

MEETING MINUTES

December 10, 2019

9:00 A.M. – WORKSHOP MEETING – TED C. COLLINS LAW ENFORCEMENT CENTER

10:00 A.M. – MEETING – TED C. COLLINS LAW ENFORCEMENT CENTER

MYRTLE BEACH CITY COUNCIL:

PRESENT:

**BRENDA BETHUNE, MAYOR
MICHAEL CHESTNUT, MAYOR PRO-TEM
JACKIE HATLEY
MIKE LOWDER
GREGG SMITH**

ABSENT:

MARY JEFFCOAT

CITY STAFF

PRESENT:

**JOHN G. PEDERSEN, CITY MANAGER
JOHNATHAN “FOX” SIMONS, DEPUTY CITY MANAGER
LISA WALLACE, ASSISTANT CITY MANAGER
MICHAEL SHELTON, CHIEF FINANCIAL OFFICER
WILLIAM A. BRYAN, CITY ATTORNEY
JENNIFER STANFORD, CITY CLERK**



Roll Call.

Present: Mayor Brenda Bethune, Michael Chestnut, Mike Lowder, Philip N. Render, Gregg Smith, Jackie Vereen.

Absent/Excused: Mary Jeffcoat.

CALL TO ORDER.....9:04 A.M. Workshop



Angela Kegler introduces the CLIMB group. A group of employees that are participate in an internal leadership program and prepare staff for their next position.



Councilman Lowder would like to discuss R2019-71 in further detail.



Lauren Clever discusses tasks and projects Infrastructure: Development of a phased plan based on the recommendations of the Infrastructure Study for the Arts & Innovation District & a study to reduce parking demand in the downtown area. Funding: complete the analysis for MID and TIF District by April, 2020. Incentivizing Development: draft guidelines of a Façade Grant Program. Regulatory: Review current regulations to identify impediments to the realization of the Master Plan. Marketing and Branding: Define the structure of the “Downtown Management Entity” focusing on sustainability of the Master Plan. Placemaking: Identify to implement an “Ambassador Program” for our downtown area as a pilot program for the 2020 season. Nuisance and Abatement Strategy – Identify nuisance properties in the downtown and provide mechanisms to assist them to come into compliance, and consequences for failing to do so. Dr. Render asked about potential funding.




Mike Shelton explains that a Municipal Improvement District would fund a share of the cost of operation for a higher level of service for this area. The Tax Increment District would secure the loan. The secondary to secure that loan would be the parking revenues. Initially, general obligation bonds. Mr. Shelton also shares that these plans could also drastically changes following that outcome of a few pending issues.





John Pedersen states that he would like to include the use of abandoned building credits as well as the historic credits.



Motion: Enter Closed Session for legal briefing, **Moved by** Mike Lowder, **Seconded by** Jackie Hatley.

 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).
Yes: Mayor Brenda Bethune, Michael Chestnut, Mike Lowder, Philip N. Render, Gregg Smith, Jackie Hatley.
Absent: Mary Jeffcoat.

9:32 A.M.

 **Motion:** Exit Closed Session, **Moved by** Philip N. Render, **Seconded by** Michael Chestnut.
 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).
Yes: Mayor Brenda Bethune, Michael Chestnut, Mike Lowder, Philip N. Render, Gregg Smith, Jackie Hatley.
Absent: Mary Jeffcoat.

9:47 A.M.


CALL TO ORDER.....10:04 A.M. Regular
INVOCATION.....Councilman Smith
PLEDGE OF ALLEGIANCE.....Mayor Pro-Tem Chestnut
APPROVAL OF AGENDA.....

REMOVED:

Motion M2019-176 to issue a Rule to Show Cause to require the owner(s) or parties in interest of property known as 935 Canal Street, to show cause why they should not be ordered to bring the property into compliance with Chapter 10 of the Code of Ordinances of the City of Myrtle Beach.


Motion M2019-177 to approve a Special Events Permit to “Francis in the Dunes”/Jay Steptoe for “Living Nativity” at 3501 North. Ocean Boulevard from 5:30 P.M. until 8:30 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.

 **Motion:** To Amend and approve, **Moved by** Michael Chestnut, **Seconded by** Mike Lowder.

 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).
Yes: Mayor Brenda Bethune, Michael Chestnut, Mike Lowder, Philip N. Render, Gregg Smith, Jackie Hatley.
Absent: Mary Jeffcoat.


APPROVAL OF MINUTES.....November 26, 2019

 **Motion:** To Approve, **Moved by** Jackie Hatley, **Seconded by** Philip N. Render.


 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).
Yes: Mayor Brenda Bethune, Michael Chestnut, Mike Lowder, Philip N. Render, Gregg Smith, Jackie Hatley.
Absent: Mary Jeffcoat.

PUBLIC REQUESTS, PRESENTATIONS, AWARDS, MEMORIALS:


1. Proclamation declaring December 9, 2019 as Arbor Day.

 Mark Kruea reads proclamation.


2. Parks, Recreation & Sports Tourism Master Plan – Bob Brookover, Clemson University

 Mr. Brookover states that a survey had conducted over the last 5-6 available to the public and received great participation. Went well feedback, public open input session at General Reed Rec Center will take place this evening. A draft plan will be provided to Council and once feedback is received for the body then we can put to together a final plan and prioritize moving forward.

3. Chamber of Commerce 3rd Quarter Accountability Report.

 Karen Riordan reviews third quarter numbers and statistics.

4. New Directions Homelessness Update – Kathy Jenkins

 Kathy Jenkins gives an update, 7th fiscal year, continue to offer over 63,000 shelter bed nights every year to over 1,000 residents. Help them with resources to get back on their feet. This year we added Homeless Court with the help of the city.

5. Public Information Update – PIO Staff

 Mark Kruea reviews past, present, and future events.

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), & 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.


CONSENT AGENDA

REGULAR AGENDA

1st Reading Ordinance 2019-60 Ordinance to amend Appendix A Zoning, Article 16 Area, Height, and Dimensional Requirements Section 1603 Dimensional Standards, of the Code of Ordinances to add setback requirements specific to property lines abutting an alley in the MU-H (Mixed Use High Density) District.

Currently in the MUH districts side yard setbacks are 10' when the structure is less than 20' in height, 20' between 20' and 120', and 30' for buildings in excess of that height. In cases where the property adjoins an alleyway, the distance between the buildings is effectively increased by the width of the alley (usually 20'). The effect of this ordinance would be to allow for a zero set-backs adjacent to the alleyways to increase the maximum developable property. This is especially critical in areas where the lots are relatively narrow to begin with. This change accommodates renovations of the Sun Rise, a Mid-Century Modern Hotel located at 2303 North Ocean Boulevard.

 **Motion:** To Approve, **Moved by** Jackie Hatley, **Seconded by** Gregg Smith.

 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Mayor Brenda Bethune, Michael Chestnut, Mike Lowder, Philip N. Render, Gregg Smith, Jackie Hatley.

Absent: Mary Jeffcoat.

1st Reading Ordinance 2019-61 to amend the municipal budget for the fiscal year beginning July 1, 2019, and ending June 30, 2020, by appropriating donations to the Mary C. Canty scholarship fund to promote development of life skills for local teenagers.

The Mary C. Canty scholarship fund was established to help fund opportunities for teens from families falling significantly below the poverty line to assist in paying for college application fees, attending proms, homecoming events, senior cap and gown events, and drivers' education courses as well as supporting these teens by covering fees associated with group outings and traditional field trips. The program aims to challenge stereotyped attitudes toward law enforcement officers, to help teens anticipate the results of alternative decisions they might make, promote greater awareness of their own actions, and to enable them to be more receptive to constructive criticism and accountable for their actions, while remaining professional and respectful in all aspects of life.

This action does not appropriate City tax dollars for this purpose. It only allows the City to receive and administer the disbursement of related donations and grants.



Motion: To Approve, **Moved by** Mike Lowder, **Seconded by** Michael Chestnut.



Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Mayor Brenda Bethune, Michael Chestnut, Mike Lowder, Philip N. Render, Gregg Smith, Jackie Hatley.

Absent: Mary Jeffcoat.

1st Reading Ordinance 2019-62 to amend the municipal budget for the fiscal year beginning July 1, 2019, and ending June 30, 2020, to appropriate funding for Downtown Redevelopment, to accept and appropriate grant funding for a school resource officer, to add the related positions to the table of authorized positions in the 2019-20 municipal budget; and other matters relating thereto.

This ordinance accomplishes two primary objectives: (1) appropriating a portion of parking revenue funds to pay the remaining expenses of downtown redevelopment administration and adding two former DRC positions to the City's table of allocated positions, and (2) accepting a SC Department of Education grant to fund a designated School Resource Officer position at Myrtle Beach Intermediate School and adding that position to the table of authorized positions in the Police Department.



Motion: To Approve, **Moved by** Gregg Smith, **Seconded by** Philip N. Render.



Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Mayor Brenda Bethune, Michael Chestnut, Mike Lowder, Philip N. Render, Gregg Smith, Jackie Hatley.

Absent: Mary Jeffcoat.

1st Reading Ordinance 2019-63 to extend the corporate limits of the city of Myrtle Beach by annexing 11 parcels totaling 2.5 acres between Cannon Rd and Linen Dr. (PIN# 4430301-0010, 0012, 0013, 0014, 0024, 0025, 0026, 0027, 0028, 0029) and the adjacent

portion of the right-of-way of Cannon Road, and rezoning from Horry County LI (Limited Industrial) to Myrtle Beach LM (Light Manufacturing).

The area in question includes 11 parcels in an unincorporated donut hole. Some of the subject parcels are developed and have City utility service (at outside rates). Other parcels are vacant. The owner wishes to combine the properties to develop the entire site for warehouse purposes. This proposal requires additional City utility service, triggering this annexation request. The City's Comprehensive Plan calls for development along Cannon Road to be General Commercial. This proposal is consistent with the City's long-standing goal of closing unincorporated "donut holes".



Motion: To Approve, **Moved by** Jackie Vereen, **Seconded by** Mike Lowder.



Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Philip N. Render, Gregg Smith.

Absent: Mary Jeffcoat.

Resolution R2019-69 to recognize the Pee Dee Street Rodders Annual "Run to the Sun" as a community-wide event and confirming the city's co-sponsorship of the event March 19, 20, 21, 2020.

Pee Dee Street Rodders annual "Run to the Sun" car show has been described as the "largest independent car & truck show on the East Coast". This event is proposed to be held again on the old Myrtle Square Mall site from March 19-21, 2020. The event includes kick-off party & swap meet, and various giveaways. This event is held primarily to benefit worthy regional charities. In 2019 the Club donated \$100,000 to the Children's Miracle Network at McLeod Children's Hospital, Grand Strand's Miracle League, Florence Miracle League, National Multiple Sclerosis Society and the Horry County Sheriff's Department 2019 Benevolent Fund. The Club has donated over \$1,900,000 to deserving charities since forming in 1987.

The proposed resolution:

- *Recognizes the "Run to the Sun 32nd Anniversary" as a community-wide festival event.*
- *Authorizes businesses to display temporary signs to welcome participants.*
- *Approves City co-sponsorship including: equipment set-up and removal; (\$2,000) & traffic control (\$7,500), for an estimated total of \$9,500.*
- *Authorizes temporary use of parking in nearby vacant lots, businesses, and churches (with related signs) and temporary signs for businesses that wish to reserve parking for normal use.*
- *Extends a warm invitation to all participants and spectators.*



Motion: To Approve, **Moved by** Mike Lowder, **Seconded by** Jackie Hatley.



Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Mayor Brenda Bethune, Michael Chestnut, Mike Lowder, Philip N. Render, Gregg Smith, Jackie Hatley.

Absent: Mary Jeffcoat.


Resolution R2019-70 to amend the Myrtle Beach Housing and Community Development Annual Action Plan and budget for FY 2019/2020.

CDBG regulations require that these funds primarily benefit low/moderate income persons, and that the projects be located in a revitalization area. The CDBG funds for this fiscal year were originally estimated to be \$369,758, the final allocation was \$410,718. Additionally, over \$52,000 remains in the CDBG housing rehab account. The proposed amendment adds \$150,000 to the Charlie's Place Budget.

The additional \$150,000 for Charley's Place is the sum of the following changes:

- Additional CDBG allocation: \$40,960.
- Reduction in housing rehab: \$50,758.
- Reduction in neighborhood infrastructure: \$58,282.

 **Motion:** To Approve, **Moved by** Michael Chestnut, **Seconded by** Gregg Smith.

 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Mayor Brenda Bethune, Michael Chestnut, Mike Lowder, Philip N. Render, Gregg Smith, Jackie Hatley.


Absent: Mary Jeffcoat.

Resolution R2019-71 to adopt Phase II of the Downtown Master Plan Implementation Plan.

The Phase II Implementation is the next step in moving forward with the Downtown Master Plan that was adopted March, 2019. The Plan includes the next round of tasks related to the following elements:

- Infrastructure: Development of a phased plan based on the recommendations of DDC's Infrastructure Study for the Arts and Innovation District and a proposal for reducing parking demand in the downtown area.
- Funding: complete the analysis for MID and TIF District by April, 2020.
- Incentivizing Development: draft guidelines of a Façade Grant Program for Council's review by March, 2020.
- Regulatory: Review current regulations to determine if they allow for business friendly and development friendly relationships. Identify impediments to the realization of the Master Plan.
- Marketing and Branding: Prepare a proposal to define the structure of the "Downtown Management Entity" focusing on sustainability and the success of the Master Plan.
- Placemaking: Identify a company that best supports the goals to implement an "Ambassador Program" for our downtown area with the goal of a pilot program for the 2020 season.
- Nuisance and Abatement Strategy – Identify nuisance properties in the downtown and provide mechanisms to assist them to come into compliance, and consequences for failing to do so.

 **Motion:** To Approve, **Moved by** Mike Lowder, **Seconded by** Michael Chestnut.

 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).


Yes: Mayor Brenda Bethune, Michael Chestnut, Mike Lowder, Philip N. Render, Gregg Smith, Jackie Hatley.


Absent: Mary Jeffcoat.

Motion M2019-155 to issue a Rule to Show Cause to require the owner(s) or parties in interest of property known as 888 White Street, to show cause why they should not be ordered to bring the property into compliance with Chapter 10 of the Code of Ordinances of the City of Myrtle Beach.

If approved, the Rule to Show Cause Order compels the property owner to either bring the structure (or property) back into compliance with City Code, or to demolish the structure. The order allows the City to mitigate the non-compliance issues if the property owner fails to do so, and to lien the property for the costs incurred.

This matter was continued at the previous Council meeting to allow another attempt to notify one of the heirs to the property. That heir was notified. The City Manager anticipates requesting an additional continuance to allow that property owner to react to this proposed action.

 **Motion:** To Approve, **Moved by** Michael Chestnut, **Seconded by** Mike Lowder.

 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Mayor Brenda Bethune, Michael Chestnut, Mike Lowder, Philip N. Render, Gregg Smith, Jackie Hatley.

Absent: Mary Jeffcoat.

Motion M2019-176 to issue a Rule to Show Cause to require the owner(s) or parties in interest of property known as 935 Canal Street, to show cause why they should not be ordered to bring the property into compliance with Chapter 10 of the Code of Ordinances of the City of Myrtle Beach.

If approved, the Rule to Show Cause Order compels the property owner to either bring the structure (or property) back into compliance with City Code, or to demolish the structure. The order allows the city to mitigate the non-compliance issues if the property owner fails to do so, and to lien the property for the costs incurred.

This matter was continued at the previous Council meeting to allow another attempt to notify one of the heirs to the property. That heir was notified. The City Manager anticipates requesting an additional continuance to allow that property owner to react to this proposed action.

ITEM WITHDRAWN

Motion M2019-177 to approve a Special Events Permit to “Francis in the Dunes”/Jay Steptoe for “Living Nativity” at 3501 North. Ocean Boulevard from 5:30 P.M. until 8:30 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.


This is a one-night living nativity scene presented for a three-hour period on December 21. Staff originally received no objections from the neighbors, but after the Special Events Technical Review Committee voted to recommend the event, we received concerns from some of the neighborhood residents. Staff is currently working with the applicant to move the event to a City Park outside of a residential neighborhood.


ITEM WITHDRAWN

Motion M2019-178 to approve a Special Events Permit to the Ocean Front Merchants Association for “Goodbye 2019, Hello 2020” to be held in Plyler Park December 31st through January 1st. The event will take place from 8:00 pm December 31st 2019 to 1:00 am on January 1st, 2020. 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 is a New Year's Eve celebration in Downtown Myrtle Beach. The event will feature musical performers, and entertainers. Alcohol will be served in a defined area in Plyler Park.

 **Motion:** To Approve, **Moved by** Mike Lowder, **Seconded by** Philip N. Render.

 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Mayor Brenda Bethune, Michael Chestnut, Mike Lowder, Philip N. Render, Gregg Smith, Jackie Hatley.


Absent: Mary Jeffcoat.

Motion M2019-179 to authorize the City Manager to execute a 5-yr. management agreement extension with Sports Facilities Management, LLC to operate and manage the Myrtle Beach Sports Center.

The City's contract with SFA to manage the Sports Center expires at the end of February 2020. Through SFA's management of the Sports Center over the last five years the economic impact of the Center to the community has been \$100 million dollars. Terms of the proposed contract renewal include:

- *5-year term (expires June 30, 2025).*
- *Monthly base management fee = \$12,500 / month for the entire term.*
- *Deferred Management Fee bonus of 10% of anything over \$120,000 in net income.*
- *Economic Impact Growth bonus of 20% over \$450,000 in taxes generated for the City by activities hosted at the Facility.*

 **Motion:** To Approve, **Moved by** Philip N. Render, **Seconded by** Mike Lowder.

 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).


Yes: Mayor Brenda Bethune, Michael Chestnut, Mike Lowder, Philip N. Render, Gregg Smith, Jackie Hatley.

Absent: Mary Jeffcoat.

Motion M2019-180 to accept funding from the U.S. Department of Justice – U.S. Marshals Service as per USM-607 obligation document on behalf of the Myrtle Beach Police Department in the amount of \$5,000 provided in support of the Carolina Regional Fugitive Task Force – Joint Law Enforcement Operations; and to authorize the City Manager or his designee to execute and deliver the agreement.

This funding is designated to reimburse officers' overtime earned while working with the Carolina Regional Fugitive Task Force – Joint Law Enforcement Operations in FY2020. The \$5,000 is 25% of the reimbursement amount until Congress passes the budget. No local match is required.

 **Motion:** To Approve, **Moved by** Mike Lowder, **Seconded by** Jackie Hatley.

 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Mayor Brenda Bethune, Michael Chestnut, Mike Lowder, Philip N. Render, Gregg Smith, Jackie Hatley.

Absent: Mary Jeffcoat.

Motion M2019-181 authorizing the City Manager or his designee to apply for a garden equipment grant valued at \$2,360 from the National Gardening Association's Kids Gardening program for the purpose of creating and maintaining garden beds by children attending the Grand Strand Cultural Arts Foundation's summer and after-school program at the Historic Myrtle Beach Colored School Museum and Education Center and the Garden of Hope; to record the receipt of funds in the amount that may be approved, and to execute and deliver the grant agreement and such related documents as may be required to put the grant into effect. No local match is required.

The National Gardening Association is offering a grant opportunity providing gardening equipment valued at \$2,360 including tools, soil, seeds, organic fertilizer and a gardening curriculum. Mrs. Fannie Brown has had four garden plots at the Garden of Hope that the students from the summer and after-school program at the Historic Myrtle Beach Colored School Museum and Education Center have been planting and maintaining. This grant will provide tools to help children learn about growing healthy plants and food and making the garden more sustainable.



Motion: To Approve, **Moved by** Jackie Hatley, **Seconded by** Mike Lowder.



Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Philip N. Render, Gregg Smith.

Absent: Mary Jeffcoat.

Motion M2019-182 to accept funding in the amount of \$372,633 for fiscal year 2019-2020 from the Myrtle Beach Air Base Redevelopment Authority to be used for capital improvements in the Air Base Redevelopment District; and to authorize the City Manager or his designee to execute and deliver the agreement. Local match is required for rubber matting for Savannah's Playground in the amount of \$30,011.

This funding is designated for improvements to the Air Base Redevelopment District for (1) replacing older model hydrants in Seagate Village with new 5¼-inch hydrants with 6-inch gate valves (\$60,000); (2) exterior renovations to two sanitary sewer pump station buildings in the Market Common district (\$15,000); (3) upgrades to the water line in Seagate Village from Mallard Lake Drive to Kings Highway and installation of 6-inch water line from Howard Avenue to the Airport Control Tower (\$80,000); (4) traffic study of Farrow Parkway to identify infrastructure improvements to allow for more sufficient vehicular/bike/pedestrian flow (\$25,000); (5) installation of accessible pedestrian signals at each signalized intersection along Farrow Parkway to assist visually impaired pedestrians crossing roadways (\$30,000); (6) replacement of roadway culvert pipeline in Seagate Village (\$80,000), (7) reimbursement for fencing around Savannah's Playground (\$52,622); (8) rubber matting for entire Savannah's Playground (\$30,011 to be matched by a like amount of City funding).



Motion: To Approve, **Moved by** Philip N. Render, **Seconded by** Michael Chestnut.



Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).


Yes: Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Philip N. Render, Gregg Smith.

Absent: Mary Jeffcoat.

Motion M2019-183 to accept a donation in the amount of \$4,000 from several anonymous donors on behalf of Neighborhood Services for the Garden of Hope Tree Lighting Activities and Toy Drive.

This funding is designated to purchase toys and cover other activities related to the Garden of Hope Tree Lighting on December 6, 2019. No local match is required.

 **Motion:** To Approve, **Moved by** Mike Lowder, **Seconded by** Jackie Hatley.

 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).


Yes: Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Philip N. Render, Gregg Smith.

Absent: Mary Jeffcoat.

Motion M2019-184 to approve a pass-through agreement (the “Agreement”) between the City and the South Carolina Department of Health and Environmental Control (“DHEC”) for distribution of \$1,000,000 in appropriated state matching funds for Ocean Water Quality Outfall Initiatives for fiscal year 2019-20; to authorize the City Manager or his designee to execute and deliver the Agreement and to accept, appropriate and record the funds in accordance with the agreement.

This agreement is supported by appropriations from the state budget in 2019 in accordance with Proviso 34.59 and is effective during calendar year 2019 and shall terminate on June 30, 2020. The \$1,000,000 state funds may support any of the following projects as outlined within the City’s funding request letter to enhance beachfront water quality, improve stormwater drainage, and remove open storm drains that currently run across the beach: construction of a potential header pipe for the existing 25th Avenue South ocean outfall, Watershed-based Stormwater Master Plan implementation projects, and preliminary design of the future 24th Avenue North ocean outfall. Unexpended funds distributed pursuant to this agreement may be carried forward to succeeding fiscal years and expended for the same purposes. This agreement may be renewed annually for four additional one-year periods contingent upon available funding.

 **Motion:** To Approve, **Moved by** Mike Lowder, **Seconded by** Gregg Smith.

 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Philip N. Render, Gregg Smith.


Absent: Mary Jeffcoat.

Motion M2019-185 to amend Appendix A of the City of Myrtle Beach’s Small Cell Design Manual to include new safe harbor exhibits.

The City has developed “safe harbor designs” applicable to small cell deployment. An application that uses a safe harbor design may be exempted from traditional City zoning approval processes and requirements and would instead be subject to an administrative review process.

Uniformity of design is important to the City, especially in Market Common, where a significant investment has already been made to achieve a certain look. Where multiple safe harbor designs are approved for an area, a proposed wireless telecom facility must use the design most appropriate to the location, taking into account safety, aesthetic impacts and surrounding facilities. In certain cases, the City may require use of a particular design along a corridor or at an intersection in order to maintain design uniformity.

 **Motion:** To Approve, **Moved by** Michael Chestnut, **Seconded by** Mike Lowder.

 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).


Yes: Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Philip N. Render, Gregg Smith.

Absent: Mary Jeffcoat.

Motion M2019-186 to appoint/reappoint one member to the Convention Center Board of Directors.

Mr. Maeser has resigned. We have received recommendation for Adam Johnson to fill this vacancy. On file we have resumes from Adam Johnson (Non Resident), Henry Westendarp (Non Resident), Robert Day (Non Resident), Dan Wiener (City Resident), and Cathy Koontz (Non Resident).

 **Motion:** To Approve, **Moved by** Gregg Smith, **Seconded by** Michael Chestnut.

 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).


Yes: Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Philip N. Render, Gregg Smith.

Absent: Mary Jeffcoat.

Motion M2019-187 to appoint/reappoint one member to the Technical Advisory Group.

The term of Frank McClatchy, Susan Roe, and Gina Trimarco have expired. Mr. McClatchy and Ms. Trimarco wish to be reappointed. Ms. Roe does not. The recommendation is that Lauren Riddei fill this vacancy. On file we have resumes from James P. Bar (City Resident), Mark Mancini (Non Resident), Tanja Dimic (City Resident), Dave Huddleston (Non Resident), Richard Miller (City Resident), Michael Roberts (Non Resident), Keith Walters (Non Resident), Kelly Barr (Non Resident), Charles Keller (Non Resident), Bradley Kohr (Non Resident), Lowell Rhodes (City Resident), Kevin McGrath (Non Resident), and Lucas Hazel (Non Resident).

 **Motion:** To Continue, **Moved by** Mike Lowder, **Seconded by** Gregg Smith.

 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Philip N. Render, Gregg Smith.


Absent: Mary Jeffcoat.

Motion M2019-188 to declare certain vehicles abandoned or derelict pursuant to the authority of Article 41 of Title 56 South Carolina Code of Laws 2001.

This declaration is an effort to improve the appearance of both commercial and residential neighborhoods. This report includes vehicles that staff has tagged as abandoned or derelict. Council's approval of this item allows these vehicles to be towed from their private property locations to a tow yard

where they may be reclaimed by the current owner upon payment of the applicable towing and storage fees. If the vehicles are not claimed by the owner within 30 days of the required notice, then the tow company may sell the vehicle and keep the proceeds as compensation.

 **Motion:** To Approve, **Moved by** Mike Lowder, **Seconded by** Jackie Hatley.

 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Philip N. Render, Gregg Smith.


Absent: Mary Jeffcoat.

Motion M2019-189 to authorize the City Manager to enter into a contract with Horry Telephone Cooperative (HTC) for naming rights associated with 509 9th Ave., North (eMYRge Center) in terms that are substantially similar to the terms attached hereto

HTC has agreed to contribute \$250,000 (\$125,000 in cash, and \$125,000 in in-kind) towards the development of the eMYRge Tech Center. In exchange for this gift, HTC receives:

- *Facility naming rights for 10 years.*
- *Designation as the exclusive provider of communication services to the “Arts and Innovation District” for the term of the agreement.*
- *City agreement to recommend HTC’s fiber/services and provide a lead contact for purchasers of currently City-owned property in the District.*
- *Recognition in at least two areas in prominent locations at the facility (one inside, one outside).*
- *Recognition of the gift and naming rights to the facility in all promotional materials utilized to promote and/or identify the venue for 10 years.*
- *The right to highlight, the “technology and innovation center” in print, video, and social media.*
- *The right to advertise HTC as “The Official Technology Provider for the City of Myrtle Beach.”*
- *Free use of the facility to host quarterly workshops for businesses and community members.*
- *Representation on the appropriate committee or board that provides oversight to the tech center.*

 **Motion:** To Approve, **Moved by** Gregg Smith, **Seconded by** Philip N. Render.

 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).


Yes: Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Philip N. Render, Gregg Smith.

Absent: Mary Jeffcoat.

Motion M2019-190 to appoint/reappoint three members to the Employee Recognition Committee.

The terms of Amanda Whyland and Dennis Painter have expired. They both wish to be reappointed. Dennis Springs had resigned and we have no resumes on file to fill this vacancy. Advertisement will continue.

 **Motion:** To Approve, **Moved by** Mike Lowder, **Seconded by** Gregg Smith.


 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).


Yes: Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Philip N. Render, Gregg Smith.

Absent: Mary Jeffcoat.

Motion M2019-191 to accept the donation of two parcels located on the southeast corner of US 501 and Cedar Street (TMS 1810611001 and 1810611002) from Mr. Robert Shelley, to reimburse Mr. Shelley for recently made stormwater improvements on those properties, to rename Balsalm Park in honor of Mr. Shelley's family, to authorize a sign to be installed in the park reflecting the new name, and to thank Mr. Shelley for this generous donation.

Mr. Robert Shelley has offered to donate two lots at the southeast corner of 501 and Cedar valued at \$250,000 in total to the City. These lots are needed to provide drainage improvements at 501 in the Balsalm Street area. This item authorizes City Council to accept the donations, to reimburse Mr. Shelley \$13,000 for stormwater improvements that he previously funded in this area to renaming Balsalm Park in honor of his family, and to allowed a sign with the new name of the park to be installed along 501.

 **Motion:** To Approve and include \$500 for Mr. Shelly's legal fees, **Moved by** Jackie Hatley, **Seconded by** Mike Lowder.

 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Philip N. Render, Gregg Smith.

Absent: Mary Jeffcoat.

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 votes or take action in Executive Session.

ADJOURNMENT

 **Motion:** To Adjourn, **Moved by** Philip N. Render, **Seconded by** Gregg Smith.

 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

Yes: Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Philip N. Render, Gregg Smith.

Absent: Mary Jeffcoat.

12:01 P.M.

ATTEST:

BRENDA BETHUNE, MAYOR

JENNIFER STANFORD, CITY CLERK