



Council Agenda

MYRTLE BEACH CITY COUNCIL:
BRENDA BETHUNE, MAYOR
MICHAEL CHESTNUT, MAYOR PRO-TEM
JACKIE HATLEY
JOHN KRAJC
MIKE LOWDER
PHILIP N. RENDER
GREGG SMITH

**MYRTLE BEACH CITY COUNCIL MEETING AGENDA
TUESDAY, FEBRUARY 22, 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**

NOTE: CITIZENS ARE INVITED TO ATTEND AND PARTICIPATE IN THE MEETINGS. CITIZENS WHO WISH TO ADDRESS COUNCIL ON NON-AGENDA ISSUES ARE ASKED TO SIGN IN PRIOR TO THE START OF THE MEETING AND STATE THEIR NAMES PRIOR TO SPEAKING. A TOTAL OF 30 MINUTES WILL BE PROVIDED AT THE END OF THE MEETING.

ANYONE WHO REQUIRES AN AUXILIARY AID OR SERVICE FOR EFFECTIVE COMMUNICATION OR PARTICIPATION SHOULD CONTACT THE CITY CLERK'S OFFICE AT (843) 918-1004 AS SOON AS POSSIBLE, BUT NO LATER THAN 48 HOURS BEFORE THE SCHEDULED EVENT.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES... February 8, 2022

PUBLIC REQUESTS, PRESENTATIONS, AWARDS, MEMORIALS:

1. Mural Design Review – Leadership Grand Strand Class 42 (Meeting)
2. Public Information Update – PIO Staff (Meeting)

NON-AGENDA ITEMS FROM THE PUBLIC (30 MINUTE TIME LIMIT)

CONSENT AGENDA – *The Consent Agenda covers items anticipated to be routine in nature. Any Council member 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) and then approved (2nd Reading). Resolutions are actions through which City Council reinforces or makes policy not rising to the level of law. Motions are related to direction from City Council to city staff to take certain actions.*

Motion M2022-026 authorizing the City Manager or his designee to: apply for a grant of \$36,291 from the Pee Dee Healthcare Coalition for the purpose of purchasing a drone system and related training equipment; record the appropriation of such grant funds in the amount that may be approved; and, execute and deliver the grant agreement and such related documents as may be required to put the grant into effect. No match is required.

The City of Myrtle Beach currently has an established Drone Team with a mix of pilots that are either FAA Part 107 qualified or operate under a COA (FAA Certificate of Authorization). However, our current drone inventory was obtained via a donation and are entry-level, with limited ability. A high quality drone system will allow more efficient and effective reconnaissance, benefitting all those affected by a natural or man-made event. Training, drills and exercises will be coordinated through the City of Myrtle Beach Emergency Management Division. The training and exercises can involve local and regional public safety agencies along with PD HCC partners.

Motion M2022-027 authorizing the City Manager or his designee to: apply for a grant of \$197,296 from the SC Department of Public Safety – Highway Safety and Justice Programs' School Resource Officer Grant Program for the purpose of continuing the School Resource Officer Program within the Myrtle Beach Primary School and Myrtle Beach Elementary School for the Fiscal Year 2022-23 school year; provide a patrol vehicle for the SRO at Myrtle Beach Elementary School; record the appropriation of such grant funds in the amount that may be approved; and, execute and deliver the grant agreement and such related documents as may be required to put that grant into effect. No match is required.

The School Resource Officers (SROs) at Myrtle Beach Primary School and Myrtle Beach Elementary School will provide a safe place for students to learn through partnership with administrators and faculty by developing safety plans and education tools for students. An additional vehicle for the SRO at Myrtle Beach Elementary School will enhance the efficiency and effectiveness of overall job execution.

Motion M2022-028 Amendment to the Contractual Agreement with Horry County Schools regarding School Resource Officers.

This motion amends the agreement between Horry County School District and the City of Myrtle Beach (M2021-044) to add Myrtle Beach Elementary School and Myrtle Beach

Primary School to the agreement. Beforehand, the agreement only included Myrtle Beach High School and Myrtle Beach Middle School.

Motion M2022-029 authorizing the City Manager or his designee to: apply for a grant in the amount of \$750 from the SC Department of Health and Environmental Control's Office of Solid Waste Reduction and Recycling Used Oil Grant Program to cover costs associated with participating in recycling conferences, meetings and training; record the appropriation of such grant funds in the amount approved; and, execute and deliver the grant agreement and such related documents as may be required to put the grant into effect. No match is required.

This grant will allow the Solid Waste staff to participate in recycling conferences, meetings and training on the latest technology for solid waste reduction and recycling of used motor oil. The Used Motor Oil Program is funded by a fee of two cents per quart collected at the wholesale level on the sale of motor oil. Grant funding may be used by counties and municipalities for the implementation or expansion of programs associated with the proper disposal of used motor oil, used motor oil filters and used oil/gasoline mixtures by do-it-yourself oil changers.

Motion M2022-030 authorizing the City Manager or his designee to: apply for a grant in the amount of \$750 from the SC Department of Health and Environmental Control's Office of Solid Waste Reduction and Recycling Waste Tire Grant Program to cover costs associated with participating in recycling conferences, meetings and training; record the appropriation of such grant funds in the amount approved; and, execute and deliver the grant agreement and such related documents as may be required to put the grant into effect. No match is required.

This grant will allow the Solid Waste Management staff to participate in recycling conferences, meetings and training on the latest technology for solid waste reduction and recycling of used tires. The Waste Tire Grant Program is funded by a \$2 fee per tire at the retail level. Of that amount, 50 cents is used for grants to counties or local governments. Waste tire grants are used for costs associated with the collection or recycling of waste tires.

Motion M2022-031 authorizing the City Manager or his designee to: apply for a grant of \$9,000 from the Arbor Day Foundation for the purpose of a tree giveaway event at Myrtle's Market on April 22-23, 2022; record the appropriation of such grant funds in the amount approved; and, execute and deliver the grant agreement and such related documents as may be required to put the grant into effect. No match is required.

The Arbor Day Foundation contacted the Grants Office and asked the city to apply. A sponsor is interested in funding a tree giveaway event. The event will take place on April 22-23, 2022, at Myrtle's Market with the city's Parks Division, Special Events staff, Neighborhood Services staff, Downtown Development Office staff and EZ Garden Club assisting with the event. Refreshments, entertainment and educational information about tree planting will be available, as well as native trees to be given away to attendees.

Motion M2022-032 authorizing the City Manager or his designee to: apply for a grant of \$50,821 from the Federal Emergency Management Administration (FEMA) Fire Prevention and Safety Grant Program for the purpose of delivering public education on fire safety and prevention; record the appropriation of such grant funds in the amount that may be approved; and, execute and deliver such grant agreement and

such related documents as may be required to put the grant into effect. A match of \$2,420 is required from the Technical Services Division of the Fire Department's operational budget.

The objectives of the Fire Prevention and Safety Program are to enhance the safety of the public and firefighters from fire related hazards. The Fire Department's objectives are to increase the public safety message within the community by delivering education within education systems, public events, community outreach programs and interactive classes with businesses that reinforce and educate the necessary procedures of fire prevention and safety. This training will include a digital fire training system and an inflatable firehouse that will contribute to the programs objectives.

Motion M2022-033 to approve a Special Events Permit to Lynn Makris/ BEI – Beach, LLC, for the DeVille Street Festival to be held every Saturday or Sunday, from 10:00 a.m. to 5:00 p.m., from March 1-May 29, 2022. 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.

At the event, there will be various vendors and entertainment along Deville Street. The applicant is aware that they must pay for any services provided by the City of Myrtle Beach.

Motion M2022-034 to approve a Special Event Permit to Lynn Makris/BEI-Beach, LLC, for the Taste of Market Common, to be held on April 23, 2022, from 11:00 a.m. to 4:00 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.

The event includes tastings from restaurants throughout The Market Common, carriage rides and a sidewalk sale. No road closures are requested and expected attendance is 1,500.

Motion M2022-035 to approve a Special Event Permit to the Beachcombers Shrine Club/Rusty Watson for the "2022 Smoke on the Beach." 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.

Professional BBQ Teams from across the Southeast will compete during the two-day event. The festival will be held April 15-16, 2022, at the Burroughs & Chapin Pavilion Place, from 8:00 a.m. to 11:00 p.m. each day. The event includes a beer garden and recorded musical entertainment. No road closures are requested and no in-kind services are requested. The expected attendance for the event is 3,500-4,000 people.

Motion M2022-036 to approve a Special Event Permit to Ground Zero/Holden Payseur for "GZ Career and College Fair" on April 20, 2022. 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 Street, from 10th to Ninth Avenues North, from 12:00 to 10:00 p.m. The event includes business and college recruiters, games and food for attendees.

REGULAR AGENDA

2nd Reading Ordinance 2022-003 to annex 2801 North Oak Street (PIN #424-06-04-0003) and rezone from Horry County HC (Highway Commercial) to City of Myrtle Beach MU-M (Mixed Use/Medium Density).

The applicant, Oak Street Group Limited Partnership, wishes to annex this parcel into the city, and rezone the property to MU-M to be consistent with the zoning of surrounding properties. The Planning Commission unanimously recommends approval (9/0).

2nd Reading Ordinance 2022-004 to annex the northwest corner of Mr. Joe White Avenue and Robert M. Grissom Parkway (PIN #425-12-04-0040) and rezone from Horry County NC (Neighborhood Commercial) to City of Myrtle Beach MU-M (Mixed Use/Medium Density).

The applicant, Aspen Asset Group, LLC, wishes to annex this parcel into the city and rezone the property to MU-M to be consistent with the zoning of the surrounding properties. The Planning Commission unanimously recommends approval (9/0).

1st Reading Ordinance 2022-005 to amend the Code of Ordinances, City of Myrtle Beach, Appendix A Zoning Section 1501 Conditional Uses to restrict gasoline stations within 500' of any residential dwelling unit.

All gas stations are regulated through the South Carolina Department of Health and Environmental Control (see <https://scdhec.gov/gasoline-dispensing>). The applicant's intent is to prohibit all gas stations within 500 feet of any residential dwelling unit. Approval would render all existing gas stations in the city nonconforming, limiting resale financing and expansion options. Approval in any form will render gas stations in "donut holes" to be un-annexable.

The Planning Commission:

- Held a public hearing and voted unanimously to continue the request (01/04/22).*
- Held a public meeting and voted unanimously to continue the request (01/18/22).*
- Held a public meeting and voted to recommend denial (7 yea, 1 recused and 1 abstained), feeling as though they have not been presented with adequate information regarding the dangers of gas stations within 500 feet of residences in Myrtle Beach (02/01/22).*

1st Reading Ordinance 2022-006 to amend the Code of Ordinances, City of Myrtle Beach, Appendix A zoning section 1305 Awning and Canopy Standards, to add the C7, C8 and Art Districts to the list of districts that allow awnings and canopies to overhang public sidewalks.

The city's zoning code currently allows awnings and canopies to extend over public rights-of-way in the Amusement (A) and Mixed Use (MU) districts. The Downtown Myrtle Beach Design Guidelines, adopted September 1999, are specific to the downtown area, and provide design solutions and suggestions for rehabilitating the exterior facades of buildings with the use of awnings and other features. At the January 11, 2022, meeting, Myrtle Beach City Council asked staff to explore adding the Arts & Innovation District (ART) and Downtown Commercial District (C7) as zones that allow canopies. The Planning Commission recommends approval (7/0) with an amendment to add the Downtown Commercial District (C8) for consistency. The Downtown Commercial District (C8) is immediately adjacent to the A District.

Resolution R2022-008 to authorize the City of Myrtle Beach to enter into an Intergovernmental Agreement with Horry County concerning the use, naming and ownership of New Town Park.

New Town Park is located in the City of Myrtle Beach, but is owned by Horry County. The 1.34-acre park is adjacent to the Withers Swash. Being a relatively small parcel of land, it is challenging and cost prohibitive for the county to manage. This agreement will convey the park over to the city with conditions.

The conditions are, as follows:

- The property continues to be used as a park and open for use by the general public, as well as any existing encumbrances, rights-of-way, easements and restrictions of record.*
- County agrees to undertake to have a historical marker approved by the State of South Carolina to convey to the public the historical significance of the property. The County shall be solely responsible for all costs related thereto, including fabricating and installing any such marker.*
- City agrees to maintain the use of the property as a park open to the public, and will be solely responsible for all costs associated therewith, including any construction, maintenance, security and any other related costs.*
- City further agrees to provide interpretive signage throughout the park describing the various historical significance of the park and the surrounding area.*
- City agrees to maintain the name of the Park as, "New Town Park."*
- City agrees to provide naming recognition in honor of Marion D. Foxworth, III and/or the Foxworth family. Any such naming shall be subject to the approval of Mr. Foxworth.*
- City hereby agrees to grant the county a continuous right of entry onto, and across, any portion of the property reasonably necessary for the construction, maintenance and/or to make the improvements contemplated above.*
- To the extent the county desires to undertake any additional improvements to the park subsequent to conveyance of the property to city, the county shall first obtain the city's approval, which shall not be unreasonably withheld.*

Resolution R2022-009 authorizing the purchase of two parcels of real estate located in the Oceanfront Redevelopment Project Area.

Through the adoption of the Pavilion Area Master Plan in 1999, Tax Increment Financing (TIF) District in 2008 and the Downtown Master Plan in 2019, City Council is committed to restore the downtown area to a prominent commercial district. This area of the city has been on the decline for more than 20 years. City Council adopted the Downtown Master Plan and made major strides to implement that plan. The City recognizes that we must take bold steps to bring the downtown back. Property acquisition and assemblage is necessary to create meaningful redevelopment in this area. We were able to purchase these properties and the opportunity was too good to pass up considering the connectivity to prior purchases. The city continues to invest in redevelopment efforts and infrastructure upgrades in these areas, too. The referenced properties are within the TIF district and are strategically located for future redevelopment.

Motion M2022-037 authorizing the City Manager or his designee to: apply for a grant of \$2,704,896 from the Federal Emergency Management Administration (FEMA) – Staffing for Adequate Fire and Emergency Response (SAFER) Program to hire twelve firefighters to bring four fire companies to the national staffing standards; record the appropriation of such grant funds in the amount that may be approved; and, execute and deliver the grant agreement and such related documents as may be required to put the grant into effect. No match is required.

The Staffing for Adequate Fire and Emergency Response grants (SAFER) was created to provide funding directly to fire departments to help increase or maintain the number of trained, "frontline" firefighters. The objectives of the SAFER Grant Program are to assist local fire departments with staffing and deployment capabilities to respond to emergencies and assure that communities have adequate protection from fire and fire-related hazards. Local fire departments accomplish this by improving staffing and deployment capabilities, so that they may effectively and safely respond to emergencies. With enhanced staffing levels, recipients should experience a reduction in response times and an increase in the number of trained personnel assembled at the incident scene.

If awarded, this grant pays 100% of the firefighters' salaries and benefits for three years. After the three-year period, the city will have to pick up 100% of the salary and benefit costs. The estimated cost of this is approximately \$950,000.

Motion M2022-038 to approve a Special Event Permit to Chris Trout/Native Sons Promotions for the "Myrtle Beach Food Truck Festival" to be held April 1-3, 2022. 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 Burroughs & Chapin Pavilion Place site and will include food trucks, live music, a kid zone and beer/wine sales.

Motion M2022-039 to approve a Special Event Permit to the Myrtle Beach Area Chamber of Commerce for Beach Beautification from March 1-May 31, 2022. 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 event will include semi-permanent art installations on the Burroughs & Chapin parking garage and on light poles around the Arts & Innovation District.

Motion M2022-040 authorizing the City Manager or his designee to accept a grant of \$509,291 from the Horry County Transportation Committee through the South Carolina Department of Transportation for the purpose of resurfacing Rosehaven Drive (Highway 15 to end), Clark Street to Ellington Street to Horne Street, Ramsey Drive, Popular Drive, Beaver Road (17th to 13th Avenues South), Park Drive (Ramsey Drive to Cedar Drive), Oak Drive (Ramsey Drive to Jennings Road) and Pine Drive (Highway 15 to Cedar Drive); record the appropriation of such grant funds in the amount approved; and, execute and deliver the grant agreement and such related documents as may be required to put the grant into effect. Match is required from the Fiscal Year 2022 Street Maintenance operational budget.

This project is described as resurfacing Rosehaven Drive (Highway 15 to end), Clark Street to Ellington Street to Horne Street, Ramsey Drive, Popular Drive, Beaver Road (17th to 13th

Avenues South), Park Drive (Ramsey Drive to Cedar Drive), Oak Drive (Ramsey Drive to Jennings Road) and Pine Drive (Highway 15 to Cedar Drive). The City of Myrtle Beach's Public Works Department will have full responsibility for the procurement, construction, maintenance and inspection of this project.

Motion M2022-041 authorizing the City Manager or his designee to: accept a grant of \$455,679 from the Horry County Transportation Committee through the South Carolina Department of Transportation for the purpose of resurfacing Fifth Avenue South, 33rd Avenue North, 37th Avenue North, Owens Street, Calhoun Road, Jennings Road, Clark Street and Sessions Street; record the appropriation of such grant funds in the amount approved; and, execute and deliver the grant agreement and such related documents as may be required to put the grant into effect. Match is required from the Fiscal Year 2022 Street Maintenance operational budget.

This project is described as resurfacing Fifth Avenue South, 33rd Avenue North, 37th Avenue North, Owens Street, Calhoun Road, Jennings Road, Clark Street and Sessions Street. The City of Myrtle Beach's Public Works Department will have full responsibility for the procurement, construction, maintenance and inspection of this project.

Motion M2022-042 to appoint/reappoint two members to the Chapin Memorial Library Board.

The term of John Hobson (city resident) expired January 8, 2022, and the term of Alicia Thompson (city resident) expires February 28, 2022. Mr. Hobson does wish to be reappointed; Ms. Thompson does not wish to be reappointed. On file, the city has resumes for Paula Moseley (non-city resident), Robert V. Davis, Jr. (city resident) and Lynn Holder (city resident). Both terms will expire on February 14, 2025.

Motion M2022-043 to appoint/reappoint one member to the Accommodations Tax Advisory Committee.

Mr. Washington has moved out of the area. On file, the city has resumes for Weston Parker (non-city resident), Clay Nance (city resident), Paul Garcia (city resident) and Jerome Christia, Ph.D. (city resident). The seat's expiration date will remain as February 22, 2023.

NON-AGENDA ITEMS FROM THE PUBLIC (30 MINUTE TIME LIMIT)

COMMUNICATIONS FROM CITY BOARDS/COMMISSION MEMBERS

COMMUNICATIONS FROM CITY COUNCIL AND CITY MANAGER

1. Council Communications
2. Chief Financial Officer (CFO) Update
3. City Manager/Assistant City Manager (CM/ACM) Update

REPORTS AND INFORMATION PRESENTATIONS FROM CITY STAFF

EXECUTIVE SESSION – Upon returning to Public 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 vote or action in Executive Session.

ADJOURNMENT