



Council Agenda

MYRTLE BEACH CITY COUNCIL:
BRENDA BETHUNE, MAYOR
MICHAEL CHESTNUT
JACKIE HATLEY, MAYOR PRO-TEM
JOHN KRAJC
MIKE LOWDER
PHILIP N. RENDER
GREGG SMITH

**MYRTLE BEACH CITY COUNCIL AGENDA
TUESDAY, FEBRUARY 25, 2020**

9:00 A.M. – PUBLIC HEARING/WORKSHOP – TED C. COLLINS LAW ENFORCEMENT CENTER

**10:00 A.M. – MEETING – TED C. COLLINS LAW ENFORCEMENT CENTER
1101 NORTH OAK STREET, MYRTLE BEACH, SC 29577**

NOTE: CITIZENS ARE INVITED TO ATTEND AND PARTICIPATE IN THE MEETINGS. CITIZENS WHO WISH TO ADDRESS COUNCIL ON NON-AGENDA ISSUES ARE ASKED TO SIGN IN PRIOR TO THE START OF THE MEETING AND STATE THEIR NAMES PRIOR TO SPEAKING. A TOTAL OF 30 MINUTES WILL BE PROVIDED AT THE END OF THE MEETING.

ANYONE WHO REQUIRES AN AUXILIARY AID OR SERVICE FOR EFFECTIVE COMMUNICATION OR PARTICIPATION SHOULD CONTACT THE CITY CLERK'S OFFICE AT (843) 918-1004 AS SOON AS POSSIBLE, BUT NO LATER THAN 48 HOURS BEFORE THE SCHEDULED EVENT.

9:00 A.M. – A PUBLIC HEARING WILL BE HELD AT 9:00 A.M. AT THE TED C. COLLINS LAW ENFORCEMENT CENTER AT 1101 NORTH OAK STREET ON THE PROPOSED ORDINANCES NO. 2020-005 THROUGH 2020-017, GOLF CART AND MOPED RENTAL CONVEYANCE.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES... February 11, 2020

PUBLIC REQUESTS, PRESENTATIONS, AWARDS, MEMORIALS:

1. Myrtle Beach Police Academy Alumni Association
2. End of Year Report – Police Department
3. Legislative Update
4. Public Information Update – PIO Staff

CONSENT AGENDA – *The Consent Agenda covers items anticipated to be routine in nature. Any Councilmember may ask that an item be moved from the Consent Agenda to the Regular Agenda for lengthier discussion, or a member of the public may request that such an item be moved. Items remaining on the Consent Agenda will be briefly described by staff and may be passed as a group with the APPROVAL OF THE AGENDA.*

Note: *City laws are known as ordinances. Before a city ordinance can be enacted it must be introduced (1st Reading) and then approved (2nd Reading). Resolutions are normally actions through which City Council reinforces or makes policy not rising to the level of law. Motions are generally related to direction from City Council to city staff to take certain actions.*

2nd Reading Ordinance 2020-005 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V, of the Code of Ordinances of Myrtle Beach to Austin Shelley d/b/a Ajax Golf Cart Rentals, located at 1307 Nature’s Way, North Myrtle Beach, SC 29582, for a period of one year. The agreement includes 24 golf carts.

This company was approved for a franchise agreement covering 24 golf cart rentals in 2019. For 2020, the applicant requests 24 rentals.

2nd Reading Ordinance 2020-006 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V, of the Code of Ordinances of Myrtle Beach to Ron Simantov d/b/a Blue Coral Surf, LLC, Moped USA, located at 1301 South Kings Highway, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 20 golf carts.

This company was approved for a franchise agreement covering 20 golf cart rentals in 2019. For 2020, the applicant requests 20 rentals.

2nd Reading Ordinance 2020-007 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V, of the Code of Ordinances of Myrtle Beach to Sarah Yakoel d/b/a Gil Scooter/Evry, LLC, located at 109 South Kings Highway, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 20 golf carts.

This company was approved for a franchise agreement covering 20 golf cart rentals in 2019. For 2020, the applicant requests 20 rentals.

2nd Reading Ordinance 2020-010 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V, of the Code of Ordinances of Myrtle Beach to Jack Zakhra d/b/a Zeus MB, LLC, Happy Scooter, located at 311 3rd Avenue South, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 27 golf carts and 36 mopeds.

This company was approved for a franchise agreement covering 27 golf cart rentals and 36 moped rentals in 2019. The applicant requests no change for 2020.

2nd Reading Ordinance 2020-011 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V, of the Code of Ordinances of Myrtle Beach to Derrick and Barbara Haynes d/b/a Kickback Korner LLC, Kickback Corner Golf Carts, located at 506 Yaupon Drive, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 20 golf carts.

This company was approved for a franchise agreement covering 20 golf cart rentals in 2019. The applicant requests no change for 2020.

2nd Reading Ordinance 2020-012 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V, of the Code of Ordinances of Myrtle Beach to Bayliss Spivey d/b/a KOA Campground, located at 613 5th Avenue South, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 50 golf carts.

This company was approved for a franchise agreement covering 50 golf cart rentals in 2019. The applicant requests no change for 2020.

2nd Reading Ordinance 2020-013 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V, of the Code of Ordinances of Myrtle Beach to Mark Sichitano d/b/a Myrtle Beach Golf Carts, located at 408 3rd Avenue South, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 145 golf carts.

This company was approved for a franchise agreement covering 145 golf cart rentals in 2019. The applicant requests no change for 2020.

2nd Reading Ordinance 2020-014 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V, of the Code of Ordinances of Myrtle Beach to Ben Robinson d/b/a Rent Me Superstore, located at 106 North Kings Highway, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 10 golf carts and 30 mopeds.

This company was approved for a franchise agreement covering 10 golf cart rentals and 30 moped rentals in 2019. The applicant requests no change for 2020.

2nd Reading Ordinance 2020-015 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V, of the Code of Ordinances of Myrtle Beach to Ben Robinson d/b/a Rent Me Superstore, located at 300 South Ocean Boulevard, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 64 golf carts and 133 mopeds.

This company was approved for a franchise agreement covering 64 golf cart rentals and 133 moped rentals in 2019. The applicant requests no change for 2020.

2nd Reading Ordinance 2020-016 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V, of the Code of

Ordinances of Myrtle Beach to Ben Robinson d/b/a Rent Me Superstore, located at 1205 North Ocean Boulevard, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 16 golf carts and 67 mopeds.

This company was approved for a franchise agreement covering 16 golf cart rentals and 67 moped rentals in 2019. The applicant requests no change for 2020.

2nd Reading Ordinance 2020-017 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V, of the Code of Ordinances of Myrtle Beach to David Stone d/b/a Go Fast Motorsports/Savemart Scooters, located at 416 6th Avenue North, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 20 golf carts and 19 mopeds.

This company was approved for a franchise agreement covering 20 golf cart rentals and 19 moped rentals in 2019. The applicant requests no change for 2020.

REGULAR AGENDA

2nd Reading Ordinance 2020-008 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V, of the Code of Ordinances of Myrtle Beach to David Stone d/b/a Go Fast Motorsports LLC, Go Fast Scooters, located at 609 South Kings Highway, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 31 golf carts and 84 mopeds.

This company was approved for a franchise agreement covering 31 golf cart rentals and 84 mopeds in 2019. For 2020, the applicant requests 19 additional golf carts.

2nd Reading Ordinance 2020-009 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V, of the Code of Ordinances of Myrtle Beach to David Stone d/b/a Go Fast Motorsports, Sunshine Scooters, located at 713 North Ocean Boulevard, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 10 golf carts and 25 mopeds.

This company was approved for a franchise agreement covering 10 golf cart rentals and 25 mopeds in 2019. For 2020, the applicant requests 10 additional golf carts.

2nd Reading Ordinance 2020-018 amending the Code of Ordinances, Chapter 14, Offences and Miscellaneous Provisions, Article 11, Public Place Restrictions, Division 7 Public Parks, Section 14-316, Specific Public Park Restrictions, to clarify the restrictions regarding dogs in public parks, to clarify the authority to promulgate additional parks rules and regulations pertaining to the use of public parks, and the purposes for which such rules may be promulgated.

This proposed ordinance:

- *Codifies a long-standing practice that dogs are allowed in public parks, provided they are under the control of their owner and on a leash (except for “dog parks”).*
- *Allows the City Manager to set additional regulations applicable to specific parks for up to 30 days without Council’s approval. Currently, the Parks, Recreation and Sports Tourism Director has that authority, subject to the City Manager’s review.*
- *Authorizes Council to promulgate rules for specific parks “which may complement or enhance any specific use for which that park is designated.”*

Changes made at first reading:

- Park rules and regulations intended to be permanent must be approved by Council. See M2020-036 designating Nance Plaza, Chapin Park, Plyler Park, Grand Park and Valor Memorial Garden as “special purpose parks” and proposing regulations relating to each.
- The proposed closing time for Valor Memorial Garden was revised to 11 p.m. (originally sunset).
- Restaurants participating in the café uses envisioned for Nance Plaza are required to assist with the clean-up.

1st Reading Ordinance 2020-019 to amend Appendix A Zoning of the Code of Ordinances Sec. 1603.B to increase the maximum height in the R-15 (Single Family) Zoning District from 35 feet to 43 feet.

The current height limit in the R15 Single-Family District is 35’ with a minimum combined side-yard setback of 22.5’ (minimum of 10’ on each side). Current regulations provide a height “bonus” of up to 50’ with an additional 1.5’ of additional setback on each side yard per 1’ of additional height. The applicant wishes to build an oceanfront home of 43’ in height without adjusting the side yard set-backs. The proposal would affect all properties located in R-15 zones, including Dunes Club, Dunes Cove, Cliffwood Drive, Myrtle Beach schools and the Myrtle Heights Historic District.

Resolution R2020-012 to accept dedication of a certain roadway known as 3rd Avenue South (S-26-84), located between U.S. Highway 501 and U.S. 17 Business (South Kings Highway), from the South Carolina Department of Transportation.

Per agreement with SCDOT, upon completion of the 3rd South widening project, the city must take this street into the municipal street system and assume responsibility for maintenance going forward. This action formally accepts that portion of the improved road.

Resolution R2020-013 to accept the dedication of a certain roadway know as Rock Dove Road (50’ public right-of-way), and portions of certain roadways known as Goldfinch Drive (50’ public right-of-way), Lark Sparrow Street (50’ public right-of-way) within the Belle Harbor Phase 1A Section of the Belle Harbor Subdivision.

Typically, when a subdivision is initially built, the developer will build the road to city standards. When that phase of the subdivision is completed and the city has determined that all standards are met, the city accepts those roads into the municipal street system. Upon acceptance, the city is responsible for all maintenance of that street going forward.

Resolution R2020-014 to accept the dedication of portions of certain roadways known as Lark Sparrow Street (50’ public right-of-way) and Golden Chestnut Way (50’ public right-of-way) within the Belle Harbor Phase 1B Section of the Belle Harbor Subdivision.

Typically, when a subdivision is initially built, the developer will build the road to city standards. When that phase of the subdivision is completed and the city has determined that all standards are met, the city accepts those roads into the municipal street system. Upon acceptance, the city is responsible for all maintenance of that street going forward.

Resolution R2020-015 to accept the dedication of a certain portion of roadway known as Withers Swash Drive (S-26-542), located southwest of 3rd Avenue South from the South Carolina Department of Transportation.

Upon the city's acceptance of 3rd Avenue South as a city street (see M2020-012), Withers Swash Drive will also need to be accepted per SCDOT policy. The policy states that a state owned road (Withers Swash Drive) cannot be accessed by a city owned road (3rd Avenue South). Upon dedication, maintenance of the road and rights-of-way will become the city's responsibility.

Resolution R2020-016 granting a special event permit to Ground Zero Ministries, Inc., for the "2020 Dragon Boat Festival" on April 25, 2020, and affirming the city's co-sponsorship.

Ground Zero's Annual Dragon Boat Festival is the non-profit's largest fundraising event of the year. For April 25, 2020, the proposed venue is Grand Park at The Market Common. Practice days will be scheduled at the park from April 20-24, 2020, from 3:00 to 9:00 p.m. The event is expected to include more than 50 teams (with 21 paddlers on each team), live entertainment, family fun zone, inflatables, food vendors and sponsor tents. In 2019, Ground Zero Ministries raised \$124,000 from the festival, which helped to sustain the non-profit's numerous community outreach programs.

This proposed resolution:

- *Recognizes the "Dragon Boat Festival" as a community-wide festival event.*
- *Authorizes area businesses to display temporary welcome signs.*
- *Waives the park rental fees for the practice, move-in and move-out days, which total \$1,750.*
- *Extends a warm invitation to all to enjoy the "2020 Dragon Boat Festival."*

Resolution R2020-017 to seek membership in the AARP Network of Age-Friendly Communities, and matters relating thereto.

The network educates local leaders and encourages them to implement changes that make communities more livable for people of all ages, especially older adults. The network provides resources to assist communities to accomplish the following: tap into national and global research, create planning models and form best practices. Membership does not require any financial assistance from the city.

Resolution R2020-018 to authorize the temporary obstruction for construction purposes of 2,600 square portion of an alley located adjacent to 918 North Ocean Boulevard to Spann Roofing and Sheet Metal, Inc., for a construction and staging area for the structure located at 918 North Ocean Boulevard to run from March 1-31, 2020.

The owners of 918 North Ocean Boulevard will be doing roof work. Their contractor is requesting a temporary obstruction of 2,600 square feet of an adjacent alley to serve as a construction staging area. The public's use of the adjacent alley will be temporarily closed and restricted during the construction period. The contractor is required to return the staging area to a condition equivalent to the pre-construction conditions, and to hold the city harmless from any claims which may arise.

Resolution R2020-019 to adopt the Myrtle Beach Housing and Community Development Annual Action Plan and Budget for Fiscal Year 2020-2021.

Per the agreement with Horry County, the Myrtle Beach CDBG allocation is expected to be \$394,075 (an increase of \$24,300). CDBG regulations require funds to primarily benefit low/moderate income persons through projects located in low/moderate areas. For Fiscal Year 2020-21, staff propose that funds be programmed for “Neighborhood Infrastructure Improvements,” including:

- *Gray Street Improvements: Curb, Gutter, Sewer, Drainage, etc.*
- *Mary C. Canty Center Parking Lot Expansion*

Resolution R2020-020 to amend R2019-067 setting out the City’s 2020 Legislative Agenda to indicate City Council’s support for Senate Bill 869, the “Beach Preservation Trust Act.”

Senate Bill 869 is proposed to set aside 25% of the state’s 5% Admissions Tax for beach renourishment purposes. The funds would be placed in a trust fund managed by the South Carolina Parks Recreation and Tourism Department and would be used to pay half of the local share of future renourishment projects. The local government would be responsible for the other half of this local match. Typically, 65% of such costs are covered by the federal government. The fund may also be used to repair significant storm damage to the beach or sand dunes.

Motion M2020-031 to approve a Special Event Permit to the Myrtle Beach Shrine Club/Rusty Watson for the “2020 Smoke on the Beach” event at the Burroughs & Chapin Pavilion Place from 8:00 a.m. to 11:00 p.m. each day, Friday and Saturday, March 20-21. The City Manager is authorized to make changes to these plans as he deems necessary in keeping with the nature of the event and as circumstances dictate.

This event features professional barbeque teams from across the southeast who complete. The event includes a beer/wine garden and entertainment. No road closures or in-kind services are requested. The event is expected to draw 2,500 attendees.

Motion M2020-032 to approve a Special Event Permit to DBC Broadcasting for Pooch-A-Mania, to be held on April 5, 2020, from 11:00 a.m. to 5:00 p.m. The event will feature a dog obstacle course, dog performers, kid’s activities, food trucks, live bands and vendors. This event will be open to the public and no entry fee will be required. The applicant is aware that he must pay for any services provided by the City of Myrtle Beach. The City Manager is authorized to make changes to these plans as he deems necessary in keeping with the nature of the event and as circumstances dictate.

The event will feature a dog obstacle course, dog performers, kid’s activities, food trucks, live bands and vendors. This event will be open to the public and no entry fee will be required. The applicant is aware that he must pay for any services provided by the city.

Motion M2020-033 to approve a Special Event Permit to Sons of Italy Lodge 2662/Ray Bowers for “Festa Italiana” to be held at the Grand Park on June 27-June 28, 2020, from 11:00 a.m. to 7:00 p.m. each day. The City Manager is authorized to make

changes to these plans as he deems necessary in keeping with the nature of the event and as circumstances dictate.

This event will include vendors, musical entertainment, food sales and beer/wine sales. The applicant projects 2,500 participants per day. The site plan indicates a partial closure of one lane of Farrow Parkway (for loading and unloading).

Motion M2020-034 to approve a Special Event Permit to Sons & Daughters of Italy Lodge 2662/Ray Bowers for “Festa Italiana” to be held at the Grand Park on October 10-11, 2020, from 11:00 a.m. to 7:00 p.m. each day. The City Manager is authorized to make changes to these plans as he deems necessary in keeping with the nature of the event and as circumstances dictate.

This event will include vendors, musical entertainment, food sales and beer/wine sales. The applicant projects 2,500 participants per day. The site plan indicates a partial closure of one lane of Farrow Parkway (for loading and unloading).

Motion M2020-035 to approve a Special Event Permit to Joe Goodwin of MB Volleyball Club to host five volleyball tournaments on the beach. MB Volleyball Club is proposing to hold these events on the beach on either side of Pier 14 if necessary on March 28, April 4, April 25 and May 16, 2020, from 7:45 a.m. to 5:30 p.m., and May 2, 2020, from 11:00 a.m. to 5:30 p.m. The City Manager is authorized to make changes to these plans as he deems necessary in keeping with the nature of the event and as circumstances dictate.

The five tournaments are on the beach near Pier 14 and include a maximum of six nets, if necessary. On each occasion, set-up will be on the Friday night before each event and take-down will occur the following day. The promoter expects 200 individuals to attend each event.

Motion M2020-036 to designate Nance Plaza, Chapin Park, Plyler Park, Grand Park and Valor Memorial Garden as Special Purpose Parks, and to adopt rule and regulations relating to each.

The proposed ordinance includes special rules and hours of operation for these Special Purpose Parks to recognize the unique nature of each park. While the “Special Purpose Park” rules are silent, the underlying rules of the Parks Ordinance continue to apply.

Motion M2020-037 to appoint/reappoint two members to the Beach Advisory Committee.

The terms of Skeeter Nash and Red Waldorf will expire soon. Neither wish to be reappointed. We have resumes on file from Erik Powalie, Tony Brumfield and Harry McKnight (all city residents).

Motion M2020-038 to appoint/reappoint three members to the Seniors Advisory Committee.

The terms of Patty Sleem, Brenda Noel Watkins and Tammy Lail will expire soon. All wish to be reappointed. We have no resumes on file at this time.

Motion M2020-039 to appoint/reappoint one member to the Human Rights Commission.

The term of David Bennett will expire soon and he wishes to be reappointed. We have one additional resume on file: Dawn Yager (city resident).

Motion M2020-040 to appoint Councilmember Gregg Smith to the Myrtle Beach Regional Economic Development Corporation Board of Directors.

Councilmember Render has previously served as City Council's representative on the Myrtle Beach Regional Economic Development Corporation (MBREDC) Board of Directors. Dr. Render wishes to step aside after many years representing the city in this capacity.

NON-AGENDA ITEMS FROM THE PUBLIC

COMMUNICATIONS FROM CITY BOARDS/COMMISSION MEMBERS

COMMUNICATIONS FROM CITY COUNCIL AND CITY MANAGER

1. Council Communications
2. CFO Update
3. CM/ACM Update

REPORTS AND INFORMATION PRESENTATIONS FROM CITY STAFF

EXECUTIVE SESSION – Council may take action on matters discussed in Executive Session which are deemed to be “emergency” concerns.

Note: South Carolina law requires that Council's business is conducted in public with limited exceptions, known as “Executive Sessions.” Subjects eligible for Executive Session include:

- Personnel matters.
- Negotiations concerning proposed contractual arrangements and proposed sale or purchase of property.
- The receipt of legal advice relating to:
 - A pending, threatened, or potential claim.
 - Other matters covered by the attorney-client privilege. Settlement of legal claims, or the position of the city in other adversary situations.
- Discussions regarding development of security personnel or devices.
- Investigative proceedings regarding allegations of criminal misconduct.
- Matters relating to the proposed location, expansion, or provision of services encouraging location or expansion of industries or other businesses.

Motions to go into Executive Session must be made in public and specify one or more reason above. Council can take no vote or action in Executive Session.

ADJOURNMENT