discretion as to how the funds are used, isn't there a timeline. Emrick said he believes that it has to be committed by December 2024.

- C. Discussion on Extension of Use of Two Parking Spaces at 1028 Third Avenue – M**
Hyman said that Third and Laurel, LLC is currently renovating the existing building located at 1028 Third Avenue for use as office, retail and residential. On January 3, 2022, City Council approved the temporary placement of two construction dumpsters in two parking spaces on Laurel Street, as well as a safety scaffolding tunnel on the sidewalk for demolition, framing, and sheetrock. At that time, Council approved these items for 6 months. In June 2022, the property owner requested a 40-day extension to until July 30 to allow for final power washing and exterior painting. At the June 20 Council meeting, City Council approved the extension of the two parking spaces and safety tunnel, and asked that the construction company work with the neighbors and remove the tunnel as soon as possible. On July 11, the construction company asked for an additional extension through September for the two parking spaces. One space is needed for deliveries, and the other for temporary toilets and construction dumpster.

M Hyman said that Spence Little of Montgomery Construction was at the meeting to answer any questions.

Blain-Bellamy said that it would be hard pressed to deny an extension as we are so far along on an important project but one of her concerns has been that Council has allowed one extension after another and that says to her that it hasn't been planned as to how long this project will take. Blain-Bellamy said another concern she has is the self-enforcement of using just 2 spaces.

M Hyman said that staff's recommendation would be to allow the extension, however to make it clear that it is not to extend the boundaries of the two parking spaces. M Hyman said that she spoke to the adjacent business owner, she is aware that this issue was on the agenda today and that she did say that things were better than they were and there has been communication between her and Montgomery Construction, but that she cannot hold on much longer especially if businesses on the other side of the street request something similar. M Hyman said that no other businesses have requested anything at this time.

Motion: Hyman made a motion, seconded by White to extend the strict timeline to September. **Vote:** Unanimous. Motion carried.

WORKSHOP

Discussion on Amendments to Article 2 and Article 11 of the Unified Development Ordinance regarding Iconic / Historic Landmark Signs in the Historic Design Review Districts (HDRD's) – Hardin informed Council that staff was recently approached by the Main Street Theatre about updating their existing marquee sign to a more current sign that would include the use of an electronic message center instead of the changeable copy that currently exists. According to the theatre owner, it has been difficult to find the necessary parts to repair the sign as needed, and the sign message is also difficult to change.

Section 11.4.9 – Electronic Message Centers (EMC's) / L.E.D. Digital Signs of the UDO was amended in 2019 to permit EMC's in the Institutional (IN), Institutional Campus (IC) zoning districts, as well as properties zoned Highway Commercial (HC) if they are located on Hwy 501 Bypass or Church Street, but not to include Hwy 501 Business or other areas within the City limits. EMC's are restricted to monument signs only, and are not permitted to be incorporated into wall signs. There are several conditions to having an EMC as part of a monument sign, including (but not limited to) prohibiting the display of videos, displays may not change more frequently than once every 15 seconds, the requirement to display public emergency messages (as is needed), and the requirement of the EMC/LED to have a mechanism to turn off if a malfunction were to occur.

Hardin said that staff is seeking Council's input on the creation of an ordinance that would allow long-standing businesses to become part of a registry of historic / landmark signs, that will include regulations intended to provide for the preservation of the City's unique character, history, and identity reflected in historic and iconic signs. A landmark signs ordinance could include at least three (3) different categories for such signs: (1) A historic (or classic) landmark sign (installed prior to 1994, when Conway was introduced to the National Register); and Post-1994; (2) A replica landmark sign, which is an accurate reconstruction of an original sign that no longer exists (*i.e.* Nye's Pharmacy); and (3) Central Business District (CBD) landmark sign OR Historic Design Review District's (HDRD's) landmark signage. Staff is in the early stages of researching other cities and towns that have adopted similar ordinances.

Hardin said that some of the businesses / locations that may qualify for such a registry include:

- Nye's Pharmacy
- Theatre of the Republic
- Rivertown Pharmacy
- Conway National Bank (4th Ave location)

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- Wiegand Timberland & Real Estate
- Pepsi Bottling Co.
- The Trestle
- Jerry Cox (painting on brick)

A registry of landmark signs would create a process for businesses to have a “landmark” sign without amending the sign ordinance relating to Electronic Message Centers (EMCs) / LED Digital Signs, and instead would require approval from both City Council, to be considered as qualified a landmark sign, as well as the Community Appearance Board, who would approve all proposed landmark signs that have been deemed as qualified by City Council.

Blain-Bellamy said that it sounds like it would allow us to have signage that we wouldn't normally approve. She said she could envision the marquee remaining at its current presence but not having to climb up to change the letters.

Hyman stated that this would have helped Nye's Pharmacy when they redid their sign a few years ago.

White asked if someone has been taking pictures throughout the City. Hardin said yes.

White asked about the documentary in Myrtle Beach. Hardin said that Myrtle Beach was featured in the documentary, "Our Vanishing Americana South Carolina" which will air on SCETV on August 11, 2022.

CITY ADMINISTRATOR'S REPORT:

Emrick informed Council of the following:

- Emrick introduced Katie Dennis, Planning Concierge.
- He hoped that Council will agree that the MASC Annual Meeting in Charleston last week was very well done. The theme of the conference was civility, something we can all agree that more of which is needed. One of things that I always take away from visiting other cities for conferences are small things that those places do, that we should be doing. We definitely picked up a few of those. But we also things that we do, that other places should be doing, and we also identified a few of those.
- Shag Dancing Lessons on July 21
- Our contractor hopes to begin the grading and concrete work at the Terrace this week. Tonight, you approved the contractor who will install the brick work, and we hope to have a turf contractor for you at the next meeting to finish up the project. Our first scheduled events in the Terrace are in October.
- The Marina Lift Station rebuild is nearly completed. There are a few exterior adjustments that need to be ironed out and the inside components will be finished in the next few weeks.
- A couple of updates on some of the flood relief projects that we have been working on for a while. Chestnut Bay is still waiting on funding and word from the BRIC grant. As you remember, we applied for this federal grant a few years ago and was denied, which we appealed. We also applied for the second round of BRIC funding, which we are also waiting on. Some of the state BRIC projects have been announced, but no local projects, so

we are hopeful we are in that batch and it will be announced soon. The Hawthorne Wetland Project is being held up at this time in permitting. We are waiting for FEMA to close out the Buyout, so we can get a review of the reconstruction of the wetlands. Hopefully both will happen soon.

- The additional tennis courts at Collins Park, the three clay courts at the Recreation Complex, and the resurfacing of Smith Jones are nearing the end of the engineering process. Once completed, we will go out to construction bids and bring it to you for review. We hope to have this to you by the beginning of September.
- An FYI, our Public Works Department is down two mowers again.
- The new road behind Walgreens and Chick-Fil-A is making great progress. A reprieve from rain would be helpful, but the stormwater piping is in, the new pond is under construction and the road is being graded. It's still a way from being drivable, but every week we make more progress.
- Tonight, we have a report from Chief Long.

Chief Long informed Council of the current staffing in the Police Department, with 5 Class I Officers short. He then updated Council on calls for service, active shooter training, recent training and upcoming training events, Camp Great, and the Citizens Police Academy. Long then announced that an arrest had been made from last Saturday nights shooting.

COUNCIL INPUT:

Helms said that she was glad to be here for the softball championship as 2 years in a row is a big deal. She said that she was the first coach to win a state championship in girls' softball. Charleston was a great event and to get to know others outside of Conway.

Hyman congratulated Shelley on being the employee of the month and also congratulated the softball team for their championship. He thanked the Chief for coordinating the joint training with the different departments, County, Coastal and others. Hyman said he had a great time in Charleston as it is a beautiful city but was glad to be back home.

White said that Chief Waites did a diversity presentation at the MASC meeting and asked that staff copy some of that to help the citizens here in Conway.

Goldfinch said that he also enjoyed Charleston and his favorite thing was the discussion on civility. He said that while the guy was speaking all that he could think about was all the crazy stuff going on in the world on the state and national level and in some individual cities and towns. He said he is grateful that the City of Conway doesn't seem to have those issues and that is why Conway is so wonderful. Goldfinch said that staff and Le Hendrick do an amazing job with the Emergency Management Plan and when it comes natural disasters, he thinks it would be worth a discussion with others to have a plan for changes in our budget, or things like that and how we respond to it in a way that it isn't emotional, but rather practical and reasonable. Lastly, a young lady that he grew up with and has known all his life choked and is on a ventilator. He then said that they unsuccessfully done the Heimlich Maneuver and CPR. He showed everyone a de-choker that he saw a year ago and ordered. He demonstrated and thinks it is a good idea to have as another tool.

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Jordan said that Charleston was great and he also congratulated the softball team.


Butler said that she definitely enjoyed the annual meeting in Charleston, learned a lot and was grateful for the opportunity. She said that after the meeting on Saturday, she had the opportunity to hear the Charleston Orchestra perform at the Arts Center and that really pushed her hopes and desires for Conway to have the ability to have a performing arts center. She stated that she was so glad that the Conway High School Band Booster came today as they are phenomenal and sound ten times better than when she was in band in high school. She said that the band takes pride and she wants to have opportunities for them to showcase. She stated that Ashley and the sports program is doing good and she would also like to see Conway continue to grow and provide opportunities for our young people in the area of performing arts, band, orchestra, and music theater. Butler then recognized Melissa Jefferson in the 100-meter finals and said that Jefferson put the name of Conway out there.

Blain-Bellamy said that she was going to do something that she doesn't do enough, as she sometimes takes the pat on the back for granted and she gave kudos to staff for the wonderful things that they do. She then read a letter from Barbara Younger giving kudos and thanks to several staff members that have helped her with issues. Blain-Bellamy said that earlier the lady that stood up to say something about fireworks but wasn't sure what direction her comments were going, but as food for thought, in the summer it is not dark until 9 p.m. and she believes that the City's Ordinance requires that fireworks end at 9 p.m. She then said that we need to have the ability to force what our Ordinance says and that she loves fireworks and was happy that there was noise going on after 9 p.m. but that they went on and on and on, which she says that the City may have an Ordinance that is difficult to enforce....food for thought. She then directed this towards Administration and Chief Le and said that every few years there is a discussion that comes up about whether or not we need to look at some opportunity to begin an EMS division. She said that it hasn't come up in a meeting in years that she can recall but every time she hears a report of the sirens, ladder trucks and crews of people going out, it says to her that there is probably a faster more efficient way that the City can take care of the needs of the people, rather than a fire truck. She said that she thinks as the City spreads its territory, as Goldfinch has warned against it, but we are now 26 square miles and if the City is going to carry out that service, then it should be carried out effectively and efficiently. She said that every now and then we need to rethink on how we are doing and how it is working for us. She stated that she is just asking as a cursory look at where we are in fire and EMS and what our future might look like.

Blain-Bellamy thanked the City's employees for who they are and what they do.

ADJOURNMENT: **Motion:** Goldfinch made a motion, seconded by White, to adjourn the meeting at approximately 5:16 p.m. **Vote:** Unanimous. Motion carried.

APPROVAL OF MINUTES: Minutes approved by City Council this 1 day of August, 2022.


Alicia Shelley, City Clerk