



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, AUGUST 9, 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... July 26, 2022

PUBLIC REQUESTS, PRESENTATIONS, AWARDS, MEMORIALS:

1. 2022 Legislative Session Recap – Tony Denny and Le Frye (Workshop)
2. Parks, Recreation and Sports Tourism Update – Dustin Jordan, Department Director (Workshop)

3. Grand Strand Humane Society's 50th Anniversary – Lindsey Rankin (Meeting)
4. 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 M2022-121 authorizing the City Manager or his designee to: apply for a grant of \$37,475 from the Edward Byrne Memorial Justice Assistance Grant (JAG) Programs; 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 purpose of the grant is to purchase ballistic shields to enhance protection during response scenarios. These ballistic shields would be rated by the National Institute of Justice (NIJ) as “level III protection” and have the power to stop high-powered rifle threats. The shields act as a portable cover for officers and can be used in conjunction with duty pistols and patrol rifles.

This motion begins the 30-day review period for JAG grants and contains assurances that the governing body notification and public comment requirements of the program have been satisfied. This motion documents that the JAG application was made available for review by Council for at least 30 days, and that an opportunity to comment on this application was provided.

Motion M2022-122 authorizing the City Manager or his designee to: apply for a grant in the amount of \$120,000 from the South Carolina Department of Parks, Recreation, and Tourism – Park and Recreation Development Fund (PARD); 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. A local required match of \$24,000 is available in the Parks Division’s playground improvements capital improvements budget.

The grant funding will be used to purchase and install a splash pad in Futrell Park. The splash pad will include drainage and a regulated water system that has a flow rate of up to 74 gallons per minute. The Horry County Legislative Delegation endorses the projects and recommends an amount for funding. Projects need the endorsement of the majority weighted vote factor of County Legislative Delegation members.

Motion M2022-123 to approve a Special Event Permit to Grand Strand Brewing/Dirty Don’s Oyster Bar and Grill for the “Downtown Oyster Roast and Beer Festival” to be held on October 29, 2022, from 12:00 to 7:00 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 will be held in Nance Plaza and on Ninth Avenue North. The event will include food vendors, live music, retail vendors and beer and wine sales. The event will include a road closure of Ninth Avenue North, from Kings Highway to Broadway Street.

Motion M2022-124 to approve a \$2,000 donation from the Solicitors Intervention Program EPIC.

The funding will be used to purchase equipment for the Myrtle Beach Police Departments Project Lifesaver Program. The primary mission of Project Lifesaver is to provide timely response to save lives and reduce potential injury for adults and children with the propensity to wander due to a cognitive condition.

Motion M2022-125 to approve the City Manager or his designee to renew and enter into a Mutual Aid Agreement between fire departments within Horry and Georgetown Counties as governed by the Executive Committee of the Horry-Georgetown Fire Chief's Association.

This updates and renews the local mutual agreement. A formal mutual aid agreement has been in place between local fire departments for decades. When approved, fire departments in Horry and Georgetown Counties are eligible to receive and provide assistance to one another when requested. The agreement is valid for five years.

REGULAR AGENDA

2nd Reading Ordinance 2022-035 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 part 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 Part Stores are regulated separately and differently than Motor Vehicle Repair and Maintenance businesses. Approval of this request would not result in automobile repair shops in MU-M. On July 19, 2022, the Planning Commission voted to recommend approval (6-0).

2nd Reading Ordinance 2022-036 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); clarify the code regarding parking lot proximity to the primary use; and, 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

Boulevard and RMH in the rear. Currently, parking lots are only allowed in the RMH under two circumstances:

- An accessory to an RMH use (example is a parking lot in an apartment complex)
- An accessory to an abutting or adjoining use in an MU-M district (example is 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, or 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. On July 19, 2022, the Planning Commission voted to recommend approval (6-0).

2nd Reading Ordinance 2022-037 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, 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's Zoning Code currently does not specifically address golf cart rentals, and it has been applying moped rental regulations to golf cart rental establishments. Since golf carts are no longer viewed as the same 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. On July 19, 2022, Planning Commission voted to recommend approval (6-0).

Motion M2022-126 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 staff 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.

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