

June 7, 2021

CITY COUNCIL MEETING
CONWAY CITY HALL
229 MAIN STREET
MONDAY, JUNE 7, 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; Allison Williams, Finance Director, James Friday, Public Utilities Director; Brooke Holden, Public Information Officer; Dale Long, Police Chief; and Barbara Tessier, City Clerk

OTHERS: William F. Taylor, Lawrence E. Johnson, Hillary Howard, Mike Wooten, Juli Cochran, Liz Gilland, Jennifer Sautter, Braxton Sautter, Marshall and Susan McMillan, Terry Beddell, Kaci Sansbury, and Denise Applewhite - media: Kathy Ropp; Dennis Bright

CALL TO ORDER: Mayor Blain-Bellamy called the meeting to order, 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 Timbes, to approve the June 7, 2021 meeting agenda. **Vote:** Unanimous. Motion carried.

CONSENT AGENDA:

- A. Final Reading of Fiscal Year 2021-2022 Budget An ordinance to levy taxes and establish the Municipal Budget for the City of Conway, South Carolina, for the Fiscal Year beginning July 1, 2021 and ending June 30, 2022. (A. Williams)
- B. Approval to authorize the City Administrator to negotiate the purchase of 1701 Freeman Drive
- C. Approval of May 17, 2021 Minutes

APPROVAL OF CONSENT AGENDA: Motion: Hubbard made a motion, seconded by Goldfinch, to approve the June 7, 2021 consent agenda. **Vote:** Unanimous. Motion carried

PUBLIC INPUT:

Marshall McMillan had concerns about the proposed closure of Norman Alley and how it would affect his and other's properties on Norman Alley.

Terry Beddell, manager of the Trestle, noted that the entire alley would not be closed for their use.

Hillary Howard, Conway Downtown Alive, supports the proposed closure of Norman Alley as it is a natural expansion of Conway's alley improvement projects, which encourages growth.

Liz Gilland would like to have an ordinance to allow chickens to be kept within City limits, but not allow roosters. Would like to see the old railroad spurs removed and sold for scrap.

Bill Taylor voiced his opposition to the proposed stand-alone parking ordinance.

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

SPECIAL PRESENTATION:

Discussion on a proposed Fats, Oils, and Grease (FOG) Control Ordinance. Friday informed Council that there was a growing issue in the City of sanitary sewer blockages and obstructions from accumulations of fats, oil, and grease from various sources, but particularly from food preparation and service facilities. The ordinance, if approved, would allow the City to remain in compliance with federal regulations and provide guidance to food preparation and serving facilities. The enforcement of the ordinance would enable the City to protect the sewer mains, pumping equipment, and the environment.

Both SCDHEC and EPA have regulations pertaining to Fats, Oils, and Grease, however, their regulations are related to water quality. The City ordinance allows for regulation of the same things covered by both these agencies, but for the purposes of keeping pipes from clogging.

Discussion followed where staff informed Council that there should not be any additional burden to businesses because they should already have been doing what the City is now proposing to regulate. This amendment to the current sewer ordinance will give the City better ability to monitor and control those same things.

This will come before Council again as a public hearing and first reading.

PUBLIC HEARING AND FIRST READING

- A. Public Hearing and first reading of amendments to *Article 4 – Use Tables, Article 5 – Specific Use Regulations, and Article 9 – Landscaping and Buffer Requirements*, of the Unified Development Ordinance (UDO), regarding stand-alone parking lots in the Professional (P) and Neighborhood Commercial (NC) Districts.** M. Hyman informed

Council that stand-alone parking is allowed in various zoning district, but not in Professional (P) or Neighborhood Commercial (NC). There have been requests from property owners in these two zoning districts to have stand-alone parking lots. The UDO currently permits stand-alone parking in the downtown district. M. Hyman noted that this ordinance was brought forward to keep parking lots out of the residential areas.

M. Hyman addressed one of the concerns brought up in Public Input about stormwater. The ordinance will require strict adherence to stormwater regulations with attention paid to eliminating excess runoff avoiding any stormwater to be diverted to adjoining parcels.

M. Hyman noted that stand-alone parking areas would have to have a landscape buffer and a brick wall to improve the aesthetics. The buffer required would be quite dense. Staff recommends the approval of first reading.

The height of the required wall was questioned as to whether 36' in height was sufficient. A concern was raised about landscape overage in the winter months, and M. Hyman commented that evergreen shrubs would be required. Emrick commented that a wall could only be 4' high anywhere in the City in a front yard, and that while a 36' fence would not shield an entire car, it would shield at least the front of a car.

Public Input:

Gene Johnson asked for details of the ordinance. Emrick provided a copy of the proposed ordinance to Johnson.

Mary Childress voiced a concern about potential parcel rezonings and changes in Council/staff down the road and what will happen then.

Blain-Bellamy commented that the future could not be determined at this time, but that the City had a long-standing practice to avoid changing residential properties.

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

Emrick addressed Council commenting that while the City does not have a parking problem downtown, Main Street does and there is no ordinance now that provides a solution for that. The idea behind this ordinance was to be able to keep businesses on Main Street and not need to move their businesses to another area where parking is better for them. Staff does not want to see these businesses encroach into residential neighborhoods, and that is why this proposed ordinance was written. At this time, vehicles are parking along the sides of the streets and using vacant properties, which are causing problems. This ordinance was written to allow for legal parking on Main Street without causing major issues along the corridor. Stormwater regulations will have to be met for any new parking lots.

Motion: Blain-Bellamy made a motion, seconded by Hyman, to approve first reading. **Vote:** Unanimous. Motion carried.

- B. Public Hearing and first reading of amendments to *Article 2 – Definitions, Article 4 – Use Tables, and Article 5 – Specific Use Regulations, of the Unified Development Ordinance (UDO), regarding Commercial Short-Term Rentals (CSTR’s)*.** M. Hyman informed Council that commercial short-term rentals, outside of residential zoning districts and within downtown Conway are becoming of interest to developers who are renovating existing historic structures. These rentals are a more affordable alternative to hotel/motel rooms. With the added attractions of downtown Conway, commercial short-term rentals are becoming a valuable commodity, however, the UDO does not address this type of rental.

M. Hyman continued that this amendment to the ordinance was written to permit this type of use with certain conditions. This amendment would also allow for first-floor rental space, but the open retail space would have to be situated in the front of the structure on the first floor.

Public Input:

Mary Childress asked if this would be just in commercial districts or also residential.

M. Hyman again stated that it was just downtown.

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

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

FIRST READING:

- A. First reading of Ordinance #ZA2021-06-21 (C) An Ordinance to annex approximately 0.27 of an acre of property located at 101 Clemson Road (TMS 151-19-02-001 | PIN 383-10-04-0013) and request to rezone from Horry County Residential (SF10) to City of Conway Low/Medium Density Residential District (R-1).** M. Hyman informed Council that this request was made to allow a single-family home on the property tie into City services. This parcel is contiguous to the City. There are only a few properties annexed along this road. Staff recommends denial of the request.

Motion: Goldfinch made a motion, seconded by Hubbard, to approve the first reading. Hyman asked if this annexation would be a strain on City services. M. Hyman replied that staff had not expressed any concern, but that Council previously had concerns about further annexations in this area. **Vote:** Voting in favor were Goldfinch, Hubbard, Blain-Bellamy, Timbes, and White. Voting nay were Hyman and Jordan. Motion carried.

- B. First reading of Ordinance #ZA2021-06-21 (D) An Ordinance to annex approximately 0.74 of an acre of property located at 3026 Raspberry Lane (TMS 136-00-03-068 | PIN 369-06-02-0005) and request to rezone from Horry County Commercial Forest Agriculture (CFA) to City of Conway Low/Medium Density Residential District (R-1).** M. Hyman informed Council that this was also a request for annexation for a single-family home that was contiguous to the City to tie into City services.

In this case, staff does consider that this would cause a strain on City services and recommends denial of this annexation request.

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

- C. First reading of Ordinance #ZA2021-6-21 (E) An Ordinance to annex approximately 4.18 acres of property located at 367 Frail Lane (PIN 382-07-02-0009) and request to rezone from Horry County Residential (MSF20) to City of Conway Low/Medium Density Residential District (R-1).** M. Hyman informed Council that this request was due to a change in ownership to allow a single-family home on the property to tie into City services. In this case, staff does consider that this would cause a strain on City services and recommended denial of this annexation request.

Motion: White made a motion, seconded by Jordan, to deny first reading. **Vote:** Unanimous. Motion carried.

CONSIDERATION:

- A. Consideration of a request for shared space for the Groucho's Deli located at 219 Laurel Street (PIN 368-04-02-0063).** M. Hyman informed Council that during the pandemic, the City permitted Groucho's Deli to use one or two parking spots in front of their restaurant for curb-side pick-up. They have requested to continue this service. Council has already approved an amendment to the UDO for the use of shared spaces on City-owned property in the CBD zoning district as an accessory use to a permitted operating restaurant. This use would be during Groucho's regular business hours from 11:00 a.m. to 8:00 p.m. Staff recommends approve of this request.

It was pointed out that the entire building that Groucho's is in, is owned by one person and this would not affect any other business. M. Hyman noted that all the restaurants had been made aware that permission would be needed to continue any uses that were only permitted during the state of emergency, and that Copper's is going through the process to have a parklet. A question was posed about other businesses asking for parking spaces. M. Hyman replied that the ordinance specifically states that parklets were for permitted restaurants only and not allowed for retail stores.

Motion: Blain-Bellamy made a motion, seconded by Goldfinch, to approve a shared space be permitted for Groucho's Deli located at 219 Laurel Street. **Vote:** Unanimous. Motion carried.

- B. Consideration of a request for alley closure and shared space for the Trestle Café located at 308 Main Street and Norman Alley (PIN 367-01-01-0035).** M. Hyman informed Council that the Trestle Café, during the pandemic, has been using the parking spaces in Norman Alley for outdoor dining. They have requested to continue this use and extend into a portion of the alley, which would require vehicular closure. This temporary closure of the alley would be from the façade at Main Street to the back of the building. There would be removable decorative bollards along the perimeter of the dining area. The alley would still be owned and controlled by the City. Umbrellas would be permitted as they are now and all signed would have to meet City sign requirements. The only screening from Main Street would be decorative bollards. Because the bollards would be removable, delivery trucks, emergency vehicles, and repair vehicles will be able to use the alley. The Trestle would be required to have insurance holding the City harmless. The angled parking, toward Kingston would still remain.

Discussion followed about informing the surrounding property owners before making any decision. M. Hyman informed Council that a sign was posted at the property as required by the UDO, and a few calls had been received. M. Hyman noted that the bollards would be spaced far enough apart to allow pedestrian access and the sidewalk would be available as well.

Emrick commented that the shared space ordinance was very new and the requirements that were in the ordinance passed by Council were what was followed. The ordinance does not require the public to be notified other than the posting of the property. When the ordinance was written, it included the ability to close alleys and was written specifically for Norman Alley. Delaying the meeting until June 21 would not frustrate the applicant and would allow some of the issues to be worked out. However, delaying it indefinitely would defeat the purpose of the shared space ordinance.

Blain-Bellamy said it did not appear that this would be resolved tonight and that would give time for Council and others to have more information.

Motion: Goldfinch made a motion, seconded by Blain-Bellamy, to table this request until further information could be disseminated. **Vote:** Unanimous. Motion carried.

CITY ADMINISTRATOR'S REPORT:

- At the next meeting, you will be presented with a selection of engineers to choose from for the Smith Jones pool. Once it has been designed, a bid for a contractor can be sent out.
- The Grounds & Maintenance crews have cleaned out the median beds on the 501 Bypass.
- The \$9.6 million dollars the City was to receive from the American Recovery Act originally released by Congress has been reduced to \$4.3. From what we can ascertain, all coastal

cities in the state have also had a drastic reduction in funds. This reduction is, in part, due to the Treasury Department lumping cities together by metropolitan region. Although this really does not give clarity to why and what happened. Staff will continue to update as more is learned.

- Candidates for the Planning Director and City Clerk have been finished and staff will have recommendations for Council at the June 21st meeting.
- Summer youth programs for basketball, baseball, soccer, and softball run by the Recreation Department are being held for ages 5-14. The Summer Youth Sports Camps will be held all summer at the Billy Gardner Sports Complex. A different sport will be offered each week.
- The restrooms at Lady Bug Park are complete. The Field E press box and restrooms are expected to be completed by June 16th. New sidewalks connecting fields at the complex are underway and will be completed, barring weather delays, by June 20th.
- Summer camp for children 5-12 begins on June 21. All spots are completely filled. Campers will go on field trips, participate in arts and crafts and STEM projects.
- Registration is open for the 3rd Annual Under the Lights 5k. There is no limit on the number of participants this year. The event is scheduled for December 1st.
- Mark Miller's retirement from the City was celebrated today. Mark started with the Conway Fire Department in 1987. Best wishes to Mark in his retirement.

COUNCIL INPUT:

Hyman noted that he was thankful for the recent rain.

Jordan commented that the flag displays around the City looked good and offered congratulations to the graduating seniors.

Timbes was also thankful for the rain and offered congratulations to the graduating seniors.

White asked that the City-owned property on Hwy. 378 be cleaned up, and mentioned that Rosehill Cemetery was running out of plots, and that a sinkhole on Fifth Avenue has undone former road repairs.

Blain-Bellamy also offered congratulations to the graduating seniors.

EXECUTIVE SESSION: Motion: White made a motion, seconded by Hyman, to go into Executive Session to discuss negotiations incident to the proposed purchase of property [pursuant to SC Code §30-4-70 (A) (2)]. **Vote:** Unanimous. Motion carried.

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

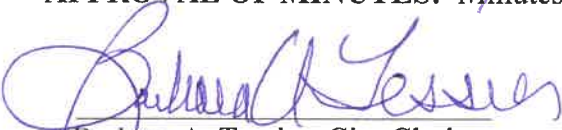
POSSIBLE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION:

Motion: Blain-Bellamy made a motion, seconded by Timbes, to authorize the City Administrator to offer up to \$55,000 for Creekside Homes property on Freeman Drive. Vote: Unanimous. Motion carried.

Motion: Blain-Bellamy made a motion, seconded by Timbes, to authorize the City Administrator to offer up to \$40,000 for properties in the flood area owned by Snowhill Corporation. Vote: Unanimous. Motion carried.

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

APPROVAL OF MINUTES: Minutes approved by City Council this 21st day of June 2021.


Barbara A. Tessier, City Clerk