

September 18, 2023

CITY OF CONWAY
CITY COUNCIL MEETING
CONWAY CITY HALL
229 MAIN STREET, CONWAY
MONDAY, SEPTEMBER 18, 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; Kayla Fleming, Associate Judge; 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; James Friday, Public Utilities Director; Jessica Hucks, Planning and Development Director; Le Hendrick, Fire Chief; Ashley Smith, Recreation Director; Robert Cooper, Construction Services Director; Ted Dudley, Public Utilities Deputy Director; Rosanne Dates, Grants Supervisor; Dale Long, Police Chief; Captain Tammy Carter; and Alicia Shelley, City Clerk.

OTHERS: There were approximately 75 people in attendance.

CALL TO ORDER: Mayor Blain-Bellamy called the meeting to order. Rev. Robert Bannon, Kingston Presbyterian 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:** Benton made a motion, seconded by White, to approve the September 18, 2023 meeting agenda. **Vote:** Unanimous. Motion carried.

CONSENT AGENDA:

- A. Final Reading of Ordinance #ZA2023-08-07 (H) to annex a 1.17-acre tract and 1.21-acre tract of property, totaling 2.38 acres, located at (and adjacent to) 588 Hwy 544 (parcel B-1: PIN 382-04-04-0001 and parcel B-2: PIN 382-05-01-0001), and rezone from the Horry County Highway Commercial (HC) district to the City of Conway Highway Commercial (HC) district.**
- B. Approval of Letter of Intent for Grainger and Lake Busbee site with Santee Cooper**
- C. Special Event – Oct to be Here – October 28, 2023**
- D. Approval of August 29, 2023 Council Emergency Meeting Minutes**
- E. Approval of September 5, 2023 Council Meeting Minutes**

APPROVAL OF CONSENT AGENDA: Motion: Goldfinch made a motion to approve the September 18, 2023 consent Agenda. Benton asked that Item IV.B. be moved down on the Agenda to Consideration. Goldfinch amended his motion to approve the September 18, 2023 consent Agenda, with the exception of moving Item IV.B. down on the Agenda to Consideration. Benton seconded the amended motion. **Vote:** Unanimous. Motion carried.

PUBLIC INPUT:

- Ronald Matta spoke in opposition of the City of Conway purchasing property located within the City of Conway.
- Travis Overton of CCU thanked the City for the continued partnerships with CCU and announced that the new Teal Nation retail store would be opening on October 9 at 324 Main Street.
- Renee Ruff spoke in opposition of 154 Winyah Road being annexed and rezoned to City of Conway Heavy Industrial.

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

SPECIAL PRESENTATION:

- A. **Presentation of Keep Conway Beautiful Award** – Mileur on behalf of the South Carolina Litter Control presented Santee Cooper volunteers with the Lower Region Group Leadership Award.
- B. **Presentation of Public Safety Employee of the Month** – Chief Long presented Captain Tammy Carter with the Public Safety Employee of the Month award.

PUBLIC HEARING AND FIRST READING

Public Hearing and First Reading of Ordinance #ZA2023-10-02 (A), of a request by Shep Guyton and G3 Engineers, agents for BRD Land & Investment, LP, to enter into a development agreement with the City of Conway for the Warden Station Planned Development, located on / near Hwy 701 South & Pitch Landing Rd, containing approximately 1,765 acres (+/-) (PIN's 381-00-00-0003, 381-08-04-0009, 381-08-04-0010, 380-00-00-0038, 381-08-01-0006, 403-00-00-0001, 403-00-00-0002, and 403-00-00-0022).

Emrick stated that this item and the next item on the agenda were on the same subject if Council would like to discuss as one item.

Hucks stated that the applicants are requesting to annex approx. 1,765 acres of property into the city, and rezone to a Planned Development district. The project, at full build out, proposes to contain 1,380 single family detached dwellings, 1,016 townhouse dwellings, and 920 multifamily units, for a total amount of 3,318 residential units. The timeline anticipated for full buildout is 25 years. The developer estimates an 18-month period from approval of the PD for design and

permitting, and an additional 12 months for the issuance of permits and approvals for the installation of the required infrastructure. One-fifth of the project is proposed to be completed in the first 5 years and an additional one-fifth to be completed in each subsequent 5-year period. The applications were received late last year, and staff worked with the applicants for several months before bringing to Planning Commission. The project went to Planning Commission in May and there was also a workshop for Planning Commission in May; went to a 2nd Planning Commission meeting in July where a public hearing was held. The project then went again to Planning Commission but was deferred so that staff and the applicant could work together on more changes that needed to be made. Finally, in September it went back to Planning Commission where it was ultimately recommended for approval.

Hucks said that currently, the properties are within Horry County's jurisdiction, and are zoned Commercial Forest Agriculture, Highway Commercial, and Community Retail Services. A majority of the properties included in the request is zoned CFA. Additionally, the properties are not yet identified on the City's Future Land Use Map, but they are identified on Horry County's FLUM as being Scenic & Conservation, Rural, and Rural Communities. Scenic & Conservation was applied to areas that scored exceptionally high on the environmental analysis or received a strong recommendation from the community for future conservation. Examples would include wetlands and agricultural lands. However, this does not mean these areas would be off-limits to development entirely. The Rural designation was applied to areas with prime agricultural soils, extensive farm and timberland, as well as natural resources and scenic views. Recommendations for this future land use is for protection of active forestry operations, farmland, and to minimize residential subdivisions by considering uses associated with rural tourism or the potential for a density transfer program. Finally, Rural Communities would permit lot sizes of 14,500 sq. ft., or lot sizes of 10,000 sq. ft. in certain zoning districts when used in conjunction with sustainable development criteria that preserves open space and natural features, buffers from roadways and adjacent properties, and does not impede on adjacent farming operations.

Hucks stated that some of the features in the development would include: Single-family detached lot sizes of 6,000 square feet; Single-family attached (i.e. duplex, townhomes) lot sizes ranging from 1,650 to 3,000 sq. ft; Multifamily lot sizes (in-common) of a minimum of 5,000 sq. ft. *NOTE:* Tract L is 27.82 acres and Tract M is 37.81 acres; Commercial lot sizes ranging from 7,500 to 15,000 sq. ft. *NOTE:* Commercial areas are described as "Types" 1, 2 and 3, some with different uses than other types, and some tracts with more restrictions than other commercial areas. Most of the uses within the Highway Commercial and Light Industrial districts would be permitted on the commercial tracts, with the exception of Tracts B and O.

Hucks said that some of the concerns that have been mentioned in previous meetings regarding the request include: distance from the city limits, strain on city services, cost and impact of the development on the city, lack of needed infrastructure, traffic infrastructure, uses in relation to existing residential property, uncontrolled growth, removal of trees and destruction of forestland and animal habitats, density of development, strain on public safety & emergency services, stormwater runoff, capacity of the public schools, lack of hospitals on the west side of the Waccamaw, and the effect of flooding on the surrounding properties as a result of this development.

Hucks then said that included in the request as well as the proposed development agreement are certain public benefits, such as: The creation of a direct, internal roadway network, referred to as

the Spine Rd, ranging in rights of way of 50-100 feet; Enhancement fees for: Sanitation, Parks & Recreation, Public Safety, and Planning & Development; The installation of a multi-purpose path, 8-ft in width, following the internal spine road, to be installed in accordance with the City's Pathway's & Trails Plan; Stormwater conveyance and retention facilities that are sufficient in capacity to accommodate the stormwater generated from the subject parcels and provide the city with evidence of such. All stormwater will be designed to meet or exceed the stormwater ordinance that is in effect at the time of plan submittal; Installation of roadway improvements, including 3 existing intersection improvements and 2 proposed intersections; Conveyance of over 500 acres of real property to the City of Conway, shown as Tract K on the Master Site Plan, which includes uplands, flood zones, and wetlands. Doing so will ensure that these vulnerable areas will be protected in perpetuity. Prior to conveyance, the developer will install or provide a financial guarantee to install 4 pickleball courts; a playground with floodproof design, adequate in size to accommodate the number of children anticipated to use the playground at the completion of the project; and parking areas sufficient in size to accommodate visitors to the recreational facilities; Installation of a Wildlife Refuge Trail connection, in accordance with the City's Pathways & Trails plan; Installation of cameras at each external access point (1 at the Pitch Landing Access, and 1 at each access point on 701); and Installation of roundabouts along the Spine Road in lieu of 3 or 4-way stop signs.

Hucks stated that at the September 7 Planning Commission meeting, PC recommended approval of the annexation and rezoning, and to incorporate any outstanding comments or issues that city staff has into the PD Narrative. Some of the outstanding staff concerns or comments included: Stormwater; Installation and timing of traffic improvements; Collection of Sanitation and Stormwater fees; Enhancement fees for public safety, sanitation, parks & recreation, as well as Planning & Development, in which a final amount for each fee has not yet been determined; Timing of installation of improvement and conveyance of Tract K – also the recreational acreage, which is made up of mostly flood zones or wetlands, that will contain Master Open Space and Stormwater for the project, as well as recreational amenities; and Various design modifications regarding the number of access points for some of the internal developments, due to conflicts with the City's Fire Code requirements.

Hucks said that as part of that request, the applicants would like to enter into a Development Agreement with the City of Conway. Per Section 6-31-10 of SC Code of Laws, the SC Local Government Development Agreement Act, authorizes binding agreements between local governments and developers for long-term development of large tracts of land. It gives the developer a "vested" right for the term of the agreement to proceed according to land use regulations in existence on the execution date of the agreement. Development agreements provide some measure of certainty as to applicable land development regulations for developers who make financial commitments for Planned Developments, and also expresses the intent to encourage a stronger commitment to comprehensive and capital facilities planning, to ensure the provision of adequate public facilities, and encourage the use of resources and reduce the economic cost of development. The length of the agreement varies but with these one 1,000-2,000 acres is limited to an initial term of 20 years. Prior to adopting a development agreement, 2 public hearings must be held; one of which can be held by Planning Commission. Planning Commission held the 1st of the 2 required public hearings at their July 13th meeting. Several people spoke in opposition to the development agreement, as well as the request for annexation and rezoning to a PD for previous concerns that were mentioned.

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Hucks said that this request has been advertised for a public hearing for the Development Agreement and that the applicants are present.

April O'Leary spoke concerning the drainage at Bear Swamp, wetland buffer, parking, Kinlaw access, roads, Pitch Boat Landing. O'Leary also pointed out positives to the project and stated that it would be a better project if it is annexed into the City of Conway.

Barbara Goodman spoke concerning the roads, bridges, traffic, and the housing development.

Stefanie Chiappetta spoke on behalf of the Conway for Responsible Building group and public safety issues.

Michelle Grandell had concerns with infrastructure, public safety, all other services in the City, communicating with other organizations but thought it would be best annexed into the City of Conway.

Constance Whalen Dighero asked how much of this project is in the flood plain.

Blain-Bellamy asked for those in the audience that were present concerning the Warden Station project to raise their hands, and approximately 60 people did so.

Shep Guyton stated that all points that have been raised today have been raised by staff, Planning Commission, and the public at the Planning Commission meetings. Guyton said they have been working since January to find the best solution not only for the developer but for the town itself. Guyton said that what was in front of Council still has some changes to be made. Guyton said that when you look at the Development Agreement you can see items that were addressed either by Planning Commission or TRC and he believes the development should pay for the impacts and there are still some blanks and that is because the developers are still working with staff to determine what that cost benefit analysis looks like for the City. The intent for the development is not to burden the City with additional costs but for the development to pay its way as it goes. Guyton said he still wants to hear Councils input and have an opportunity to address as they did that with Planning Commission through a workshop and welcome the opportunity to do that with Council.

Felix Pitts said that roughly 350 acres of the site is designated as the internal wetland area and surrounding that is around 150 acres of upland area that has been dedicated for a public park to be donated to the City of Conway, and this is the area that is designated as the flood property constituted by the Florence high water mark line. Pitts said that all residential units are not located in flood areas. Pitts said that he spoke to O'Leary today, ran preliminary storm models on this site at full build out and are exceeding the City's stormwater regulations. Pitts said that they are committed to no buffers within any lots. Tract L was the major concern and there is a little bit of parking that was located in an area that is designated as AE flood and Pitts said he would commit to removing any parking improvements for the multifamily outside of areas designated as AE flood zone. Pitts said that based on staffs own research, Horry County is readily rezoning property to the tune of 3 units per acre all around this subject property. This property consists of 1700 acres, that's 5,000 units. The question is not if, it is when and if the City of Conway doesn't have the opportunity to control their own destiny, what are we leaving on the table. Pitts said we would be leaving on the table the buffers, the enhancement fees,

donation of the public park, protection of the wetland area, traffic improvements, and all of that goes away and becomes helter skelter, with 50 acres here, 100 acres there, 150 acres here and at the end result the City gets no benefit and we could be looking upwards of 4500-5000 units. Pitts said he looks forward to having more dialogue and feedback and has worked hard on this project for the last year.

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

Goldfinch thanked everyone for the presentation and concerns and said that if he was king none of this would ever be developed but he isn't king and doesn't own the property. Goldfinch said this is the lesser of 2 evils, do we want this done right or do we want this to be a burden. This project has just come to Council, we need to take our time and get this right and make sure that we understand what we are doing, how we are doing so that it benefits not only this development but the residents that are still going to live in the County that have to deal with this traffic. Goldfinch said that most everyone present was not constituents of his, but that they have a Conway address, 29527 address. Goldfinch stated that Council wants to do what is right and wants this to be a minimal impact as possible and asked all to give Council time so to work through this slowly so that Council gets it right.

Motion: Goldfinch made a motion, seconded by White, to defer first reading of the Warden Station development agreement and annexation so that staff, the development team, and Council can hold a Workshop.

Benton complemented staff for the incredible work on this project. Benton then complemented the developer and said they have done their homework as well. Benton told the public that he appreciated them coming to speak today. Benton said he was also going to vote to defer as there is a lot of work that needs to be done. Benton commented that he didn't like this being held over his head as far as if Conway doesn't take this, that the County will take it. Benton asked the developers if they had taken it to the County and why are they bringing it to the City. Benton said that it personally is offensive when you say if you don't take this, you are going to have these homes anyway. Benton said that is not a for gone conclusion as County Council has made some hard comments lately about that as well. Benton stated that he has found that developers now are using the county against the city throughout this county, and that the City needs to have smart growth and he promised that this Council would make the right decision for Conway.

Helms complemented staff and thinks that we have more work to do. Helms asked about the utilities. Pitts said that this is at the end of City of Conway services. Grand Strand Water & Sewer will provide sewer and Bucksport Water will provide the water. Helms then asked about underground utilities. Pitts said that they are not that far along on the utilities relocation but they will come along with any traffic improvements that are required. Helms also supported deferring the project to learn more.

Blain-Bellamy asked about paying for the impact that comes to the City to offset some of the costs. Guyon said there are 4 different fees that are built into the development agreement. They are blank now but they are public safety, sanitation, planning and development, and parks and recreation. Guyon said that these enhancement fees are not at the end and if during this process Council thinks something else is being impacted, they would be happy to address those.

Blain-Bellamy said that she wants to make certain that the applicant's offers are not less than what has been offered in neighboring municipalities. Guyton said that whatever the number is, it will be rationale.

Helms asked staff about the feasibility study. Hucks said that the Planning intern whom was an economics major from Clemson, started a cost benefit and staff is working to finalize the numbers to make sure the numbers match the fees that will be requested and match what the cost will be now and in the future.

Vote: Unanimous. Motion carried.

FIRST READING

- A. First Reading of Ordinance #ZA2023-10-02 (B), to annex approximately 1,765 (+/-) acres of property located on / near the intersection of Hwy 701 S & Pitch Landing Rd, Hwy 701 S & Wildair Circle, and Hwy 701 S. Pitch Landing Rd, and Blaze Trail (PIN's 381-00-00-0003, 381-08-01-0006, 381-08-04-0009, 381-08-04-0010, 380-00-00-0038, 403-00-00-0001, 403-00-00-0002, 403-00-00-0022), and request to rezone from the Horry County Highway Commercial (HC), Community Retail Services (RE2), and Commercial Forest Agriculture (CFA) districts to the City of Conway Planned Development (PD) district.**

This item was deferred within the previous motion.

- B. First Reading of Ordinance #ZA2023-10-02 (C), to annex a 0.38-acre tract and a 1.08-acre tract of properties, totaling approximately 1.46 acres, and located at 610 & 624 Hwy 544 (PIN's 382-05-01-0003 & 382-05-01-0004), and rezone from the Horry County Highway Commercial (HC) and Convenience & Auto-Related Services (RE3) districts to the City of Conway Highway Commercial (HC) district.** Hucks stated that the applicant submitted this annexation and rezoning application for 610 and 624 Highway 544. The properties are currently in Horry County's jurisdiction and zoned HC and RE3. Both properties contain a single-family residence and both are currently used as rental properties. The properties are across from and abutting the Institutional zoning district and also adjacent to Horry County HC zoned property. Surrounding uses include student housing, the old university bookstore, a gas station, and a wrecker business. The future land use map of the Comprehensive Plan identifies this property as HC. Planning Commission held the required public hearing and recommended approval of the request. There was no public input. Hucks said that staff recommended approval of first reading.

Motion: Jordan made a motion, seconded by White, to approve first reading of Ordinance #ZA2023-10-02 (C). **Vote:** Unanimous. Motion carried.

- C. First Reading of Ordinance #ZA2023-10-02 (D), to annex approximately 0.49 acres of property located at 508 Sellers Road (PIN 339-06-03-0032), and rezone from the Horry County Residential, no mobile homes allowed (SF40) district to the City of**

Conway Low/Medium-Density Residential (R-1) district. Hucks stated that the property owners submitted this annexation application as a requirement to connect to city utility services. The property is within the Langston Heights subdivision off of Highway 905. Several properties have been annexed within this subdivision over the last few years, to the point that now, a majority of lots are within the City limits. The future land use map of the Comprehensive Plan identifies this property as R-1. Hucks said that staff recommended approval of first reading.

Motion: Benton made a motion, seconded by Butler, to approve first reading of Ordinance #ZA2023-10-02 (D). **Vote:** Unanimous. Motion carried.

D. First Reading of Ordinance #ZA2023-10-02 (E), amending Article 6 – Design Standards, of the City of Conway Unified Development Ordinance (UDO), regarding the building height limit in the Waccamaw Riverfront Districts one (1) and two (2). Hucks stated that in the last few months staff have been approached by multiple property owners and/or developers in regards to the building height limit in the Waccamaw River Districts one (WRD1) and two (WRD2). Property owners and/or developers have shown interest in our growing riverfront and have asked staff to pursue the possibility of increasing the building height limit from 35 feet to 50 feet. In 2021, staff presented an amendment to Council to amend the height limit in the CBD and WRD districts; however, at that time, Council chose to amend the height limit in the Central Business District (CBD) only, from 45’ to 60’. However, at a recent Council workshop, staff was directed to proceed with a text amendment to increase the maximum height limit in the WRD. All buildings in the Waccamaw Riverfront Districts, 1 and 2, will continue to be subject to review and approval from the Community Appearance Board (CAB). If the buildings are found to be out of scale, they could be rejected by the Community Appearance Board; regardless of the height limit specified in the UDO. Planning Commission held the required public hearing on the proposed amendment and recommended approval. Hucks stated that staff recommended approval of first reading.

Motion: Blain-Bellamy made a motion, seconded by Goldfinch, to approve first reading and to increase the height limit to 60 feet. **Vote:** Unanimous. Motion carried.

E. First Reading of Ordinance #ZA2023-10-02 (F), amending Article 4 – Use Tables and Article 10 – Subdivision and Land Development, of the City of Conway Unified Development Ordinance (UDO), regarding requirements related to a Conservation Subdivision. Hucks informed Council that the UDO currently allows for Single Family detached as well as Single Family attached dwellings in a Conservation Subdivision. Collins Jollie is a Conservation Subdivision that was approved earlier this year. Several tracts within the Conservation Subdivision are currently in technical review. Per the Master Plan for the project, Tract G proposes to develop 175 townhomes. As currently written, the dimensional standards for a Conservation Subdivision (*Section 10.4.1, E*) requires 6,000 square feet minimum lot sizes. This minimum lot size is sufficient for Single Family *detached* but not for Single Family *attached*. If developed fee-simple, this would mean that each unit would have to have 6,000 sq. ft. of lot area and while in-common or multifamily style townhome developments could be developed, individual lots would not be possible. In order to clarify the dimensional requirements for Single Family attached dwelling types, and rather than require one tract within the Collins Jollie Conservation Subdivision to have

to rezone (which would make one tract zoned differently than the rest of the tracts, and may be inconsistent with the comprehensive plan), staff proposes adding a footnote to the Use Tables in Article 4. The Single Family attached would then have to meet the dimensional requirements of the R2 zoning district, for which they are allowed. A note will also be provided in *Section 10.4.1 (E)* of the UDO to refer to the dimensional requirements for the R2 district if single-family attached is proposed as part of the Conservation Subdivision design. Planning Commission held the required public hearing and there was no public input. Hucks said that Planning Commission recommended approval of the proposed amendment, and added a condition to clarify that the standards would be applicable to duplex dwelling units and not only townhomes. Hucks said that staff also recommended approval.

Motion: White made a motion, seconded by Jordan, to approve first reading of Ordinance #ZA2023-10-02 (F). **Vote:** Unanimous. Motion carried.

CONSIDERATION:

- A. Consideration of a request for a waiver of sidewalk requirements for the proposed Parker's Kitchen to be located at the corner of Highway 501 and Four Mile Road (PIN's 326-09-03-0002 & 0003).** Hucks stated that the civil engineer has requested a waiver of sidewalk requirements for the proposed Parker's Kitchen to be located on the corner of US Hwy 501 & Four Mile Road. Section 7.1.2 – Complete Streets of the Unified Development Ordinance (UDO) requires sidewalks to be constructed along the frontage of all properties abutting arterial or local non-residential streets. These sidewalks are required to be a minimum of five (5) feet in width, and a minimum of four (4) inches in thickness. Under these regulations, a 657 linear foot sidewalk would be required along US Highway 501 and a 357 linear foot sidewalk would be required along Four Mile Road. Using \$25.59 per linear foot for labor and construction, the estimate for a payment in lieu of sidewalk construction including the sidewalk, grading, and clearing, is 1,014 linear feet x \$25.59 = **\$25,948.26**. Hucks said that that the Technical Review Committee reviewed the waiver request and recommends approval. Hucks said that staff accepts TRC's approval.

Jordan asked about the potential price difference as a new concrete contract was awarded after this request. There was some discussion. Emrick said that the City would honor the price that was quoted at the time this request was submitted.

Motion: Goldfinch made a motion, seconded by Blain-Bellamy, to approve the fee in lieu of sidewalk construction in the amount of \$25,948.26. **Vote:** Unanimous. Motion carried.

- B. Consideration of a Special Event Request - CCU vs. App State Tailgate and Viewing – October 10, 2023** – Emrick stated that this request is very similar to the first game of the year against UCLA, but this one is at 7:30 p.m. on a Tuesday, instead of 10:30 p.m. on a Saturday. Emrick said that some things were learned and that one of the purposes of having these events are for the businesses in the area to prosper and it was learned that Coopers had one of the worst evenings ever on that Saturday night. Staff is requesting the consumption zone, where merchants are able to sell beer and wine and have it be consumed in the public area.

Blain-Bellamy asked Emrick to explain what area this would cover. Emrick said it would be the WRD zone, which includes Bonfire and Chanti's and the CBD which would include the bulk of the other restaurants in the Downtown.

Blain-Bellamy asked that the City provide water.

Motion: Goldfinch made a motion, seconded by Jordan, to approve the special event, CCU vs. App State Tailgate and Viewing. **Vote:** Blain-Bellamy, Goldfinch, White, Helms, Jordan and Butler voted yes, with Benton voting no. Motion carried 6-1.

Benton stated that he would like for the record to show that he is not opposed to a tailgate, but that he is opposed to the alcohol consumption zone with minors.

Moved Agenda Item IV.B. - Approval of Letter of Intent for Grainger and Lake Busbee site with Santee Cooper – Emrick stated that this is an item that the City has been working on now for about a year and a half and that is the ability for the City to be able to accept property from Santee Cooper, the ashpond sites, former Grainger steam plant site, the Lake Busbee site and additional wetlands in that area. The hope is that the City can develop the ashpond sites with recreational amenities, including a beach, Riverwalk style boardwalk, a City marina, and then seek a public private partnership to develop the Grainger steam plant site to economically enhance the area. Emrick said that there are no plans to enhance Lake Busbee other than the possibility to partner with a conservation group, such as Ducks Unlimited to manage that site that benefits the wildlife.

Emrick further explained that the Letter of Intent is the City's intent to take the property from Santee Cooper and it gives the City a chance to have a due diligence period.

Benton asked if there is a price that the City would be paying for this property. Emrick said a nominal transfer fee, which would be something like \$5. Emrick stated that Santee Cooper has money in place for economic development and felt this would be a good way to fulfill that purpose.

Benton stated that the City has plenty of time to do our due diligence as this was an ashpond. Emrick said that Ashpond #1 is clean. Ashpond #2 is not certified as clean, so it would not be used for recreational purposes. The Legacy Pond that was used for cooling purposes does have similar restrictions.

Benton asked if this was a complete deal or would this project come back to Council. Emrick said that this is just approval for the Administrator to sign a Letter of Intent for the City and would come back to Council.

Motion: Goldfinch made a motion, seconded by Blain-Bellamy, to authorize the City Administrator to sign the Letter of Intent for the Grainger and Lake Busbee sites with Santee Cooper. **Vote:** Unanimous. Motion carried.

CITY ADMINISTRATOR'S REPORT:

Emrick informed Council of the following:

- Starting this fiscal year, Council approved a new plan for upgrading and adding playgrounds each year. This year, Council approved additional play equipment for Collins Park. That equipment will be delivered and installed in the next few weeks. Next year, a new playground will be added to the City system. There are a few broken or worn pieces at Collins Park and Lady Bug Park that are being replaced as well.
- October 16 is the ribbon cutting for Collins Park Pickleball Courts. Emrick thanked Coastal Carolina Association of Realtors for their assistance on Friday and the grant they provided for Community Placemaking.
- The Groundbreaking for the Riverwalk Extension is November 3 at 10 a.m. on the Riverwalk beside Bonfire Restaurant.
- Emrick updated Council on Scarborough Alley stating that the curbing is in and hope to begin paving by early next week. Work on both the public restrooms and the ERF will begin very soon as well. Hopes are to have the alley open to limited travel in the next few weeks, with disruptions only for the other two construction projects.
- The pumpkin trees are blooming. They were slightly delayed due to the rain yesterday, but that is only a very short delay. The Town Green is adorned and Main Street will be in full bloom this week.
- The calendar of events for October is full. Please visit the City's website or Facebook for a full list, but planned are movies, parades, 5k's, a pickleball tournament, disc golf tournament and more. No reason to go anywhere but here.
- Emrick reminded Council that he will present at the International City and County Managers Association Conference in Austin Texas on October 1 and his session is "Halloween, South Carolina, How we won October." Emrick said that he brought this up to let Council know that he will not be at the next Council meeting, and will be on an airplane returning to Conway during the meeting. This will be only the second Council meeting that he has ever missed in nearly nine years with the City.
- The River is still high, but it is falling fast. The river crested at 12.12', but are now almost out of minor flood stage. The river still needs time to drop before it can handle another hurricane.
- Emrick said that Thursday's CCU game is white out and the towels will be given out at the gates.
- Tonight, we have reports from Police and Fire.

Fire Department – Hendrick informed Council of the following:

- Fully staffed since March 2023
- Training Center is almost ready to burn
- Fire Apparatus is at 40 months build time
- Assistance to Firefighters Grant - \$157,000 for self-contained breathing apparatus and should be delivered 11/15/2023
- Call volume is up by 70 incidents with a 3.95% increase
- Currently have 29 EMT's, which is 71% of the department
- 7 scheduled to start the next class of EMT's on 10/16/2023, which will make it 88%
- Next EMT class will be in the Spring 2024
- Risk Management – recent revamp of the Safety Committee to put a stronger focus on the safety culture in the City.

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- The claim numbers are down YTD but costs are up due to the Whittemore Elementary Fire
- Emergency Management – Hurricane Idalia damages: One flooded PD vehicle, damaged roof at Public Safety Building.
- There was a Federal Declaration from Hurricane Idalia so that will cover overtime and supplies.

Police Department – Long informed Council of the following:

- Camp Blue was a major success due to the re-creation.
- National Night Out was also a success with 25 participants.
- Staff is 7 down, but 4 candidates are now going through the background check
- Presented and explained slides for August 14-September 20, 2023 for the following: Calls for Service by Sector & Zone, Overdose Calls, Points Map for Traffic Stops, and Points Map for Traffic Accidents.

COUNCIL INPUT:

Jordan thanked staff for the 9/11 Tribute and told of a display that was presented to Detective Amber Lewis made by a local resident, Mark Bruno. Jordan told of a gathering at Horry Electric and said that the CEO of the State Electric Coop gave big praise for the new Fairfield Inn and was impressed with the amenities. Jordan stated that he attended a press conference of the South Carolina Center for Visual Arts announcing that they will be opening in Downtown Conway. He gave Kuddos to SCCVA and Downtown Alive. Jordan said that the input from the community tonight are the same concerns that Council has and that the right thing to do was to defer the Warden Station to get more answers.

Goldfinch said that tonight his comments are going to be more for selfish reasons and that as the City continues to grow and expand that the City will encounter growing pains. Goldfinch said that first Council heard from a gentleman in public input that was opposed to government getting involved in any type of land acquisition. The gentleman kept saying that governments job was to serve and protect and Goldfinch said that he agreed with that, but said without the City acquiring property the City would never have parks, public parking that enhances the quality of life and attracts businesses that want to be here. Goldfinch said that Council is tasked with being fiduciaries for the City and that includes enhancing the quality of life. Goldfinch then shared a story about a client from New Jersey regarding property taxes being lower here and told that he would have no problem paying a \$10,000 initiation fee. Goldfinch said not all that move here are like that and some want something for nothing. Goldfinch said that he saw some local folks in the crowd tonight. People moving here should pay their fair share and a long-time resident should not subsidize for infrastructure or growth. Goldfinch said that he applauded the lady in the front for realizing that the City is better off with this project being in the City than being in the County. Goldfinch said that Council cannot say no, like most people think we can. If the County has it, it will not be a Planned Development, it will be just like the developers said it will be 100 houses here, 50 here, 200 here and no improvements but the services will still be on the City and County. Goldfinch said he is tired of someone that moved in 2 years ago now says that someone else can't move here.

White said ditto to all that has been said so far.

Helms asked about the alley behind Crooked Oak. Emrick said that the City is redeveloping an improvement plan for that area. There is not room for a garbage truck in the alley. Emrick said that about 2 years ago there was talk about putting an ERF behind the building at Laurel and Fourth in that parking lot and that would help to offset the needs of Crooked Oak and Stella's. That one could be prioritized and would be our third one built. Helms said that she was pleased with all employees and especially Brandon's group. She said that the City is more business friendly. Emrick said that Katie does the incentive work for the Planning Department. Helms said that she would like to have Jessica's notes as she is always on point and with reasoning. She thanked the developers for working so closely with staff. Emrick recommended that Council watch the last Planning Commission meeting.

Benton thanked the Chief of Police and Fire for doing an amazing job. Benton thanked Emrick as he brought a concern to him from a citizen at Wild Wing and Emrick has contacted SCDOT to request that a left turn arrow along with the straight arrow be placed at that intersection to help alleviate some of the traffic for Wild Wing citizens. Benton said that he had some clarification that staff has brought to him and that Kingston Lake parking lot will be a lay down lot for the Riverwalk project. Benton said that the Administrator is looking at some plans for the old Jerry Cox lot. Emrick said that Diamond Shores did a redesign of that lot and that the City engineers are now looking at that plan as it could tie nicely in with the next ERF project at that location. Benton said that he agreed with Goldfinch in that the good citizen was a little confusing in his comments about purchasing property. Benton said that if Council has a designated use for property for city services, parking, or for the good of all citizens, then he is all for it but thinks that Council needs to be as transparent as possible when buying property as to the purpose and extent of it. Benton said that the City also needs help from our legislature on roads and funding on all levels so that Conway can continue to grow.

Blain-Bellamy added that there were great comments from everyone.

EXECUTIVE SESSION: Motion: White made a motion, seconded by Jordan to enter into Executive Session for the following: (A) Consideration of Appointments to Boards, Commissions and Committees for the Recreation Advisory Committee and the Whittemore Task Force. [pursuant to SC Code §30-4-70(A) (1)]; (B) Discussion of Contractual Negotiations Incident to the Potential Acquisition of Downtown Properties. [pursuant to SC Code §30-4-70 (A) (2)].

Vote: Unanimous. Motion carried.

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

POSSIBLE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION: Motion: Goldfinch made a motion, seconded by Blain-Bellamy to authorize the Administrator to negotiate the potential acquisition of Downtown property. **Vote:** Blain-Bellamy, Butler, Goldfinch, Helms and Jordan voted yes, with Benton voting no. Motion carried 5-1.

Motion: Blain-Bellamy made a motion, seconded by Jordan to appoint the following to the Whittemore Task Force: Janet Lawrence-Patten, Whittemore Alumni; Cheryl Moore Adamson, Whittemore Racepath Historical Society; George Brown, Whittemore Racepath Historical Society; Elaine Gore, Horry County Council on Aging; Debra Butler, Smith Jones; Lee Belcher,


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Banker; Kay Hearn, Citizen; Richard Lovelace, Citizen; Ginny Kintz, Citizen; Councilperson Beth Helms; Councilperson Amanda Butler; and Alternative Robert Bannon, Citizen.

Vote: Unanimous. Motion carried.

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

APPROVAL OF MINUTES: Minutes approved by City Council this 2 day of October , 2023.



Alicia Shelley, City Clerk