

MYRTLE BEACH CITY COUNCIL MEETING MINUTES
TUESDAY, JULY 26, 2022
9:00 A.M. – WORKSHOP – COUNCIL CHAMBER
10:00 A.M. – MEETING – COUNCIL CHAMBER
COUNCIL CHAMBER, TED C. COLLINS LAW ENFORCEMENT CENTER
1101 NORTH OAK STREET, MYRTLE BEACH, SC 29577

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

1. Myrtle Beach Area Chamber of Commerce follow up (Workshop)
 - Karen Riordan reviews consumer promotion impacts, branding partnership, and strategic alignment with sports partners (full presentation available upon request)

Motion: To Enter Closed Session to discuss 1) potential economic development **Moved by** Philip N. Render, **Seconded by** Michael Chestnut

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

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

9:37 A.M.

Motion: To Exit Closed Session **Moved by** Mike Lowder, **Seconded by** Philip N. Render

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

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

10:02 A.M.

CALL TO ORDER.....10:03 A.M.

INVOCATION.....Councilwoman Hatley

PLEDGE OF ALLEGIANCE.....Councilwoman Hatley

APPROVAL OF AGENDA.....

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

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

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

APPROVAL OF MINUTES.....July 12, 2022

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

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

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

PUBLIC REQUESTS, PRESENTATIONS, AWARDS, MEMORIALS:

2. Recognition of 15U PRST Girls softball team State Championship (Meeting)
 - Kirk Gallion speaks of all Seahawks teams and their wonderful recent championships. Mr. Gallion thanks council for recognition.
3. Public Information Update – PIO Staff
 - Meredith Denari reviews past, present, and future events.

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

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 M2022-112 authorizing the City Manager or his designee to apply for a grant of \$26,116.52 for the Firehouse Subs Public Safety Foundation; to record the appropriation of such grants 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 match is required.

If awarded the grant would allow MBFD to purchase twelve Automated External Defibrillators (AEDs) for frontline apparatuses. MBFD seeks funding to obtain AEDs for continued life safety response measures throughout communities. AEDs will benefit city residents and visitors by replacing outdated AEDs within frontline apparatuses. Newly acquired AEDs allow for reliable and easy-to-use defibrillation to enhance the Myrtle Beach Fire Department’s goal of life safety, incident stabilization, and property conservation.

Motion M2022-113 to accept a donation of \$1,000 from Sufism Reoriented in support of capital improvements that promote pedestrian safety within our community. No local match required.

These funds were donated by Sufism Reoriented at the request of Ms. Barbara Emrich in appreciation for the refreshed pavement markings that accompanied the recent resurfacing of Ocean Blvd in support of pedestrian safety.

Motion M2022-114 authorizing the City Manager to apply for a grant from the Palmetto Pride Watergoat 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 Watergoat Grant Program is aimed at providing trash barriers to be used in streams, canals, ponds, and lakes to control and mitigate debris. The barrier system is designed to operate successfully in fast-moving fluctuating waters while capturing a high amount of debris. The installation location of the watergoat has not been determined, but the system will provide efficient and effective litter control and maintenance to a needed location within the city.

Motion M2022-115 to approve a Special Event Permit to Ground Zero/ Scott Payseur for “Michael W. Smith Outdoor Concert” on October 8, 2022 from 5:00 pm – 10:00 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 will close Chester St. from 9th Ave. to 10th Ave, the eastbound lane of 10th Ave, and the alley behind Ground Zero from 5:00 pm Friday the 7th to midnight Saturday, one lane will be left clear for emergency vehicles.

Motion M2022-116 to approve a Special Event Permit to Ground Zero/ Scott Payseur for “GZi Outreach” on October 26, 2022, from 6:30 to 8:30 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 close Chester St. from 10th Ave. to 9th Ave. from 8am to 10pm. The event includes BMX trick riders, cornhole and an s’mores making area.

Motion M2022-117 to approve a Special Event Permit to Coastal Broadcasting for the “Waves of Praise Gospel Festival”, on September 2nd and September 3rd, 2022, between the hours of 4:00 pm and 11:00 pm Friday and 12:00 pm to 11:00 pm Saturday. 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 promoter is expecting that there will be 10,000 attendees. The event will include live music, food, and retail vendors.

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

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

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

ALL CONSENT AGENDA ITEMS APPROVED

REGULAR AGENDA

2nd Reading Ordinance 2022-34 approving the execution and delivery by the City of Myrtle Beach, South Carolina, of a lease between the city, as lessor, and Bayview Resort Holdings, LLC, as lessee, with respect to 10 parking places at the 5th Avenue North street end in the City of Myrtle Beach.

We have encouraged many of our hotels along Ocean Blvd to be mindful of backing up traffic into the boulevard during peak check-in and checkout periods. To accommodate our request, Bayview has asked to lease 10 spots in the 5th Ave. North street end. These conversations have been going for a while and rate called for in the lease is based on 2019-2020 collections. Our general policy has been to set the lease rate at 90% of the prior year’s collections. The lease is for one year. We can terminate the lease if we determine a public need, to include the need for additional public parking. They will be allowed to place signage on these lots.

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

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

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

ADOPTED

1st Reading Ordinance 2022-35 to amend the Code of Ordinances, City of Myrtle Beach, Appendix A Zoning Article 14 zoning districts, to allow auto parts stores in the MUM zoning classification.

The applicant has a potential auto parts retail tenant willing to occupy a portion of the former Food Lion plaza space on Hwy 501. The applicant is hoping to fill the remainder space with a tenant that offers groceries for sale. Motor vehicle parts stores are permitted in the Highway Commercial (HC1, HC2), Light Manufacturing (LM) and Wholesale/Manufacturing (WM) zoning districts. MU-M is a form-based zoning district with a variety of permitted uses and strict design guidelines. Motor Vehicle Parts Stores are regulated separately and differently than Motor Vehicle Repair and Maintenance. Approval of this request would not result in automobile repair shops in MU-M. Planning Commission (7.19.22): Voted to recommend approval (6-0).

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

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

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

APPROVED 1st READING

1st Reading Ordinance 2022-36 to amend the Code of Ordinances, City of Myrtle Beach, Appendix A Zoning Article 15 Conditional and Accessory Uses and Special Exceptions, to allow developments in MU-H (Mixed Use – High Density) Districts to install required parking on adjacent property zoned RMH (Multifamily Residential High Density), to clarify the code regarding parking lot proximity to the primary use, and to strengthen landscape buffering requirements.

Applicant wishes to demolish the Mariner Hotel and develop a commercial product that requires additional parking. The property is split zoned between MU-H along Ocean Blvd, and RMH in the rear. Currently parking lots are only allowed in the RMH under two circumstances:

- *as an accessory to an RMH use (eg: a parking lot in an apartment complex), or*
- *as an accessory to an abutting or adjoining use in an MU-M district (eg: a restaurant in MU-M with parking on an adjoining lot in an RMH district).*

The request is to allow the same for a use in an abutting or adjoining MU-H district.

The Ordinance also recommends strengthening the landscape buffer requirements to the parking lots that abut (share a property line with) the MU property to which it is an accessory. The ordinance, if adopted, would double the size of the required landscape buffer. Planning Commission (7.19.22): Voted to recommend approval (6-0).

Mayor Brenda Bethune recused herself due to son-in-law is part owner of Lineage Construction.

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

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

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

Recused: Mayor Brenda Bethune

APPROVED 1st READING

1st Reading Ordinance 2022-37 to amend the Code of Ordinances, City of Myrtle Beach, Appendix A Zoning Article 14 Zoning Districts and 15 Conditional Uses, to add golf cart rentals as a conditional use in the Amusement (A), Entertainment (E), and Highway Commercial (HC) Zoning Districts and to align the city zoning code with changes in state law regarding golf cart registration requirements.

Due to the popularity of moped rentals, the City put in place regulations regarding the location and operations of moped rental establishments. In recent years, the City has seen a similar trend in short-term golf cart rentals. The City Zoning Code currently does not specifically address golf cart rentals, and has been applying moped rental regulations to golf cart rental establishments. Since golf carts are no longer “the same animal” as mopeds staff suggests adding “golf cart rental and sales establishment” to the code as a Conditional Use with the same conditions as “moped rental and sales establishment” and to adjust those conditions accordingly. Planning Commission (7.19.22): Voted to recommend approval (6-0).

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

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

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

APPROVED 1st READING

1st Reading Ordinance 2022-38 confirming the assessment roll related to the Myrtle Beach Downtown Improvement District; and other matters relating thereto.

The purpose of the MID is provision for 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*

This Ordinance officially confirms the assessment roll, which identifies the parcels subject to the assessment within the Municipal Improvement District. Property Owner Notices and the Advertised Notice of Completion provided that objections to the Assessment must be made in writing to the City Manager on or before August 10, 2022. A public session and public hearing at which the Council will make a final decision on each such objection so made will be held on Thursday, August 11, 2022, at 11:00 a.m. in Council Chambers. Based upon the determination of City Council made in response to any written objections and input received at the August 11th public session, the City Council will determine any corrections to the Assessment Roll for second reading and final confirmation.

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

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

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

APPROVED 1st READING

Motion M2022-118 to approve a Special Event Permit to Native Sons Promotions for the “Myrtle Beach Food Truck Festival” which will be held March 31, 2023 - April 2, 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 will be held at the Pavilion Place site. The event will include food trucks, live music, kid zone, and beer and wine sales. The event includes a closure of Ocean Blvd. between 8th and 9th avenues from 8:00 am Friday through 12:00 am Sunday.

Mayor Brenda Bethune recused herself due to working relationship with applicant.

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

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

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

Recused: Mayor Brenda Bethune

APPROVED

Motion M2022-119 to approve grants to outside agencies listed 1-16 as outlined on Attachment A for the fiscal year beginning July 1, 2022.

As presented, the FY 2022-23 budget includes \$215,000 to support agencies that provide services aligned with Council's strategic vision. The effect of this motion is to allocate \$185,000 of those funds among the 16 applicants

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

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

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

APPROVED

Motion M2022-120 to approve a \$30,000 grant to The Boys and Girls Club, as outlined on Attachment A for the fiscal year beginning July 1, 2022.

This Motion allocates \$30,000 to the Boys and Girls Club. The Boys and Girls Club is an Outside Agency. This is a companion action to the Motion above.

Councilman Chestnut recused himself due to his son is employed at the Boys & Girls Club.

Motion: To Approve **Moved by** John Krajc **Seconded by** Mike Lowder.

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

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

Recused: Michael Chestnut

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 1) potential economic development 2) proposed contractual arrangement involving oceanfront encroachment permits and invite Amy Neuschafer, Assistant City Attorney **Moved by** Philip N. Render, **Seconded by** Jackie Hatley.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

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

10:52 A.M.

Motion: To Exit Closed Session **Moved by** Mike Lowder, **Seconded by** Jackie Hatley.

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

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

11:37 A.M.

ADJOURNMENT

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

Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 7).

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

11:37 A.M.

BRENDA BETHUNE, MAYOR

ATTEST:

JENNIFER ADKINS, CITY CLERK