

**MEETING MINUTES**

**July 9, 2019**

**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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MYRTLE BEACH CITY COUNCIL:

PRESENT:  
BRENDA BETHUNE, MAYOR  
MICHAEL CHESTNUT, MAYOR PRO-TEM  
MARY JEFFCOAT  
PHILIP N. RENDER  
GREGG SMITH  
JACKIE HATLEY  
MIKE LOWDER




CITY STAFF

PRESENT:  
JONATHAN "FOX" SIMONS, JR., DEPUTY CITY  
MANAGER  
LISA WALLACE, ASSISTANT CITY MANAGER  
MICHAEL SHELTON, CHIEF FINANCIAL OFFICER  
WILLIAM A. BRYAN, CITY ATTORNEY  
JENNIFER STANFORD, CITY CLERK  
  
ABSENT:  
JOHN G. PEDERSEN, CITY MANAGER


 Roll Call.

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

**CALL TO ORDER**.....9:05 A.M. Workshop


-  Ken May reviews details of request for connectivity of PUD Amendment.
-  Councilwoman Jeffcoat asked what the recommendations of Planning Commission.
-  Ken May states that Planning Commission voted unanimously to deny request.

 **Motion:** To Enter Closed Session for a legal briefing, **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, Mary Jeffcoat, Mike Lowder, Philip N. Render, Gregg Smith, Jackie Hatley.

9:27 A.M.

 **Motion:** Exit Closed Session, **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, Mary Jeffcoat, Mike Lowder, Philip N. Render, Gregg Smith, Jackie Hatley.

10:03 A.M.


**CALL TO ORDER**.....10:04 A.M. Regular

**INVOCATION**..... Councilman Render


**PLEDGE OF ALLEGIANCE**..... Councilman Lowder


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

 **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, Mary Jeffcoat, Mike Lowder, Philip N. Render, Gregg Smith, Jackie Hatley.

**APPROVAL OF WORKSHOP MINUTES**.....  
**APPROVAL OF MINUTES**.....June 25, 2019

 **Motion:** To Approve, **Moved by** Michael Chestnut, **Seconded by** Mary Jeffcoat.

 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 7).  
Yes: Mayor Brenda Bethune, Michael Chestnut, Mary Jeffcoat, Mike Lowder, Philip N. Render, Gregg Smith, Jackie Hatley.

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

1. Downtown Master Plan Implementation Update

 Lauren Clever reviewed details of the implementation of revitalization of the downtown area.

2. Public Information Update – PIO Staff/Police

 Chasity Pendergrass gave an update on 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 2019-31 to amend Appendix A Zoning of the Code of Ordinances to create the Grand Strand Medical Special Sign District.**


*The Grand Strand Medical Center is a 52+ acre medical campus, that has grown significantly in recent years. Section 805.L of the Zoning Code permits Council to create Special Sign Districts to allow greater flexibility for major developments provided that the district is at least five contiguous acres and is in single ownership. The sign ordinance only applies to signs visible from beyond the property boundaries.*

*A Sign District is proposed to facilitate recent expansion of the Medical Center. As proposed:*

- *Unless otherwise stated, all other portions of the sign regulations shall apply and be enforced.*
- *Unless otherwise stated, all freestanding signs will be monument or multipole designs.*
- *Signs facing public streets (requires CAB approval).*
  - *One sign located on 82<sup>nd</sup> Parkway - up to 10' in height & 40 square feet in area, setting back 10' from the rights-of-way.*
  - *Two signs located on 79th - up to seven feet high and 20 square feet in area, with a minimum separation of 350', and a 10' setback.*

- One primary identification/directional sign on the Bypass - up to 30' tall and 275 square feet in area, with a 10' setback (animated CEVM display allowed).
- One campus identification sign located on the Bypass near 79<sup>th</sup> - up to seven feet high and 90 square feet in area, setback at least 10'.
- Interior Signs (does not require CAB approval).
  - Wall mounted signs visible from outside the district must be less than 285 square feet.
  - Three flags no larger than 12' X eight feet on poles no greater than 35' high.
  - Interior directional signs up to seven feet high and an area of 40 square feet.
  - Interior facility identification signs to four feet high & seven square feet.
  - Parking lot locator signs – four-faced with up to nine square feet/face.

 **Motion:** To Approve, **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, Mary Jeffcoat, Mike Lowder, Philip N. Render, Gregg Smith, Jackie Hatley.

**1<sup>st</sup> Reading Ordinance 2019-32 to amend the Grande Dunes Planned Unit Development to include a new Exhibit 4A, "Roadway Master Plan".**

*The Members Club is a private golf club within the gated Golf Village community. GDMB (owner of the Club) contends the Club is not sustainable with current membership numbers. The developer proposes to connect the Club to Waterway Hills by means of a new roadway to open the Club to potential new members. GDMB also proposes to limit access through Golf Village to Club members only.*

*Currently the only access to over 600 Grande Dunes residences is via the gated Intracoastal Waterway Bridge on Grande Dunes Boulevard. The proposed connection will provide a 2<sup>nd</sup> emergency access. As to increasing membership to the Club, there appears to be two options. The first is the developer's proposal, which would limit additional traffic to new members accessing the Club from Waterway Hills. The second is to open the Club to the public via that bridge.*

 **Motion:** To Deny, **Moved by Mary Jeffcoat, Seconded by Mike Lowder.**

 **Vote:** Motion passed (**summary:** Yes = 4, No = 3, Recuse = 0).

Yes: Michael Chestnut, Mary Jeffcoat, Mike Lowder, Philip N. Render.

No: Mayor Brenda Bethune, Gregg Smith, Jackie Hatley.


**1<sup>st</sup> Reading Ordinance 2019-33 to amend Chapter 12, Motor Vehicles and Traffic, Article III, Stopping, Standing and Parking, Division 1, generally to add public utilities to the list of exemptions from metered payment.**

*This ordinance adds public utilities to the list of exemptions from metered parking which now includes:*

- Commercial trucks while loading and unloading.
- Vehicles bearing license plates or hang tags, or other publicly placed permit indicating the operator is a disabled veteran, Purple Heart/Medal of Honor recipient or disabled person.
- Jurors and witnesses involved in criminal cases in any court, while in attendance at court.
- Public employees in the performance of their duty.
- Vehicles bearing a properly issued city resident decal.
- Vehicles actively being used in media or news coverage, and displaying a press parking placard.

*Public utilities" are publicly owned utilities or private corporations subject to oversight by the SC Public Service Commission, and engaged in providing essential services to the public, such as electricity, natural gas, water, sewer, telephone, transportation, cable & data delivery. Access to unmetered parking allows these providers to respond more quickly to maintenance issues.*

 **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, Mary Jeffcoat, Mike Lowder, Philip N. Render, Gregg Smith, Jackie Hatley.

**1<sup>st</sup> Reading Ordinance 2019-34 Ordinance to find that the lot known as “Washington Park Parke Area and Play Ground”, located between 23<sup>RD</sup> Avenue North and 24<sup>th</sup> Avenue North, and between Kings Highway and Withers Drive, and adjoining Lot 9 Block 1-W, Washington Park Section of Myrtle Beach to the Southeast, identified as Horry County PIN 424-10-03-0003 and TMS # 181-04-06-005, has no immediate or foreseeable value to the City, to declare that property surplus, and to authorize the sale of that property to Blvd Group, LLC at a price of \$160,000, which represents the appraised value.**

*Washington Park is an unimproved parcel located off a service alleyway running behind the buildings on the east side of Kings Highway between 24<sup>th</sup> and 23<sup>rd</sup> Avenues North. Due to the condition of the service alley, access to the property is limited. The property has never been developed for any public purpose, and no future public use has been identified. The owner of the adjacent hotel located off 24<sup>th</sup> North would like to acquire the property for parking purposes.*

*The proposed ordinance finds that:*

- The parcel has no current or foreseeable public use, and is, therefore, surplus.*
- That it serves the public interest to dispose of the property by accepting the offer to purchase at the appraised value from the adjacent property owner.*

*The proposed ordinance authorizes the City Manager to execute the proposed offer to purchase the property. The property is listed at an estimated tax value of \$148,000. Estimated City taxes on that property once it is in private ownership would be about \$740/year.*

 **Motion:** To Approve, **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, Mary Jeffcoat, Mike Lowder, Philip N. Render, Gregg Smith, Jackie Hatley.

**Motion M2019-91 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** Michael Chestnut.

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

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

**Motion M2019-92 to accept grant no. 26.01WO20, made under the Used Oil Recycling Grant Program, from the South Carolina Department of Health and Environmental**

**Control, Office of Solid Waste Reduction and Recycling, in the amount of \$750. The grant will fund professional development and travel expenses to recycling conferences and/or trainings for the City's Public Works Department, Solid Waste division. No local match is required.**

*The DHEC, Office of Solid Waste Reduction and Recycling awarded the City a \$750 Used Oil Grant. The Office of Solid Waste Reduction and Recycling is the administrative agency for used oil recycling projects. The Used Oil Recycling Grant Program was mandated under the South Carolina Solid Waste Policy and Management Act of 1991*

*The \$750 grant will be used for professional development including travel to recycling conferences or trainings. The term of the grant is 7/1/19 – 6/30/19. The City may apply for two 90-day grant extensions, if necessary. No match is required.*

 **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, Mary Jeffcoat, Mike Lowder, Philip N. Render, Gregg Smith, Jackie Hatley.

**Motion M2019-93 to accept grant no. 26.01WT20, made under the Waste Tire Recycling Grant Program, from the South Carolina Department of Health and Environmental Control, Office of Solid Waste Reduction and Recycling, in the amount of \$750. The grant will fund professional development and travel expenses to recycling conferences and/or trainings for the City's Public Works Department, Solid Waste division. No local match is required.**

*The DHEC, Office of Solid Waste Reduction and Recycling awarded the City a \$750 FY2019 Waste Tire Grant. The Office of Solid Waste Reduction and Recycling is the administrative agency for waste tire and recycling projects. The Waste Tire Recycling Grant Program was mandated under the South Carolina Solid Waste Policy and Management Act of 1991.*

*The \$750 grant will be used for professional development including travel to recycling conferences or trainings. The term of the grant is 7/1/19 – 6/30/19. The City may apply for two 90-day grant extensions, if necessary. No match is required.*

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

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

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


**Motion M2019-94 to accept grant no. 26.01SW20, made under the Solid Waste Management Grant Program, from the South Carolina Department of Health and Environmental Control, Office of Solid Waste Reduction and Recycling, in the amount of \$35,000. The grant will fund (1) purchase of recycling containers (\$25,000) and (2) a combination of public education & outreach media materials needed to expand the City's existing recycling program (\$10,000). No local match is required.**

*The DHEC, Office of Solid Waste Reduction and Recycling awarded the City a \$35,000 Solid Waste Grant. The Office of Solid Waste Reduction and Recycling is the administrative agency for solid waste management projects under the Solid Waste Management Grant Program. The*

*Solid Waste Management Grant Program was mandated under the South Carolina Solid Waste Policy and Management Act of 1991.*

*The \$35,000 grant will be used to purchase recycling containers (\$25,000) to be placed at City recreational facilities, and the balance (\$10,000) will be used to purchase a combination of public education/outreach media/materials needed to expand the city's existing recycling program, including recreational center recycling and promotion. The term of the grant is 7/1/19 – 6/30/19. The City may apply for two 90-day grant extensions, if necessary. No match is required.*

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

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


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

**Motion M2019-95 to enter into a Municipal State Highway Project Agreement with South Carolina Department of Transportation relating to improvements to Fred Nash Boulevard Connection.**

*Under this proposed agreement, the City agrees to move forward with the improvements associated with the extension of Fred Nash Blvd., by SCDOT. Specifically, the City would:*


- *Consent to the improvements within its corporate limits, and approve the project plans.*
- *Agree to exempt all existing and new right-of-way and other properties purchased in connection with right-of-way from any general or special assessment against real property.*
- *Assist SCDOT to relocate water, sewer and gas pipes, manholes, or fire hydrants, and all power or telephone lines or poles located in the existing right-of-way in accordance with project plans.*
- *Indemnify and hold harmless SCDOT to the fullest extent allowed by law against any and all claims or actions brought against it arising out of the placing, maintenance, or removal of any utilities by the City or its contractors.*
- *Faithfully observe State Law relating to the regulation of traffic on the street, and refrain from placing traffic control devices on the street, without first obtaining SCDOT's written approval.*

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

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

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

**NON-AGENDA ITEMS FROM THE PUBLIC**

 Gus O'Shields thanked council for banning electric scooters due to their danger to the public.

**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** Mary Jeffcoat.

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

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

12:33 P.M.

ATTEST:

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BRENDA BETHUNE, MAYOR

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JENNIFER STANFORD, CITY CLERK