

MEETING MINUTES

MAY 10, 2022

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

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

CALL TO ORDER..... 9:02 A.M. Workshop

Amy Barrett, Downtown Alliance, explains that the Municipal Improvement District is created to provide public services for the real property within the geographic boundaries of the district. The improvements are both meant to and are expected to provide a special benefit to the real property within the district. (Full presentation available at request and can be watched in its entirety on the city’s website).

Motion: To Enter Closed Session to discuss/receive 1) legal advice on fireworks ordinance and invite Chief Prock and Chief Gwyer, 2) Contractual Agreement regarding public safety and invite Amy Barrett, and 3) property acquisition, **Moved by** Michael Chestnut, **Seconded by** John Krajc.

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

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

Absent: Jackie Hatley

9:34 A.M.

Motion: To Exit Closed Session **Moved by** Michael Chestnut, **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, John Krajc.

Absent: Jackie Hatley

10:02 A.M.

THE FOLLOWING PUBLIC HEARING WILL BE HELD AT THE TED C. COLLINS LAW ENFORCEMENT CENTER 1101 NORTH OAK STREET, PRIOR TO THE START OF THE REGULAR SCHEDULED MEETING.

10:00 A.M. PUBLIC HEARING ON THE DOWNTOWN MUNICIPAL IMPROVEMENT DISTRICT

- Mayor Bethune open Public Hearing 10:02 A.M.
- Michelle Shumpert reviews details of published requirements, which were met, and financial implications. (Full presentation available at request).
- Amy Barrett reviews MID presentation

CALL TO ORDER..... 10:50 A.M.

INVOCATION..... Councilman Smith

PLEDGE OF ALLEGIANCE..... Councilman Smith

APPROVAL OF AGENDA.....

Motion: Amend to move M2022-76 to regular agenda and 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, Mike Lowder, Philip N. Render, Gregg Smith, John Krajc.

Absent: Jackie Hatley.

APPROVAL OF MINUTES.....April 26, 2022

Motion: To Approve, **Moved by** John Krajc, **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, John Krajc.

Absent: Jackie Hatley

PUBLIC REQUESTS, PRESENTATIONS, AWARDS, MEMORIALS:

1. Proclamation declaring week of May 11-16, 2022 as National Police Week (meeting)
 - Mark Kruea presents proclamation and group gratefully accepts and thanks Council for recognition.
2. Police Officer of the Year – Amy Prock (Meeting)
 - Postponed to next meeting.
3. Firefighter of the Year – Tom Gwyer (Meeting)
 - Mark Kruea presents proclamation.
4. Proclamation declaring week of May 23 – 30, 2022 as National Beach Safety Week (meeting)
 - Mark Kruea presents proclamation.
5. Public Information Update – PIO Staff
 - Meredith Helline reviews past, present, and future events.

NON-AGENDA ITEMS FROM PUBLIC.....30 Minute Time Limit

- Several individuals signed in to speak on topics including Consent Agenda, A-Tax allocations (Waccamaw Arts), Wither’s Swash, Traffic Control Improvements, MID, and the Golden Knights. (full list of individuals signed in is available at request and can also be watched in its entirety on city’s website).

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, items remaining on the Consent Agenda will be briefly described by staff.*

CONSENT AGENDA

Motion M2022-74 to approve a Special Events Permit to Lisa Coombs for the “International Cultural Fest” to be held on Sunday June 26, 2022 from 7am -10pm. 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 include various entertainers and food vendors. The event will include a closure of several parking spaces on Chester St. for food trucks. The applicant is aware that she must pay for any services provided by the City of Myrtle Beach.

Motion M2022-75 to approve a Special Event Permit to Run to the Sun Car Show LLC/Michael Leaventon for “33rd Run to the Sun” car show from March 16th to March 18th

2023. 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 is expected to attract 3,500 cars plus spectators and will include merchandise and food vendors. The event will benefit the MS of Carolina's, Children's Miracle Network, and the Grand Strand Miracle League.

Motion M2022-76 to approve a Special Event Permit to Native Sons Promotions for the “Myrtle Beach Jeep Jam” to be held at the former Myrtle Square Mall Site October 28th through October 30th 2022 from 11am – 5pm. 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 be a celebration of Jeep culture, held in the heart of Myrtle Beach and will feature a jeep obstacle course, vendors, Jeep show, and various small activities throughout the event site. The event will include a beach crawl each Morning on the beach from 24th Ave. to 2nd Ave. capped at 300 vehicles.

- Moved to Regular Agenda

Motion M2022-77 to approve a Special Event Permit to “Pride Myrtle Beach” for “Pride Summer Picnic” at Tidal Creek Brewhouse, June 5th, from 12-6 pm. 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 celebrate LGBTQ+ inclusion and acceptance. This is a free event. There will be live entertainment, a DJ, food trucks and beer and wine sales. The promoter will have outside sales and signage requiring a Special Event permit.

Motion M2022-78 to approve a Special Event Permit to Lynn Makris/BEI-Beach, LLC for the Taste of Market Common, to be held September 24, 2022 from 11:00 am to 4:00 pm. 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 includes tastings from restaurants throughout Market Common, carriage rides and a sidewalk sale. There will be no road closures and expected attendance is 1500.

Motion M2022-79 authorizing the City Manager or his designee to apply for a grant of \$80,360 from the South Carolina Department of Public Safety Office - Highway Safety and Justice Programs, Coronavirus Emergency Supplemental Funding Program, to record the appropriation of such grant 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. There is no match requirement.

The grant will be used to purchase personal protective equipment and Microsoft tablets for the Police Department. The purpose CESF grant program is to provide services to agencies that help prepare, and assist agencies in response to the coronavirus. The Crime Scene Unit will use personal protective equipment for hazard protection while responding to crime scenes. The Microsoft tablets will allow the Investigation Division to work from their vehicles, homes, or any other locations in which unforeseen circumstances may demand.

Motion M2022-80 authorizing the City Manager or his designee to apply for a grant of \$536,877 from the SC Department of Public Safety – Highway Safety and Justice Programs, Project Safe Neighborhood Grant Program, to record the appropriation of such grant 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. There is no match requirement.

The grant will be used to hire a Detective, a Crime Analyst, and a NIBIN technician and to provide training and equipment for the personnel. The Project Safe Neighborhood Grant Program is aimed at providing funding for projects related to gang and gun-related crimes. The MBPD will continue its public safety efforts toward crime reductions and will use the grant-funded personnel and equipment to enhance police strategies, agency collaboration, and crime-solving processes to achieve reduction goals.

Motion M2022-81 to approve additional Memorandums of Understanding between the City of Myrtle Beach and the below listing of law enforcement agencies. These agreements are to support law enforcement services throughout the City during standard operational needs and other events such as Memorial Day Weekend, and the Carolina Country Music Festival.

Hoke County Sheriff's Office, NC; Summerville Police Department, SC; Darlington County Sheriff's Office, SC; Chesterfield County Sheriff's, SC; Charleston County Sheriff's Office; 14th Circuit Solicitor's Office; 15th Circuit Solicitor's Office Drug Enforcement Unit.

Motion: To Approve Consent Agenda Items, **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, Mike Lowder, Philip N. Render, Gregg Smith, John Krajc.

Absent: Jackie Hatley.

REGULAR AGENDA

2nd Reading Ordinance 2022-23 to amend the Code of Ordinances, City of Myrtle Beach, Appendix A Zoning Article 6 Community Appearance Board to streamline the application and review schedule.

Current code requires plans be submitted at least 10 workdays before Community Appearance Board review. The intent of the regulation is to provide adequate lead-time for staff to review the application prior to its consideration by CAB. Staff and CAB strive to provide the most effective and efficient service to our applicants. The proposed change to the zoning code does not materially affect the public's notice about items coming before the Community Appearance Board or the process of appealing a decision of the Board

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

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 4 No = 2).

Yes: Mayor Brenda Bethune, Mike Lowder, Gregg Smith, John Krajc.

No: Michael Chestnut, Philip N. Render.

Absent: Jackie Hatley.

ADOPTED

2nd Reading Ordinance 2022-24 to amend Chapter 223, Vehicles for Hire, Article II,

Taxicabs, to delete Section 23-32 (a) and adjust fares in Section 23-34.1 to be effective immediately upon adoption.

Proposed ordinance deletes Section 23-32 (a), Charges by taximeter. No person owning, operating or controlling any taxicab upon the streets of the city shall charge for the use of such taxicab to exceed the current rates to be determined by the taximeter. These rates shall be set from time to time by the city manager and a schedule of such fees is on file in the city clerk's office.

Proposed ordinance sets the following fares:

- (1) For the first one-eighth mile ..\$3.50*
- (2) For each additional one-eighth mile ~~..0.35~~ \$0.45*
- (3) For each 55 seconds of waiting ~~..0.35~~ \$0.45*
- (4) Passengers in excess of one person per trip above the age of 15 ..\$1.00*

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, John Krajc.

Absent: Jackie Hatley.

ADOPTED

1st Reading Ordinance 2022-25 authorizing the creation of the Myrtle Beach Downtown Municipal Improvement District and approving an improvement plan for the district; providing for the financing of improvements therein by assessments and other revenues as herein described; providing for the publication of this ordinance upon the enactment hereof; ordering the preparation of an assessment roll and the publishing of the completion of the assessment roll and sending of a notice of such assessment to property owners; and other matters relating thereto.

The purpose of the MID is to provide for the provision and funding of various public improvements for the benefit of the current and future users of the real property located within the district as set forth in Resolution 2022-17 adopted on April 12, 2022. Proposed public Improvements consist of:

- Ambassador Program*
- Events and Marketing*
- Special Projects*
- Planning and Research*

Absent the establishment of the District, other funding sources would need to be identified to provide the public improvements proposed within the district.

Motion: To Approve, **Moved by** Michael Chestnut, **Seconded by** John Krajc.

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

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

Absent: Jackie Hatley.

APPROVED 1ST READING

1ST Reading Ordinance 2022-26 to rezone ~0.54 acres on Grey Street (pin 42513030034) from R5 (Single Family) to RMM (Multifamily Medium Density) to match the zoning of the adjacent parcel to allow for the development of multifamily units.

The subject property fronts on both Grey St and White St in the Carrie May Johnson Neighborhood. Adjacent property to the north is zoned RMM, and adjacent properties on the other three sides are zoned R5. R5 is a Single Family District with a minimum lot size of 5,000 sqft. RMM is a Multifamily District that allows up to 12 units per acre.

- If approved, the rezoning could result in a slight density increase.
 - In R5 the property is currently nonconforming with two residential units.
 - However, the property is currently eligible for subdivision into 4 single-family lots.
 - Rezoning to RMM could result in as many as 6 units total, depending upon design.
- The City has a documented shortage of workforce housing.

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, John Krajc.

Absent: Jackie Hatley.

APPROVED 1st READING

1st Reading Ordinance 2022-27 annex ~1.26 acres at 2115 Hwy 501 (PIN 42509030003 & 42509030009) and rezone the property from Horry County HC (Highway Commercial) to Myrtle Beach HC1 (Highway Commercial) in order to attain city water and sewer service.

- The request is to annex about 2 parcels along Hwy 501 near Seaboard St.
- Parcel 42509030003 is ~0.35 acres and is currently leased to Brakes 4 Less.
- Parcel 42509030009 is ~0.91 acres currently vacant with plans for a fast food restaurant.

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, John Krajc.

Absent: Jackie Hatley.

APPROVED 1st READING

Resolution R2022-20 certifying a building site as an abandoned building site pursuant to the South Carolina Abandoned Buildings Revitalization Act, Section 12-67-100 ET. SEQ., of the South Carolina Code of Laws (1976), as amended, regarding property located at 1501 Shine Avenue in the City of Myrtle Beach, Horry County, TMS# 186-00-01-137 and Horry County PIN# 446-02-02-0078.

The owner has acquired 1051 Shine Avenue to lease to a tenant who will rehabilitate the structure into a restaurant. The Act is a State effort to incentivize the redevelopment of buildings that are at least 66% vacant for the past 5 years & are not income-producing. The minimum threshold for investment is \$250,000 for cities or counties w/ a population >25,000.

- Available tax credits:
 - Income tax credit:
 - Credit equals 25% of actual expenses (not exceed \$500,000 for any taxpayer in a tax year).
 - Credit must be taken over 3 years (beginning when the building is placed back in service).
 - Property tax credit:

- *Credit equals 25% of actual expenses but the credit may not exceed 75% of the real property taxes due on the building.*
- *Credit may be taken up to 8 years (beginning when the building is placed back in service).*

Motion: To approve as written **Moved by** Gregg Smith, **Seconded by** Mike Lowder.

Motion: To approve with amendments **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, John Krajc.

Absent: Jackie Hatley.

APPROVED AS AMENDED

Resolution R2022-21 authorizing the purchase of Lot 2, 8th Avenue North, PIN 44304020031 to be used as future stormwater retention.

This parcel is one of eight identified by City engineers to be used to accommodate a new stormwater retention area associated with the development in the Arts & Innovation district. Parcel is lot 2, 8th Ave. N.: TMS: 181-06-13-006, PIN: 44304020031. Purchase price is \$85,395.

- Mayor Bethune recused due to husband represents one of the owners.

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

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Michael Chestnut, Mike Lowder, Philip N. Render, Gregg Smith, John Krajc.

Recused: Mayor Brenda Bethune

Absent: Jackie Hatley.

APPROVED

MOVED FROM CONSENT AGENDA TO REGULAR AGENDA

Motion M2022-76 to approve a Special Event Permit to Native Sons Promotions for the “Myrtle Beach Jeep Jam” to be held at the former Myrtle Square Mall Site October 28th through October 30th 2022 from 11am – 5pm. 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 be a celebration of Jeep culture, held in the heart of Myrtle Beach and will feature a jeep obstacle course, vendors, Jeep show, and various small activities throughout the event site. The event will include a beach crawl each Morning on the beach from 24th Ave. to 2nd Ave. capped at 300 vehicles.

- Mayor Bethune recused due to working relationship with applicant.

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

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 5).

Yes: Michael Chestnut, Mike Lowder, Philip N. Render, Gregg Smith, John Krajc.

Recused: Mayor Brenda Bethune

Absent: Jackie Hatley.

APPROVED

Motion M2022-82 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 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** 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, John Krajc.

Absent: Jackie Hatley.

APPROVED

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.

Motion: To Enter Closed Session to discuss/receive 1) legal advice regarding pending litigation of campground, 2) property acquisition 3) public safety **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, John Krajc.

Absent: Jackie Hatley

1:16 P.M.

Motion: To Exit Closed Session, **Moved by** Mike Lowder, **Seconded by** John Krajc.

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

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

Absent: Jackie Hatley

2:06 P.M.

ADJOURNMENT

Motion: To Adjourn, **Moved by** John Krajc, **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, John Krajc.

Absent: Jackie Hatley

2:06 P.M.

BRENDA BETHUNE, MAYOR

ATTEST:

JENNIFER ADKINS, CITY CLERK