



# Council Agenda

**MYRTLE BEACH CITY COUNCIL:**  
BRENDA BETHUNE, MAYOR  
MIKE LOWDER, MAYOR PRO TEM  
MICHAEL CHESTNUT  
DEBBIE CONNER  
JACKIE HATLEY  
BILL MCCLURE  
GREGG SMITH

**MYRTLE BEACH CITY COUNCIL  
TUESDAY, MARCH 26, 2024**

**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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*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:** March 12, 2024

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

1. Proclamation declaring March 25<sup>th</sup> as Greek Independence Day (meeting)
2. Proclamation recognizing Forest Dunes Neighborhood (meeting)
3. Recognition of the 8<sup>th</sup> Class of *MyBeach 101* (meeting)
4. Public Information Update – PIO Staff

**NON-AGENDA ITEMS FROM PUBLIC:** 30 Minute Time Limit

**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, items remaining on the Consent Agenda will be briefly described by staff.*

**CONSENT AGENDA**

**Resolution R2024-3 to accept the dedication of a certain roadway known as Rosa Circle with a 27’ public r/w located within the Market Common R-1 Development.**

*The owner has constructed a certain roadway of 27’ public right-of-way known as Rosa Circle within the Market Common R1 Development. Public utilities have been located within, along, and above the right-of-way. This one-way street complies with current standards and construction requirements. Owner has provided executed dedication deed for the transfer of the roadway. Proposed resolution is consistent w/long-standing City policy & practice.*

**Resolution R2024-4 to accept the dedication of certain roadways known as Mike Marlowe Alley, and William Curry Alley with a 27’ public r/w located within the Market Common R-2 Development.**

*The owner has constructed certain roadways of 27’ public rights-of-way known as Mike Marlowe Alley and William Curry Alley within the Market Common R2 Development. Public utilities have been located within, along, and above the rights-of-way. These one-way streets comply with current standards and construction requirements. The owner has executed a deed for the transfer of the roadways.*

**Resolution R2024-5 to accept the dedication of certain roadways known as Cook Circle, Hall Lane, and Filliman Alley with varying public r/w located within the Market Common R-7 Development.**

*The owner has constructed certain roadways of varying ROW width known as Cook Circle, Hall Lane, and Filliman Alley within the Market Common R7 Development. Public utilities have been located within, along, and above the rights-of-way. Streets including One Way Alleys comply with current standards and construction requirements. The owner has executed dedication deeds for the transfer of the roadways. The proposed resolution is consistent w/long-standing City policy & practice.*

**Resolution R2024-6 to accept the dedication of certain roadways known as Whitebark Drive, Lacebark Trail, Shortleaf Path, Knobcone Loop, Bristlecone Court, and Canary Island Court public r/w located within the Preserve at Pine Lakes Development.**

*The owner has constructed certain roadways of 60’ public rights-of-way known as Whitebark Drive, Lacebark Trail, Shortleaf Path, Knobcone Loop, Bristlecone Court, and Canary Island Court, within The Preserve at Pine Lakes Development. Public utilities have been located within, along, and above the rights-of-way. Streets comply with current standards and construction requirements. The owner has provided executed dedication deeds for the transfer of the roadways. The proposed resolution is consistent w/long-standing City policy & practice.*

**Motion M2024-30 to authorize the City Manager or his designee to apply for a grant of \$30,000 from the Chapin Foundation for the digitization of early Myrtle Beach Newspapers; to record the appropriation of such grant funds in the amount that may be approved, and to 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 project will convert the newspaper microfilm collection into digital formation for in-library use. The conversion will move this collection to a more stable format, preserving early Myrtle Beach news and history. The digital content will be searchable by keyword, making the content more discoverable for both staff and public use.*

**Motion M2024-31 to authorize the City Manager or his designee to apply for a grant of \$2,000 from the LSTA (Library Services and Technology Act) Summer Reading program through the SC State Library for the purpose of mailing summer reading challenge postcards to library patrons, and printing the postcards for schools; to record the appropriation of such grant funds in the amount that may be approved, and to execute and deliver the grant agreement and such related documents as may be required to put the grant into effect. \$1,030 in-kind match required will come from staff time.**

*The Library Services and Technology Act (LSTA), the only federal program exclusively created for libraries, is administered by the Institute of Museum and Library Services (IMLS) through the SC State Library. The goal is to increase community participation of all ages in Summer Reading and Learning Programs, especially for underserved populations in the community. Increased marketing and promotion will raise awareness of the relationship between reading and learning activities in the summer and academic achievement.*

**Motion M2024-32 authorizing the City Manager or his designee to apply for a grant of \$750,000 from the Federal Emergency Management Administration (FEMA) Assistance to Firefighters Grant Program for the purpose of purchasing a mobile rehab and air unit, to record the appropriation of such grant funds in the amount that may be approved, and to execute and deliver such grant agreement and such related documents as may be required to put the grant into effect. Match of \$75,000 is required.**

*The goal of the AFG Program is to enhance the safety of the public and firefighters with respect to fire and fire-related hazards. The objectives of the AFG Program are to provide critically needed resources that equip and train emergency personnel to recognized standards, outfit responders with compliant personal protective equipment to increase responders' physical protection against hazards during incident response, provide funding to retrofit or modify facilities to protect personnel from known health hazards, acquire emergency response vehicles, design and implement health, wellness and resiliency programs that prepare responders for incident response, enhance operational efficiencies, foster interoperability, and support community resilience.*

**Motion M2024-33 authorizing the City Manager or his designee to apply for a grant of \$80,696 from the Federal Emergency Management Administration (FEMA) Assistance to Firefighters Grant Program for the purpose of purchasing fire nozzles and related appliances, to record the appropriation of such grant funds in the amount that may be approved, and to execute and deliver such grant agreement and such related documents as may be required to put the grant into effect. Match of \$8,069 is required.**

*The goal of the AFG Program is to enhance the safety of the public and firefighters with respect to fire and fire-related hazards. The objectives of the AFG Program are to provide critically needed resources that equip and train emergency personnel to recognized standards, outfit responders with compliant personal protective equipment to increase responders' physical protection against hazards during incident response, provide funding to retrofit or modify facilities to protect personnel from known health hazards, acquire emergency response vehicles, design and implement health, wellness and resiliency programs that prepare responders for incident response, enhance operational efficiencies, foster interoperability, and support community resilience.*

**Motion M2024-34 authorizing the City Manager or his designee to apply for the School Resource Officer continuation grant for \$10,000 from the SC Department of Public Safety– Highway Safety and Justice Programs, for the purpose of enhancing enforcement activity during the 2025 Law Enforcement Target Zero Challenge, and to record the appropriation of such grant funds in the amount that may be approved, and to execute and deliver the grant agreement and such related documents as may be required to put that grant into effect. There is no match requirement.**

*This funding would allow the Myrtle Beach Police Department's Traffic Enforcement Unit to focus on making the roadways safer through enforcement and education. The funds will be used to compensate officers while conducting grant activities including, targeted area enforcement events, operational planning, statewide mobilization events, and any other enforcement or education projects.*

**Motion M2024-35 authorizing the City Manager or his designee to apply for a grant of \$40,980.73 from SC Department of Health and Environmental Control (SC DHEC) for the purpose of purchasing mosquito control equipment and supplies, to record the appropriation of such grant funds in the amount approved, and to execute and deliver the grant agreement and such related documents as may be required to put the grant into effect. No match is required.**

*SC DHEC is distributing Hurricane Recovery Funds to local municipalities for mosquito control. SC DHEC has prioritized funding for municipalities that are most affected by hurricane-influenced mosquito population surges.*

**Motion M2024-36 authorizing the Myrtle Beach Police to apply for the South Carolina Department of Public Safety Bullet Proof Vest Program in the amount of \$41,317 for reimbursement of purchase. No local match is required.**

*The Police Department applied for this reimbursement grant on March 12, 2024 from the SC Department of Public Safety in the amount of \$41,317 which is half of the total cost of purchase. MBPD applied for the Patrick Leahy BVP grant, which the state indicates is an approved program to partner for the remaining funding from July 1, 2023 to December 31, 2024. There is no match requirement and the City has made outlays for this purpose in excess of the amounts reimbursed by these grants.*

**Motion M2024-37 to approve a Mutual Aid Agreements between the City of Myrtle Beach Police Department and the law enforcement agencies throughout the state. These agreements are to support law enforcement service throughout the City during events, such as Memorial Day Weekend, Carolina Country Music Festival, July 4<sup>th</sup>,**

and like events to assist with manpower as well as supportive needs throughout the year on an as needed basis. This 2-year Mutual Aid will authorize law enforcement agencies to enter into a mutual aid for the proper and prudent exercise of public safety across jurisdictional lines. This includes the City of Charleston Police Department, City of North Charleston Police Department, City of Hartsville Police Department, City of Darlington Police Department, City of Florence Police Department, City of Georgetown Police Department, City of Lexington Police Department, City of Manning Police Department, Winthrop University Police Department, City of Cayce Police Department, City of Orangeburg Police Department, Briar Cliff Acres Police Department, City of Greenville Police Department, County of Charleston Sheriff's Office, County of Williamsburg Sheriff's Office, County of Lexington Sheriff's Office, County of Darlington Sheriff's Office, County of Lee Sheriff's Office, Al Cannon Detention Center and County of Georgetown Sheriff's Office.

*The two-year MOU will authorize law enforcement agencies to enter into a mutual aid agreement for the proper and prudent exercise of public safety across jurisdictional lines. This includes all listed agencies to include the City of Charleston police department, the City of North Charleston police department, the City of Hartsville police department, the City of Darlington police department, the City of Florence police department, the City of Georgetown police department, the City of Lexington police department, the City of Manning police department, Winthrop University police department, the City of Cayce police department, the City of Orangeburg police department, the town of Briarcliff Acres, the City of Greenville police department, the Charleston County Sheriff's Office, the Williamsburg County Sheriff's Office, the Lexington County Sheriff's Office, the Darlington County Sheriff's Office, the Lee County Sheriff's Office, the Al Cannon Detention Center, and the Georgetown County Sheriff's Office.*

## **REGULAR AGENDA**

**2<sup>nd</sup> Reading Ordinance 2024-20 to amend Section 203 and Section 1407.C of the Code of Ordinances, City of Myrtle Beach, Appendix A Zoning to include divination services as a permitted use in the A (Amusement) and E (Entertainment) Districts.**

*To amend Sections 203 & 1407.C of the Zoning Code to include divination services as permitted uses in the A (Amusement) and E (Entertainment) zones. Divination services include fortune telling, tarot card reading, reading tea leaves, reading bones, numerology, mediumship, clairvoyance, and others. "Divination services" are not listed or defined in our Zoning Code and are therefore not permitted. The City Attorney's office found no conflict of First Amendment Rights by regulating divination services as permitted uses in the A (Amusement) and E (Entertainment) districts. Planning Commission (3.5.24): Approved (7-0)*

**1<sup>st</sup> Reading Ordinance 2024-21 to enact Section 14-200 of the City of Myrtle Beach Code of Ordinances entitled *Hate Intimidation*.**

*To enact a new section 14-200 of the Code of Ordinances to protect residents and visitors from and to deter crimes motivated by bias or hate towards any person or persons, in whole or in part, because of the actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, gender, gender identity, physical or mental disability, or national origin of the other person or persons.*

**Resolution R2024-7 authorizing execution of an amendment to deed restrictions concerning city-owned property located in the Arts & Innovation District having PIN# 444-0101-0066.**

*The City has proposed to construct a theatre facility in the historic buildings located at 807, 809, and 811 Main Street in the Arts & Innovation District in furtherance of the goal of redeveloping and revitalizing this area. The City owns property adjacent to these historic buildings pursuant to a restricted deed from Myrtle Beach Farms Company, Inc. which contains use restrictions and rights of reversion restricting use of the Property to an alleyway for access and parking for the general public. The design for the theater facility contemplates use of an approximately 3,800 sq. ft. portion of the Property for the stage area. Myrtle Beach Farms Company, Inc. has indicated it will agree to amend the restricted deed to allow use of the Proposed Stage Area portion of the Property as a theater and will release this portion of the Property from the right of reversion.*

**Motion M2024-38 to appoint/reappoint four members to the Cultural Resources Committee.**

*The terms of Shawn Kennedy and Sharron Farro have expired. There are also two vacant seats. Three seats expiration dates are March 10, 2027. One vacant seat's term does not expire until March 10, 2025. On file are the resumes of Veena Wulfeuhle (Non-resident), Dan Lewis (Non-Resident), Daniel Rojas (Non-resident), John Krajc (City Resident), Ryan McRae (Non-resident), Tonya Gore (City Resident), Tushara Rhodes (Non-Resident).*

**NON-AGENDA ITEMS FROM PUBLIC: 30 Minute Time Limit**

**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 votes or take action in Executive Session.*

## **ADJOURNMENT**