



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, SEPTEMBER 13, 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... August 23, 2022

PUBLIC REQUESTS, PRESENTATIONS, AWARDS, MEMORIALS:

1. Night of Knowledge Presentation – Ann Gowdy and Police Chief Amy Prock (Meeting)
2. Proclamation recognizing month of September as, "Sickle Cell Awareness Month" – Michael Hesbach (Meeting)

3. Proclamation declaring the week of September 18-24, 2022, as, “National Adult Day Services Week” (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 M2022-138 to approve a Special Events Permit to Lisa Coombs for “Jerk Fest,” to be held Sunday October 2, 2022, 7:00 a.m. to 10:00 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 offer various vendors and types of entertainment along Broadway Street. It will also include a beer and wine garden and a “wine walk.” Broadway Street will close between Third and Sixth Avenues during the event. The applicant is aware that she must pay for any services provided by the City of Myrtle Beach.

Motion M2022-139 to approve a Special Event Permit to BEI-Beach, LLC, for “Southern Times Square at The Market Common.” 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 feature: live music on a temporary stage; a movie screen with streaming video; a ball-drop at midnight; activities for kids, including bounce houses; laser show at midnight; street performers; and, various vendors. The event will encompass Howard Avenue, Reed Street and a portion of DeVille Street (various road closures). The operational hours of this event will be 9:00 p.m. on December 31, 2022, to 1:00 a.m. on January 1, 2023. This is the 10th year for this event.

Motion M2022-140 authorizing the City Manager or his designee to: apply for a grant of \$20,000 from the Better Cities for Pets Grant Program on behalf of the Parks, Recreation and Sports Tourism Department; record the appropriation of such grant funds in the amount that may be approved; and, execute and deliver the grant agreement and related documents as required to put the grant into effect. No match is required.

The Better Cities for Pets Grants Program offers funds to communities that expand programs that provide more welcoming places for people and pets. The Parks, Recreation and Sports Tourism Department is working to enhance the planned construction of New Town Park to provide fencing, parking and dog amenities that assist the city in continuing

pet-friendly its initiatives that support owner/pet physical and mental health connectivity through the enhancement of public spaces.

REGULAR AGENDA

1st Reading Ordinance 2022-039 to amend Chapter 15, Planning and Development, Article II, Planning Commission, Section 15-22, to eliminate the requirement for a representative of the architectural profession on the planning commission.

The Planning Commission consists of nine members, and all members must be city residents. Each member serves a three-year term, unless the individual is filling an unexpired vacancy. No member of the Planning Commission shall be an elected public official in the city or county. The stipulation that one seat is reserved for a member of the architectural profession is no longer necessary.

1st Reading Ordinance 2022-040 to authorize the sale of 21.6 acres (portion of TMS #1730004170) to MHI Capital, LLC, to aid in construction of the proposed surf park.

Parcel for sale is a portion of TMS #1730004170 and it consists of 21.6 acres to be used for a surf park and amphitheater. The developers and operators have secured the needed capital partner to begin construction. The development partner requires the property be sold versus the prior agreement for a lease. The purchase agreement includes provisions to allow the city to reacquire the property if development is unsuccessful.

Per the appraisal:

- *Property has been appraised at \$6.5 million*
- *Appraisal deducts \$3.6 million to reflect the cost of removing un-usable soils stockpiled on the site*
- *The reconciled value, or the difference between appraised value and the estimated cost of removing the spoils, is \$2,900,000*
- *The price offered by the buyer is \$4,500,000*

Resolution R2022-031 declaring the intention of the City of Myrtle Beach to reimburse itself for certain expenses with the proceeds of hospitality tax revenue to be issued in 2022/2023.

A proposed Hospitality Tax debt issue (upon adoption of a bond ordinance) will finance various infrastructure improvements in the Arts & Innovation District. The projects were included in the five-year Capital Improvement Plan.

Projects include:

- *Underground utility relocation in Phase 1B and Hwy 501/Seventh Avenue North*
- *Phase 1B streetscape improvements – Oak Street, Broadway Street, Eighth and Ninth Avenues North and along Seventh Avenue North in conjunction with Hwy 501 realignment*
- *Landscaping for Phase 1B and the Hwy 501 realignment project*
- *Intersection improvements for Broadway Street at Oak Street and Kings Highway*

Resolution preserves the proposed bonds' tax exemption in the event the city expends its own funds in order to begin work before the bonds are closed.

Resolution R2022-032 declaring the intention of the City of Myrtle Beach to reimburse itself for certain expenses with the proceeds of limited obligation bonds to be issued by the city in 2022.

A proposed Limited Obligation debt issue (upon adoption of a bond ordinance) will finance the purchase of various properties in the Oceanfront Redevelopment Area. With Resolution 2020-037, City Council adopted the Advanced Master Plan portion of the Downtown Master Plan to further the vision of creating a resilient, adaptive, sustainable and innovative district. Property acquisition within the Master Plan area is necessary to meet the overall redevelopment and revitalization goals. This resolution allows the city to purchase transitional property within the Oceanfront Redevelopment area as indicated in the Advanced Master Plan of the Downtown Development Plan, and pay other project costs to be incurred prior to sizing and actual issuance of debt.

Resolution R2022-033 authorizing the purchase of PIN #443040120026 and PIN #44304020043 to be used for future stormwater retention.

The following parcels are included:

- *Lot 7 BL 54Y, Eighth Avenue North and Balsam Street (TMS #181-06-13-001, PIN #44304020026)*
- *Lots 14-16 BL 54X, Highway 501 and Balsam Street (TMS #181-06-13-025, PIN #44304020043)*

These parcels are two of eight identified by engineers to be used to accommodate a new stormwater retention area associated with development in the Arts & Innovation District.

Resolution R2022-034 authorizing the purchase of Lot 5 on Alder Street, PIN #44304020037, to be used for future stormwater retention.

Parcel is Lot 5 BL 54, located on Alder Street (TMS #181-06-13-012, PIN #44304020037. This parcel is one of eight identified by our engineers to be used to accommodate a new stormwater retention area associated with development in the Arts & Innovation District.

Resolution R2022-035 authorizing the purchase of PIN #4401040009 located in the Oceanfront Redevelopment Project Area.

With the adoption of the Pavilion Area Master Plan in 1999, Tax Increment Financing District in 2008 and the Downtown Master Plan in 2019, property acquisition and assemblage is necessary to create meaningful redevelopment. The City of Myrtle Beach continues to invest in redevelopment efforts and infrastructure upgrades in these areas. Referenced properties are within the TIF District, and they are strategically located for future redevelopment.

Resolution R2022-036 authorizing the purchase of various parcels located in the Oceanfront Redevelopment Project Area to include: PIN #44401040031, #4401040041, #4401040036, #4401040061 and #44401040062.

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invest in redevelopment efforts and infrastructure upgrades in these areas. Referenced properties are within the TIF District, and they are strategically located for future redevelopment.

Motion M2022-141 to approve a naming right policy.

This policy is intended to create standard and consistent guidelines to manage any requests to name facilities, properties and sites owned by the City of Myrtle Beach. In addition to naming and renaming requests, this policy also covers requests to erect a memorial within, or at, a city-owned asset/property.

Motion M2022-142 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. The report includes vehicles staff tagged as abandoned or derelict. City 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, 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