



# Council Agenda

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

## MYRTLE BEACH CITY COUNCIL AGENDA

TUESDAY, MARCH 10, 2020

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

10:00 A.M. – MEETING – 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 25, 2020

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

1. Myrtle Beach Area Chamber of Commerce – Neutrogena
2. Downtown Master Plan Update – DDO Staff
3. Public Information Update – PIO Staff

**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 (1st Reading) and then approved (2nd 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.*

**2nd Reading Ordinance 2020-005 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V, of the Code of Ordinances of Myrtle Beach to Austin Shelley d/b/a Ajax Golf Cart Rentals, located at 1307 Nature’s Way, North Myrtle Beach, SC 29582, for a period of one year. The agreement includes 24 golf carts.**

*This company was approved for a franchise agreement covering 24 golf cart rentals in 2019. For 2020, the applicant requests 24 rentals.*

**2nd Reading Ordinance 2020-006 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V, of the Code of Ordinances of Myrtle Beach to Ron Simantov d/b/a Blue Coral Surf, LLC, Moped USA, located at 1301 South Kings Highway, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 20 golf carts.**

*This company was approved for a franchise agreement covering 20 golf cart rentals in 2019. For 2020, the applicant requests 20 rentals.*

**2nd Reading Ordinance 2020-007 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V, of the Code of Ordinances of Myrtle Beach to Sarah Yakoel d/b/a Gil Scooter/Evry, LLC, located at 109 South Kings Highway, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 20 golf carts.**

*This company was approved for a franchise agreement covering 20 golf cart rentals in 2019. For 2020, the applicant requests 20 rentals.*

**2nd Reading Ordinance 2020-010 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V, of the Code of Ordinances of Myrtle Beach to Jack Zakhra d/b/a Zeus MB, LLC, Happy Scooter, located at 311 3rd Avenue South, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 27 golf carts and 36 mopeds.**

*This company was approved for a franchise agreement covering 27 golf cart rentals and 36 moped rentals in 2019. The applicant requests no change for 2020.*

**2nd Reading Ordinance 2020-011 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V, of the Code of Ordinances of Myrtle Beach to Derrick and Barbara Haynes d/b/a Kickback Korner**

**LLC, Kickback Corner Golf Carts, located at 506 Yaupon Drive, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 20 golf carts.**

*This company was approved for a franchise agreement covering 20 golf cart rentals in 2019. The applicant requests no change for 2020.*

**2nd Reading Ordinance 2020-012 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V, of the Code of Ordinances of Myrtle Beach to Bayliss Spivey d/b/a KOA Campground, located at 613 5th Avenue South, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 50 golf carts.**

*This company was approved for a franchise agreement covering 50 golf cart rentals in 2019. The applicant requests no change for 2020.*

**2nd Reading Ordinance 2020-014 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V, of the Code of Ordinances of Myrtle Beach to Ben Robinson d/b/a Rent Me Superstore, located at 106 North Kings Highway, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 10 golf carts and 30 mopeds.**

*This company was approved for a franchise agreement covering 10 golf cart rentals and 30 moped rentals in 2019. The applicant requests no change for 2020.*

**2nd Reading Ordinance 2020-015 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V, of the Code of Ordinances of Myrtle Beach to Ben Robinson d/b/a Rent Me Superstore, located at 300 South Ocean Boulevard, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 64 golf carts and 133 mopeds.**

*This company was approved for a franchise agreement covering 64 golf cart rentals and 133 moped rentals in 2019. The applicant requests no change for 2020.*

**2nd Reading Ordinance 2020-016 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V, of the Code of Ordinances of Myrtle Beach to Ben Robinson d/b/a Rent Me Superstore, located at 1205 North Ocean Boulevard, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 16 golf carts and 67 mopeds.**

*This company was approved for a franchise agreement covering 16 golf cart rentals and 67 moped rentals in 2019. The applicant requests no change for 2020.*

**2nd Reading Ordinance 2020-017 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V, of the Code of Ordinances of Myrtle Beach to David Stone d/b/a Go Fast Motorsports/Savemart Scooters, located at 416 6th Avenue North, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 20 golf carts and 19 mopeds.**

*This company was approved for a franchise agreement covering 20 golf cart rentals and 19 moped rentals in 2019. The applicant requests no change for 2020.*

## **REGULAR AGENDA**

**2nd Reading Ordinance 2020-008 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V, of the Code of Ordinances of Myrtle Beach to David Stone d/b/a Go Fast Motorsports LLC, Go Fast Scooters, located at 609 South Kings Highway, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 31 golf carts and 84 mopeds.**

*This company was approved for a franchise agreement covering 31 golf cart rentals and 84 mopeds in 2019. For 2020, the applicant requests 19 additional golf carts.*

**2nd Reading Ordinance 2020-009 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V, of the Code of Ordinances of Myrtle Beach to David Stone d/b/a Go Fast Motorsports, Sunshine Scooters, located at 713 North Ocean Boulevard, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 10 golf carts and 25 mopeds.**

*This company was approved for a franchise agreement covering 10 golf cart rentals and 25 mopeds in 2019. For 2020, the applicant requests 10 additional golf carts.*

**2nd Reading Ordinance 2020-013 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V, of the Code of Ordinances of Myrtle Beach to Mark Sichitano d/b/a Myrtle Beach Golf Carts, located at 408 3rd Avenue South, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 145 golf carts.**

*This company was approved for a franchise agreement covering 145 golf cart rentals in 2019. This does not include 40 golf carts previously leased to other franchise holders. These franchise holders have now purchased their own carts, or acquired them from another source. The applicant requests approval of 145 carts that were previously approved in 2019, plus the 40 previously leased golf carts. Approval of this request would allow 40 additional golf carts on our streets in 2020 in comparison to 2019.*

**2nd Reading Ordinance 2020-018 amending the Code of Ordinances, Chapter 14, Offences and Miscellaneous Provisions, Article 11, Public Place Restrictions, Division 7 Public Parks, Section 14-316, Specific Public Park Restrictions, to clarify the restrictions regarding dogs in public parks, to clarify the authority to promulgate additional parks rules and regulations pertaining to the use of public parks, and the purposes for which such rules may be promulgated.**

*This proposed ordinance:*

- *Codifies a long-standing practice that dogs are allowed in public parks, provided they are under the control of their owner and on a leash (except for “dog parks”).*
- *Allows the City Manager to set additional regulations applicable to specific parks for up to 30 days without Council’s approval. Currently, the Parks, Recreation and Sports Tourism Director has that authority, subject to the City Manager’s review.*
- *Authorizes Council to promulgate rules for specific parks “which may complement or enhance any specific use for which that park is designated.”*
- *Required park rules and regulations intended to be permanent to be approved by City Council.*

**Resolution R2020-021 to authorize the temporary obstruction for construction purposes of 1,638 square feet portion of an alley, located adjacent to 7200 N. Ocean Blvd, to S&A Industries for a construction and staging area for the Long Bay Resort to run from March 14, 2020, through April 10, 2020.**

*In compliance with city code, the resolution allows the applicant to temporarily close an alley for use as a construction staging/storage area for 28 days, impacting 13 public parking spaces. The applicant is required to secure the site by a manner approved by the city, and is required to restore the public right-of-way to its previous condition. The applicant also agrees to indemnify the city from any claims which arise.*

**Motion M2020-041 authorizing the City Manager or his designee to apply for a grant of \$14,015 from the South Carolina Forestry Commission for the purpose to create a tree inventory and management plan, 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. Cash match is the amount of \$6,922 from the Parks Division budget and an in-kind match of \$7,093 for supervision from Parks and IT staff members.**

*The Parks Division will purchase a Trimble GIS unit that will enable staff to assign a physical address to each tree on city-owned property. The IT Department has been working with the Parks Division to create a database to record information on tree species, planting, pruning, maintenance requirements, removal and other tree management information. This inventory and tree management plan will assist the Parks Division tree crews in their daily responsibilities and the city when requesting FEMA reimbursement for damaged trees.*

**Motion M2020-042 authorizing the City Manager or his designee to apply for a grant of \$75,000 from the U. S. Department of Justice Community Policing Services (COPS) Community Policing Development microgrant program for the purpose to create an educational training program on human trafficking, 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 local match is required.**

*The Police Department, working with the Chamber of Commerce and the Hospitality Association, will conduct training for local businesses to prevent human labor and sex trafficking. The department has determined the following impediments exist: a lack of knowledge and understanding of what actions define “trafficking;” and, a failure to understand what our community can do to help the victims.*

**Motion M2020-043 authorizing the City Manager or his designee to apply for a grant of \$1,458,495, from the U.S. Department of Justice Community Policing Services Hiring Program to: cover 75% of the costs to hire 10 new police officers to cover hot spots throughout the city; propose the appropriation of such grant funds as may be approved in annual allocations at the rate of one-third per year, or at the appropriate pro rata amount, in each fiscal year’s budget until they expire; and, execute and deliver the grant agreement and such related documents as may be required to put the grant into effect. A local 25% match of \$486,165 is required, with the first annual installment to be included in the proposed 2020-21 budget, along with amounts to be**

**proposed in ensuing fiscal years as necessary to meet the local funding requirements thereafter, including 100% local funding after the federal grant has expired.**

*This grant allows the Police Department to implement intelligence-led policing strategies in conjunction with community policing efforts to reduce violent crime. Under the Community-Oriented Policing (COP) program, 10 new officers will be hired for a three-year period at a cost of \$648,220 per year. The officers must be retained for at least 12 months after federal grant funding expires. If the grant is approved, the total three-year program cost is \$1,944,660, and the amount will come from the 75% federal share (\$1,458,495 or \$486,165 per year) and from the 25% local match (\$486,165 or \$162,055 per year). The local match will be appropriated annually for three years, beginning with Fiscal Year 2020-21. Pro rata shares may be appropriated for the first and final years of the federal funding (“pro rata” refers to the proportionate calculation). Following the expiration of the COP grant funding, the city will be responsible for the full annual cost of \$648,220, plus any cost increases, possible inflation, etc. The officers will be assigned to continue community policing strategies to build relationships and gather information, while referencing data collected by the Crime Analyst that identifies “hot spots” and repeat offenders.*

**Motion M2020-044 to create an ad hoc committee, known as the Charlie’s Place Advisory Committee, and appoint seven members.**

*This committee’s objective is to create policies and procedures for Charlie’s Place and the Incubator Spaces for Council’s consideration. William Jones and Lois Weston wish to be appointed. Staff will continue to solicit applications.*

**Motion M2020-045 to appoint nine members to the Cultural Resources Committee.**

*Nine seats are available, including the chair member. The applicants are, as follows: Nick Sherfese (city resident); Thomas Davis, Sr. (Collector’s Café); Bettye Brookfield (city resident); William H. Miller (non-city resident); Asha Akram (non-city resident); Carnell Butler, Sr. (city resident); Patrick K. Coppinger (city resident); Randy L. Bell (city resident); Shannon Farro (non-city resident); and, Mike Maddry (city resident).*

**Motion M2020-046 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 that staff members have 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. The vehicles 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**

## **COMMUNICATIONS FROM CITY BOARDS/COMMISSION MEMBERS**

## **COMMUNICATIONS FROM CITY COUNCIL AND CITY MANAGER**

1. Council Communications

2. CFO Update
3. CM/ACM Update

## **REPORTS AND INFORMATION PRESENTATIONS FROM CITY STAFF**

**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 vote or action in Executive Session.*

## **ADJOURNMENT**