

June 2, 2025

CITY OF CONWAY
CITY COUNCIL MEETING
CONWAY CITY HALL
229 MAIN STREET, CONWAY
MONDAY, JUNE 2, 2025

PRESENT: Mayor Barbara Jo Blain, Mayor Pro Tem William Goldfinch, Amanda Butler, Julie Hardwick, Beth Helms, Justin Jordan and 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; Jessica Hucks, Planning and Development Director; Dale Long, Police Chief; Le Hendrick, Fire Chief; Reggie Jenerette, Solid Waste Director; Brandon Harrelson, Public Works Director; Robert Cooper, Construction Services Director; Timmy Williams, Hospitality and Beautification Director; Allison Williams, Finance Director; Lynn Smith, Human Resource Director; Ted Dudley, Public Utilities Director; Rock Rabon, Fleet Maintenance Director; Kayla Fleming, Municipal Judge; Katie Dennis, Planner; and Alicia Shelley, City Clerk.

OTHERS: There were approximately 30 others in attendance.

CALL TO ORDER: Mayor Blain called the meeting to order. Mayor Blain 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.

Hyman introduced the interns, Natalia Simmons and Sydney Livingston who were in attendance and Peyton Richardson who was not present.

CONSENT AGENDA:

- A. Final reading on the Fiscal Year 2025-26 Budget - Ordinance #2025-06-02 (A) An Ordinance to levy taxes and establish a Municipal Budget for the City of Conway, South Carolina.**
- B. Final Reading of Ordinance #2025-06-02 (C), an agreement to lease City-owned property located at 214 Magrath Avenue (PIN 339-08-04-0027).**
- C. Approval of a Special Event – 2025 Conway Riverfest – June 28, 2025**
- D. Approval of Reappointment of Municipal Judge**
- E. Final Reading of Ordinance #2025-06-02 (D), amending a Franchise Agreement with the South Carolina Public Service Authority (SCPSA)**
- F. Approval of May 19, 2025 Council Meeting Minutes**

APPROVAL OF CONSENT AGENDA: **Motion:** White made a motion, seconded by Butler to approve June 2, 2025 consent agenda. **Vote:** Unanimous. Motion carried.

SPECIAL PRESENTATION:

- A. Presentation of Longevity Awards – May 2025 – 5 Years: Johnathan Finch, Police; 10 Years: Becky Graham, Human Resources; 10 Years: Ricky Steele Jr, Solid Waste; 10 Years: Russell Dozier, Recreation (absent); 20 Years: Bradley Todd, Planning & Development; 20 Years: Jimmy Stover, Hospitality & Beautification; 20 Years: Larry Elleby, Solid Waste; 25 Years: Robert Cooper II, Construction Services; 25 Years: Bobby Wallace, Fleet Maintenance –** Emrick and Jordan presented the longevity awards.
- B. Presentation of a Proclamation recognizing National Gun Violence Awareness Day –** Blain presented the National Gun Violence Awareness Day Proclamation to Long and others in attendance.
- C. Presentation of the Tree City USA Award – Ann Huyler, South Carolina Forestry Commission -** Ann Huyler of the South Carolina Forestry Commission presented Dennis and Blain with the Tree City USA designation for the 40th consecutive year.
- D. Discussion of a request to annex approximately 2.22+/- acres of property located at 1091 E Hwy 501 (PIN's 367-14-04-0001, -0002, & -0003), and rezone from Horry County Highway Commercial (HC) district to the City of Conway Highway Commercial (HC) district.** Hucks stated that this annexation request is being considered because of a requirement by Public Utilities. The property at 1091 E. Highway 501, known as South Atlantic Monument Company is currently on the same water meter as the residence located on Amber Lane, which has the same property owner, and as a result of the requirement for the property to have a separate water meter installed, annexation must be requested by the property owner, also requiring that all surrounding property owned by the applicant be subject to annexation. The property on Amber Lane will be considered for first reading in conjunction with these properties at the June 16 Council meeting. The requested zoning for these 3 properties upon annexation is Highway Commercial, which is consistent with the city's future land use map. Hucks said that Planning Commission will hold the required public hearing on the request at their June 5 meeting and staff will forward their recommendation with first reading of the request.
- E. Discussion of a request to rezone approximately 0.33+/- acres of property located at 1307 Grainger Road (PIN 368-01-02-0007) from the Highway Commercial (HC) district to the Low-Medium Density Residential (R-1) district.** Hucks stated that the applicants are requesting to rezone the property from the Highway Commercial district to the Low/Medium-Density Residential District (R-1) to construct a single-family residence. The property has an older commercial structure which was previously used as an auto garage and is currently classified as storage/warehousing, and the legal nonconforming residence that once existed on the property has since been removed. Per the legal description on county land records, the property is identified as lot 21 of a plat from 1941;

however, it also includes a portion of lot 20, which was never recorded through a platting action, so the legal lot lines differ from what the city's GIS maps show. Should the rezoning request be approved, the applicants would need to provide a new plat correcting the issue with the legal lot lines as well as demo the commercial structure that currently exists on the property. The current zoning map and the future land use map identify this property, as well as several other properties with frontage on Grainger Road as Highway Commercial; however, some of these properties contain a residential structure and some are currently vacant. Hucks said that Planning Commission is scheduled to hold a public hearing on this rezoning request at their June 5 meeting and staff will forward their recommendation with first reading of the request.

Blain said that since the owner has not been maintaining the property it has become an eyesore, and she said that she is happy that the city is looking for another use for the property.

White asked if letters were sent to residents in the area. Hucks said letters were sent to properties within 200' usually 15 days prior to the hearing. White then asked the date of the hearing. Hucks said June 5 at 5:30 p.m. in the Planning and Development building.

Butler asked how it was zoned Highway Commercial when it is surrounded by residential. Hucks said that it was probably done a long time ago when the land use map or zoning came into play and the property was being used for commercial at that time.

Blain said that recently another similar property was discussed that was Highway adjacent to residential lots. Blain asked staff to consider looking at other commercial parcels that are adjacent to residential neighborhoods.

- F. Discussion of a request to rezone approximately 10.97+/- acres of property located at 1808 Rhue St. (PIN 368-00-00-0002) from the Low Density Residential (R-1) district to the Institutional (IN) district.** Hucks stated that the Horry County School District is requesting to rezone this property to Institutional to utilize the property as the school district's Rivertown complex, which will house the Conway areas adult education program, as well as a limited childcare function, a therapeutic learning center for students, the districts JROTC program and other staff. The request is consistent with the city's future land use map, which also identifies the property as Institutional. Hucks said that Planning Commission will hold a public hearing on this request at their June 5 meeting and staff will forward their recommendation with first reading of the request.

Blain said given the use of the building that she was surprised that the parcel was zoned R1. Hucks said schools are allowed in R1.

Goldfinch said he had concerns with this parcel becoming Institutional because if the school district ever decided to sell this property, then everything that falls under that zoning could although have an impact on the adjacent residential neighborhood. Hucks said that educational facilities are allowed in R1, but the new uses go beyond the scope such as childcare, which is not allowed in R1.

There was some discussion regarding the Professional district.

Hucks said that staff would reach out the school district prior to Planning Commission for a list of uses to choose the most appropriate zoning district.

Blain said that when developers or owners meet with staff, she hopes that staff would lean to the most restrictive zoning that would allow their use on the property to avoid encumbrances on the residential neighborhoods. Hucks said that staff do and that the land use map did identify it as Institutional so that is the zoning district that staff would recommend, and staff also makes sure that it is not causing any spot zoning issues.

Hardwick said that she agrees with Goldfinch but is glad that the school district is planning uses for the property and not leaving it vacant.

G. Discussion of an amendment to Article 5 – Special Use Regulations, of the City of Conway Unified Development Ordinance (UDO), regarding requirements for mobile vending. Hucks stated that this proposed amendment was discussed at the budget retreat earlier this year. Since the city adopted standards for mobile food vending back in 2018, the number of requests that staff receive for mobile vending units nearly doubles year after year. In 2018, staff received 6 applications for mobile vending. This number didn't increase until 2022/2023, when more than 20 applications were received. Last year, staff processed more than 50 applications for mobile food vending within the city limits. For comparison, the City of Myrtle Beach offers only 20 mobile food vending permits each year and Horry County has a cap of 50 each year for the entire county. The mobile vending permit application process is very time-consuming for both staff and the applicant, and due to state regulations for licensing, requirements for approvals by property owners, coordination with other city departments, the inspections that must take place, and the business license approval process, which is a different process from the mobile vending application, in addition to those that request a franchise agreement with the city, and the enforcement issues that staff encounters with non-permitted food vending units, it has become almost a fulltime job for one staff member a large part of the year. Staff proposes a cap of 40 mobile food vending permits each year, which would be on a first-come, first serve basis. Businesses Licenses, in addition to the mobile vending permits, must be renewed each year; however, many of them do not renew their permit or license but continue to operate, which then becomes an enforcement issue for staff. This cap of 40 would include the 3 different types of mobile food vending outlined in the Unified Development Ordinance, which includes transient mobile vending (such as ice cream trucks), where vendors are limited to a max stationary period of 30 minutes per stop, franchise mobile vending (those having an approved franchise agreement to operate on city-owned property), and mobile vending on private property, which would be those set up on commercially zoned private property for periods longer than 30 minutes at a time. This would not pertain to those mobile vending units operating under an approved special event permit for specific dates. It would also not include other types of franchise agreements that the city enters into, such as Peel Scooters or H2O excursions, which do not have the same requirements as mobile food vending units. Having a cap on the number of vending units permitted each year would

not only be good for the brick-and-mortar establishments that sell food within the city, but it would also incentivize those who have been previously licensed to have a mobile food vending permit to renew their license and permit each year so that they do not lose their ability to operate in the city limits if the cap is reached before they have submitted their renewal application. Hucks said that Planning Commission is scheduled to hold a public hearing on this proposed amendment at their June 5 meeting and staff will forward their recommendation with first reading of the proposed ordinance.

White asked if there are decals with the date available. Hucks said yes, that the mobile vending unit is required to have a placard on bright colored card stock paper located on the unit.

Goldfinch asked if the city gives any deference to existing establishments that want to have a mobile operation. Hucks said no. Goldfinch thinks that it is worth a discussion. Emrick said that one option is to change the ordinance so that the cap could not apply to any existing brick and mortar.

Blain asked how many food vending permits the city does have now. Hucks said 52 and that the cap of 40 was what was discussed at the budget retreat. Blain said that as businesses do not renew then we would fall to 40 and stay. Hucks said yes, and that staff could put the clause that says that the cap would not apply to existing restaurants in the City of Conway.

Hardwick asked if staff would need to revisit the number of mobile food vendors since 52 was a full-time job. Hucks said that she thinks staff can manage with 40.

H. Discussion of a request to amend the existing Carsen's Ferry Planned Development (PD) district (f.n.a. Rivertown Landing PD), to amend the list of permitted uses on Commercial Tract "A", consisting of approximately 4.24+/- acres of property located on Riverport Drive (PIN 337-05-02-0004). Hucks stated that this item was previously discussed at the March 17 council meeting. Since then, it has gone to Planning Commission – both in April and in May, and due to concerns of the Carsen's Ferry community with the proposed amendments that were initially proposed for Tract A of this Planned Development, the applicant is revising the proposed amendment to allow for only single-family residential as the permitted use on this tract. The initial amendment for Tract A, which is currently one of the 2 remaining commercial tracts within the PD, was to create a "mixed-use" tract, with additional commercial uses on the ground floor and residential uses on the upper floor. Currently, the only uses permitted on Tract A are a baked goods store, café or restaurant, candy or confectionary store, and an ice cream store. Carsen's Ferry, also known as the Rivertown Landing PD, was adopted in 2007, with the intent of developing a mixed-use development on 28.5 acres of land, consisting of multi-family, office and retail space, and civic use space. Since that time, it has been amended 4 other times – in 2010, 2017, 2018, and in 2022. The 2017 amendment was to permit 50 single-family detached homes in lieu of the multifamily initially proposed on 11.4 acres of the PD, with narrow lots, reduced setbacks, and some portions having rear loaded garages that access an alley. The 2017 amendment also removed approximately 5 acres from the overall

PD, which was one of the Commercial tracts, and that 5 acres was rezoned to R-2, or medium density residential, and is now part of the Rivertown Row subdivision. In 2018, Commercial Tract B was amended to reduce the commercial acreage and add to the residential tract in order to permit additional single-family residential, which is now phase 5 of Carsen's Ferry. The applicant held a community meeting with the residents of Carsen's Ferry in late April, and the residents were concerned with the proposed uses at that time, which was the mixed-use component of having commercial uses that would lead to increased traffic in the neighborhood and the residential on upper floors in relation to the community amenities for the Carsen's Ferry residents. The current version of the proposed amendment would continue the same style of homes as in previous phases of Carsen's Ferry and would eliminate any commercial uses on the property. There could be up to 6 additional homes in the PD if the amendment were approved. Hucks said that Planning Commission will consider the amendment at their June 5 meeting, and staff will forward their recommendation with first reading.

Goldfinch asked for clarification. Hucks said if this amendment passed there would be no commercial on Tract A and a very limited amount of commercial on Tract B, which is about 2 acres.

Emrick said it is not zoned Highway Commercial and has a very limited number of commercial applications, a bakery, ice cream shop, flower shop, candy store, and a restaurant.

Hucks said that with inception of the planned development, this was a mixed use planned development, and it has gone from being a mixed-use development to being a single use with the exception of the limited commercial that remains. Hucks said that staff are concerned that the PD is moving closer to creating a situation where there is a planned development that has a single use and that property was meant to be a mixed-use community. Hucks is not saying that would not be a good amendment for Planning Commission to recommend but staff want to be sure that the state requirement for a planned development is being met.

Blain asked how much the city can do to make it remain a mixed-use development. Hucks said that council could choose not to approve the amendment and what the uses are now would remain.

There was more discussion regarding the HOA and that the residents in Carsens Ferry said that they were only in support of residential.

FIRST READING:

- A. First Reading of Ordinance #ZA2025-06-16 (A), to annex approximately 0.38 acres located at 286 Wedding Lane (PIN 367-13-01-0030), and rezone from the Horry County Residential, including mobile homes (MSF10) district to the City of Conway Low/Medium Residential (R-1) district.** Hucks stated that this annexation request is being submitted as a result of the requirement to connect to city utilities. It appears to be a

rental property and while the property has been owned by the same property owner since 1979, restrictive covenants were not filed until May of 2025. Due to a name change on the account, the owner was required to request annexation due to the property now being contiguous to other property in the city limits. There have been 4 other properties on Wedding Lane to be annexed since 2017, with the most recent one in 2024. The property currently contains a manufactured home. The requested zoning upon annexation is R-1, or low/medium-density residential, which is consistent with the zoning assigned to the other 4 properties that were previously annexed. It is also consistent with the city's future land use map. Hucks said that staff recommends approval of the request.

Motion: Blain made a motion, seconded by White, to approve first reading of Ordinance #ZA2025-06-16 (A). **Vote:** Unanimous. Motion carried.

- B. First Reading of Ordinance #2025-06-16 (B), an Ordinance updating Title 4 and Title 9 of the City of Conway Code of Ordinances, in its entirety.** Rogers stated that state law requires local governments that establish codes of ordinances to recodify from time to time. Staff reviewed Title 4- Public Utilities and Title 9-Offenses. Many of the updates are minor and correct spelling mistakes, modernizing language, or correct scrivener's errors. Some sections, while still referring to valid offenses or regulations, are removed to avoid redundancy with state law. Other sections are new and address issues that are not currently codified in city ordinance. Rogers gave a summary of the major changes which included:

Title 4 – Public Utilities

- Section 4-1-5 – This section is updated to require that if a customer has two payments returned in a six-month period, that customer must pay with guaranteed funds (cash, cashier's check, money order) for one year.
- Sec 4-1-13 – This section establishes a restricted fund that has not been funded in many years. Therefore, it is repealed in this update.
- Sec 4-1-14 – Definitions are added to clarify other sections of the code.
- Section 4-3-6 is added to codify a requirement that property owners maintain clear access to any public utilities infrastructure on their property so that city staff may easily service such infrastructure.

Title 9 – Offenses

- Section 9-1-21 deals with noise violations. This section is updated to remove references to phonographs and add digital audio equipment.
- Section 9-2 – In this section, the acts of swindling and shoplifting are removed, as they are enforced through state law. This will not affect the ability of the police to enforce violations against either offense.
- Section 9-3-1 – This section is repealed, as contributing to the delinquency of a minor is a state offense and is redundant in the city code.
- Chapter 6 is added to address prohibitions on public property and rights-of-way.

-Chapter 7 is added to clarify regulations against loitering.

-Chapter 8 is added to apply penalties for violations of Title 9.

White asked if an individual had two payments returned and could not afford it due to loss of a job, how could the city help get the water bill paid. Williams said that staff always work with the residents. Rogers said that there is always the discretion of staff but ideally if in that situation to call in advance.

Rogers added an amendment and said that Section 4-3-5 references Ordinance No. 9-03-25 (B) and it should be 91-03-25 (B).

Motion: Blain made a motion, seconded by White, to approve first reading of Ordinance #2025-06-16 (B) with the correction of Ordinance No. 91-03-25 (B) added in Section 4-3-5. **Vote:** Unanimous. Motion carried.

CONSIDERATION:

A. Consideration of a Special Event - Palmetto Taps Food Truck Friday – June 13, 2025

– Rogers stated that this request is from Palmetto Taps to have Food Truck Friday on June 13, 2025 from 3 p.m. to 10 p.m. Palmetto Taps previously sponsored this same type of event with Smashburger back in April. There will be a live band, tents, 3 vendors and anticipate approximately 250 participants in the parking lot adjacent to Palmetto Taps. Rogers said that if council approves the special event as presented that Palmetto Taps would like to also do the same in July and August and those events could be approved at staff level.

Helms requested that Palmetto Taps not set up before 12.

Hardwick asked if there had been any complaints. Staff said no.

Motion: Blain made a motion, seconded by Butler, to approve the Food Truck Friday special event application for Palmetto Taps and authorized staff to approve the same type of event in July and August. **Vote:** Unanimous. Motion carried.

B. Consideration of a Special Event – Woodland Lakes Food Truck Friday, June –

October – Rogers said that Woodland Lakes POA is requesting to have Food Truck Friday on Shovelers Court, a Cul de sac type street, on June 13 and 27, July 11, August 1, September 5, and October 3 from 5 p.m. to 7:30 p.m. There will be a 10x10 tent and they are expecting 2 vendors each date with approximately 50 participants.

Motion: Goldfinch made a motion, seconded by Helms, to approve the Food Truck Friday special event application for Woodland Lakes. **Vote:** Unanimous. Motion carried.

C. Consideration of Acceptance of a Bid for Kingston Lake Stormwater Outfall

Upgrades (Beaty Street) Construction Contract – Harrelson stated that the city received grant funding to improve the Kingston Lake Stormwater Outfall through the

South Carolina Infrastructure Investment Program which is administered by the South Carolina Rural Infrastructure Authority(RIA) and funded by Federal, State and Local Fiscal Recovery Funds through the American Rescue Plan. The City of Conway advertised publicly, and 3 firms submitted proposals. Staff recommended the low bid of Green Wave Contracting Inc. Harrelson said that if City Council approves the hiring of Green Wave, and RIA approves the choice, the City Administrator would enter into negotiations for a contract with Green Wave for services immediately.

Motion: Jordan made a motion, seconded by Hardwick, to accept the bid for Kingston Lake Stormwater Outfall for Beaty Street from Green Wave Contracting Inc. **Vote:** Unanimous. Motion carried.

- D. Consideration of a Request for Temporary Closure of an Alley** – Emrick stated that this request was from Sean Kabos, owner of Crafty Rooster and Chanti’s for temporary closure of the alley behind the former Chan’s Restaurant for repairs to the rear of the building for 2 to 3 days.

Motion: Blain made a motion, seconded by Goldfinch, to allow the temporary closure of the alley behind the former Chan’s as requested and give staff approval if amendable for additional days if the contractor is acting in good faith. **Vote:** Unanimous. Motion carried.

PUBLIC INPUT: None

CITY ADMINISTRATOR’S REPORT:

Emrick informed Council of the following:

- Emrick said that he was wearing his teal jacket, even though it is not Teal Tuesday because he spent a fantastic weekend with over 18,000 friends at Springs-Brooks Stadium watching the Chanticleers sweep the field and win the Conway Regionals NCAA Tournament. Emrick said that Coastal is headed to Auburn on Friday for Super Regionals and is 2 wins away from the College World Series.
- Emrick said that at the last meeting he mentioned that the city’s Strategic Plan is completed. The City’s consultants will be at the next meeting to present it to Council. The Plan is broken down into four primary sections: Economic Development; Workforce Development; Infrastructure Development; and Community Development and Quality of Life. It also includes a Grocery Store Retail Study.
- Staff are meeting later in the week with the County to discuss coordination on some of the upcoming Ride IV projects.
- The first Downtown Get Down is this Friday night at 7 p.m. on the Town Green.
- Conway High School’s Graduation is this Friday.
- Skate Day is the 14th at the Billy Gardner Recreation Complex.
- Emrick said that those in the know are predicting a hot summer and it seems like a safe prediction. The city is taking precautions with our staff to keep them cool and hydrated. The Police are also patrolling with coolers loaded with cold bottles of water and other cold treats to help cool off our residents.

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- Staff have received a number of great applications for next year's Mayor's Youth Advisory Council. However, there's still time to get an application in. It's open to rising 9th through 12th graders who will be based at Conway High School during the next academic year.
- Emrick said that Council approved of the Chamber of Commerce Riverfest annual event tonight. This year it will be on June 28th. The headline band is Night Ranger.
- The mayor sent us a snapshot of a report that was very flattering to the city. Staff tracked down that full report. A survey of 3,011 vacation travelers found that Conway, our Conway, ranks 2nd nationwide as a city where the locals are most likely to greet a stranger. This survey has also been dubbed the Nicest Cities, with Conway second in America.
- Emrick said that there is no Workshop tonight, but several Executive Session items.

COUNCIL INPUT:

Hardwick said that it is an honor to be a Tree City. Hardwick said that CCU Baseball was on fire this past weekend. Hardwick said that there was much excitement in the community with the Savannah Bananas post and the line dancing events scheduled. Hardwick told staff well done.

Goldfinch said that he spoke to former Council member Jean Timbes, and she is doing well.

White thanked SCDOT for paving 378 and now is requesting that 701 be mowed.

Butler added that great things are happening with the Chanticleers. Butler commended the Conway High School Boys Basketball Coach Michael Hopkins, Boys Golf Coach Brian Rogers, Boys Soccer Coach Andre White, and Girls Tennis Coach Patrick Howle for all being named Coaches of the Year.

Blain stated that she would like to present those Conway High Coaches with a Resolution.

WORKSHOP: None

EXECUTIVE SESSION: Motion: Goldfinch made a motion, seconded by Butler, to enter into Executive Session for the following: (A) **Consideration of Appointments to Boards, Commissions and Committees [pursuant to SC Code §30-4-70(A) (1)]; (B) Discussion of an Economic Development Opportunity [pursuant to SC Code §30-4-70 (A) (5)]; and (C) Discussion regarding Potential Acquisition of Property in the Jamestown Area [pursuant to SC Code §30-4-70 (A) (2)].**

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

POSSIBLE ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION:

Motion: Blain made a motion, seconded by Butler to appoint the Boards and Commissioners to the ATAX Committee as follows:

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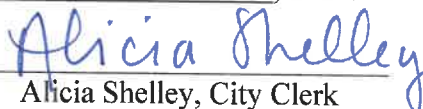
- Rein Mungo – 3 years
- Adam Miller – 3 years
- Denise Blackburn-Gay – 3 years
- Russell Fowler – 3 years
- Sachin Patel – 3 years

Vote: Unanimous. Motion carried.

Motion: Helms made a motion, seconded by Hardwick, to authorize the Administrator to continue discussions regarding the Economic Development opportunity. **Vote:** Unanimous. Motion carried.

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

APPROVAL OF MINUTES: Minutes approved by City Council this 16 day of June, 2025.


Alicia Shelley, City Clerk