

**MEETING MINUTES**

**JULY 28, 2020**

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

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


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 **Roll Call.**

**Present:** Mayor Brenda Bethune, Michael Chestnut (telephone), Mike Lowder, Philip N. Render (telephone), Jackie Hatley, John Krajc.

**Absent:** Gregg Smith

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

 Mayor Bethune states that she and Mr. Pedersen have both been in communication with the event organizers, with Bob Durkin at CCMF, and they are working on a plan to be presented to council on August 11, 2020. Mayor states that many emails have been received expressing the same shared concern as council and explains that there are many moving parts to this type of event and we need to give them time to work through those issues and come up with a plan. They need more time to work with the artists involved and requests that everyone be patient a little longer. This is a great organization; they have been very good to our community, a huge economic benefit to our businesses and area. A plan will be made soon and we believe they will make a good decision.


 **Motion:** Enter Closed Session for legal advice and a legal update, **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, Jackie Hatley, John Krajc.

Absent: Gregg Smith.

9:05 A.M.

 **Motion:** Exit Closed Session for legal advice and legal update, **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, Jackie Hatley, John Krajc.

Absent: Gregg Smith

10:01 A.M.


**CALL TO ORDER**.....10:01 A.M.

**INVOCATION**.....Mayor Pro-Tem Hatley

**PLEDGE OF ALLEGIANCE**.....Councilman Krajc

**APPROVAL OF AGENDA**.....


 **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, Jackie Hatley, John Krajc.

Absent: Gregg Smith

**APPROVAL OF MINUTES**..... July 14, 2020

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

Absent: Gregg Smith


**PUBLIC REQUESTS, PRESENTATIONS, AWARDS, MEMORIALS:**

1. City Manager's Inspiration Award


 Mr. Pedersen recognizes former Construction Services Director, Chris Lee, who passed away on April 6, 2020. Mr. Pedersen expresses that Mr. Lee was a great person, a wonderful employee, and a great asset to our organization. A video was then presented of personal testimonies from various city staff put together by Alfreda Funnye, Neighborhood Services. Mr. Pedersen then presents Mr. Lee's father and sister with a proclamation, Mr. Lee's twenty years of city service pin, as well as a check made out to the American Cancer Society.

Mr. Pedersen presents proclamation

2. Opioid Initiative Update – Kathy Jenkins

 Kathy Jenkins thanks council the opportunity to present reviews that their organizations has been able to accomplish over the past two years. Ms. Jenkins then introduces Mr. Trevor Greene who reviews plans going on with the initiative which include: ensure utilization of evidence-based practices and coordinate efforts associated with the opioid crisis, develop programs and services, establish associated policies and procedures, and draft local regulations, develop public awareness through the local school system and media, outline efforts to improve enforcement and mapping, develop action steps to secure future funding. Additional funding allows for the hiring of two additional Peer Support Specialist.

3. Public Information Update – PIO Staff

 Chasity Pendergrass reviews new solid waste changes and transfer station. Ms. Pendergrass also 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 (1<sup>st</sup> Reading), & then approved (2<sup>nd</sup> 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

**2<sup>nd</sup> Reading Ordinance 2020-34** to amend Chapter 11, Article II, Sections 34, 35, and 36 of the Code of Ordinances of the City of Myrtle Beach (Business License Ordinance) to allow for the temporary suspension of business licenses as a tool for addressing underlying unlawful or nuisance activity relating to certain businesses.

*As currently written the Business License Ordinance is almost exclusively a revenue generation tool. Revocations of the license are permanent, and, as a result, staff has historically been very reluctant to propose suspensions/revocations to cure nuisances. The first proposed amendment allows the Business License Official to work more flexibly with business owners to restore suspended business licenses once the underlying issues have been resolved, and allows the Official to renew those licenses in business license in a subsequent year.*

*Additionally, where time is of the essence, the proposal allows the City Manager to more quickly address unlawful activity and public nuisances by suspending the license (thus temporarily closing the business) to cure public nuisances without that action necessarily leading to a permanent revocation. These suspensions may be lifted with or without conditions based on the business' submission of a plan to eliminate the underlying unlawful/nuisance behavior. In such cases, the business has 15 days to submit and receive approval of this plan or to appeal the suspension. All appeal rights remain intact.*



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

Absent: Gregg Smith

## **ADOPTED**

**2<sup>nd</sup> Reading Ordinance 2020-35** to amend Appendix A Zoning of the Code Ordinances Sec. 1407.C permitted uses to allow Brewpubs in the E (Entertainment) Zoning District.

*The applicant is developing a surf park on the corner of Grissom Parkway and B&C Boulevard, behind the Myrtle Beach Sports Center. The business model includes a brewpub, which is currently not a permitted use in the Entertainment (E) Zone.*

*The Code defines a Brewpub as “a facility with on-site food service (not more than 50% of total sales), tap room, and retail operations that brews or produces alcoholic and non-alcoholic beverages for sale and consumption on-site as well as wholesale or off-site sales, consistent with State law (including separation from school, church, and playground uses). Brewpubs are currently permitted in the LM (Light Manufacturing) and WM (Wholesale/Manufacturing) districts.*



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

Absent: Gregg Smith

## **ADOPTED**

**2<sup>nd</sup> Reading Ordinance 2020-36 to amend the Code of Ordinances, Article VI, Sections 19-178 and 19-180 to identify certain extraordinary events and to provide additional management authority, during such events.**

*Designation as an “Extraordinary Event” currently allows the City Manager to implement certain event management tools as needed to protect lives and property, including:*

1. *Hiring armed registered private security officers.*
2. *Requiring hoteliers and retail stores in designated areas to employ Private Security.*
3. *Utilizing public or private property when public welfare is in jeopardy.*
4. *Contracting for non-consensual towing of vehicles and motorcycles.*
5. *Using temporary signage to enforce the temporary closure of retail sales businesses within event boundaries between 11 PM and 6 AM (unless circumstances compel).*
6. *Temporarily closing or diverting pedestrian and vehicular traffic.*
7. *Enforcing no cruising zones, and temporarily prohibiting cruising on designated streets.*

*Upon recommendation of the Police Chief and concurrence of the City Manager, this proposal broadens #5 above by applying the authority to enforce temporary closures to businesses other than retail (providing at least one previous attempt has been made to advise the businesses of the necessary corrective actions). In addition, as a last resort, the proposed ordinance allows the City Manager to control an Extraordinary Event by imposing a curfew in the affected area (currently authorized for Civil Emergencies, e.g. hurricanes). Both actions would require a written report to Council within 12 hours.*

*The existing Code authorizes Council to declare an Extraordinary Event, fix the boundaries, and establish a timeline for such events. These Declarations expire within 96 hours (unless modified by Council). Declaration does not prohibit the event, but allows the Manager to use five of seven Extraordinary Event management tools. As proposed, the following would be defined as “Extraordinary Events”:*

- *Debates for political office (no change).*
- *The appearance of a state, national or international political or religious dignitary (automatically designates these as Extraordinary Events rather than just permitting this designation).*
- *Events with an anticipated or actual estimated attendance greater than 10,000 (currently only applies to performances).*
- *The motorcycle event before, during, and the day after Memorial Day (proposed for deletion).*
- *Memorial Day, July 4<sup>th</sup>, and Labor Day weekends (replaces and expands on the point above).*
- *Car and truck shows with a history of disruptive and unlawful behavior (addition to current Code).*



**Motion:** To Approve, **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, Jackie Hatley, John Krajc.

Absent: Gregg Smith

**ADOPTED**


**Motion M2020-91 to accept a grant in the amount of \$500,000 from the South Carolina Department of Health and Human Services and to authorize the City Manager to enter into a contract with New Directions of Horry County for the purposes of developing a local opioid initiative pilot program for Horry and Georgetown Counties, and to manage such grant. Funding covers a two year program at approximately \$250,000 per year.**

*On July 15, 2020, the City received \$500,000 from the S.C. Department of Health and Human Services for the purpose of developing an opioid initiative pilot program. The City desires to enter into an agreement with New Directions to manage and develop a local continuum of substance abuse services throughout Horry and Georgetown Counties. Terms of the agreement include:*

- *Identifying solutions to solve gaps and duplication of services.*

- *Ensuring utilization of evidence-based practices and coordinating efforts associated with the opioid crisis.*
- *Developing programs and services.*
- *Establishing associated policies and procedures and drafting local regulations.*
- *Developing public awareness through the local school system and media.*
- *Outlining efforts to improve enforcement and mapping.*
- *Developing action steps to secure future funding.*

 **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, Jackie Hatley, John Krajc.

Absent: Gregg Smith

## APPROVED

### REPORTS AND INFORMATION PRESENTATIONS FROM CITY STAFF

1. County Transportation Committee (CTC) Update – Janet Curry, Public Works Director

 Janet Curry, Public Works Director, reviews road work prioritization.

### 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** 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, Jackie Hatley, John Krajc.

Absent: Gregg Smith

11:11 A.M.

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BRENDA BETHUNE, MAYOR

ATTEST:

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JENNIFER ADKINS, CITY CLERK