

**MYRTLE BEACH CITY COUNCIL
TUESDAY, APRIL 9, 2024
9:00 A.M. – WORKSHOP, COUNCIL CHAMBER
10:00 A.M. – MEETING – COUNCIL CHAMBER
TED C. COLLINS LAW ENFORCEMENT CENTER
1101 NORTH OAK STREET, MYRTLE BEACH, SC 29577**

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.

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.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES: March 26, 2024

PUBLIC REQUESTS, PRESENTATIONS, AWARDS, MEMORIALS:

1. MBDA Quarterly Update – Jason Greene (workshop)
2. Recognition of Greg and Gina Snyder – MBPD Donation – Canine Unit (meeting)
3. Proclamation declaring the week of April 14-20th as Public Safety Telecommunicators (meeting)
4. Proclamation declaring April as Sexual Assault Awareness Month (meeting)
5. Proclamation recognizing Mark Kruea for his 25 years of service to the City of Myrtle Beach (meeting)
6. 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

Motion M2024–39 authorizing the City Manager or his designee to apply for a grant in the amount of \$154,024 from the Pee Dee Healthcare Coalition through South Carolina Department of Health and Environmental Control (SCDHEC) for the purpose of

purchasing a Chemical Identification Analyzer; 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 the grant into effect. No match requirement.

The Fire Department's Haz-Mat Weapons of Mass Destruction (WMD) Regional Response Team will use the grant to purchase a Thermo Fisher Scientific Gemini Chemical Identification Analyzer that utilizes two technologies to classify and identify unknown solids and liquids, making it possible to detect explosives and chemical warfare agents and to distinguish industrial chemicals. This is a 100% reimbursable grant.

Motion M2024-40 authorizing the City Manager or his designee to accept a donation in the amount of \$115,000 from the Myrtle Beach Air Force Base Redevelopment Authority (MBAFBRDA) for the World War II Memorial sculpture and a portion of the pergola, and to record the appropriation of such funds in the amount approved. No match requirement.

These funds are a reimbursement of costs associated with the sourcing of the World War II Memorial sculpture by Tuck Langland and construction of a portion of the pergola at the site.

Motion M2024-41 authorizing the City Manager or his designee to accept a donation in the amount of \$15,000 from Greg and Gina Snyder on behalf of the Myrtle Beach Police Department (MBPD) for the purpose of adding a canine unit, and to record the appropriation of such funds in the amount approved. No match requirement.

Funding will be put toward adding one additional canine unit to the MBPD to help protect officers, locate drugs, and apprehend suspects.

REGULAR AGENDA

2nd 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.

1st Reading Ordinance 2024-22 to amend Chapter 2, Division 2, Article 6, Sec. 2-244 (a) and 2-253 of the Purchasing Code, and add Sec. 2-259 for Non-competitive Purchasing for Sole Source and Single Source.

Amend Section 2-244(a) to allow the city to advertise in online sources while also maintaining the city's ability to advertise in a newspaper of general circulation if the situation warrants and/or the item being procured may require as such (i.e., a grant may require a specific procurement method). Amend Section 2-253 referencing local vendor preference:

- For bids between \$7,500 and \$25,000; the within the city limits bidder receives a 6% credit.*

- For bids between \$25,000-\$100,000; If the local bid is 6% or less of the apparent non-local low bid, the local vendor has the opportunity to meet the apparent low non-local bid
- From \$100,000 - \$5,000,000; If the local bid is 4% or less of the apparent non-local bid, the local vendor has opportunity to meet apparent low non-local bid.

Amend Section 259 to further clarify sole source vs. single source procurement.

1st Reading Ordinance 2024-23 to rezone ~1.78 acres (PIN# 425-1401-0029 & 425-1401-0030) from HC-1 (Highway Commercial) to WM (Wholesale/Manufacturing).

Parcel 1 fronts Stockholder Avenue and abuts Robert M. Grissom Blvd. Parcel 2 fronts Stockholder Avenue to the south and Executive Drive to the north. Both properties are currently zoned HC-1. Surrounding properties to the south are zoned HC-1 (Highway Commercial) and the properties to the north, east and west are zoned WM (Wholesale/Manufacturing). Planning Commission: 4/2/24 unanimously recommends approval (5/0)

1st Reading Ordinance 2024-24 to amend Article 14 and Article 15 to allow storage tanks for liquid substances, above ground as a conditional use in the HC-1 (Highway Commercial 1), HC-2 (Highway Commercial 2), and a permitted use in AP (Airport District) and LM (Light Manufacturing) zoning districts.

Storage tanks for liquid substances, above ground, are currently allowed as a special exception (tanks require BZA approval) in the AP (Airport District) and LM (Light Manufacturing) districts. The applicant originally requested adding above ground storage tanks as a conditional use in the HC2 district. Staff recommendation is to allow as conditional use in the HC1 and HC2 districts.

- All designs must adhere to state and federal regulations, and any regulations as required by the City of Myrtle Beach Fire Marshal.
- Storage tanks, above ground provided storage tanks shall be set back a minimum of 17' from any property line.
- Storage tanks shall only be permitted at hardware stores, gas stations, and locations for rental of general equipment and tools for construction, commercial, and industrial uses.

Staff recommends changing above ground storage tanks from a special exception to permitted use in AP and LM districts. Planning Commission: 4/2/24 Recommends approval (4/2)

1st Reading Ordinance 2024-25 to create a Planned Unit Development known as 23rd Avenue North Planned Unit Development.

This is a new single-phase PUD with the intent to build an oceanfront hotel, a second row mobile check-in lot, and a third row parking deck.

1st Reading Ordinance 2024-26 to amend a Planned Unit Development known as 21st Avenue Ocean Front Planned Unit Development.

This request is in conjunction with the proposed new 23rd Ave N PUD. This amendment to the 21st Ave N Oceanfront PUD is necessary because the proposed 23rd Ave N PUD

includes 6 parcels currently regulated by the 21st Ave N Oceanfront PUD. Properties cannot be in multiple PUDs & this proposal removes 6 parcels from the 21st Ave N PUD.

1st Reading Ordinance 2024-27 imposing temporary moratorium on activity relating to the conversion of multi-family properties in close proximity to the beach from short term rental to long term rental, to analyze the impacts of decreased multi-family short term rental inventory, and to make recommendations to city council.

To impose temporary moratorium on the conversion of properties from multi-family short term rental to multi-family long term rental and to allow City time to study the impacts of decreased short term rental inventory and to consider changes to City's Zoning Code.

Resolution R2024-8 resolution accepting a donation from Horry Telephone Cooperative (HTC) and authorizing the City Manager to enter into related agreements with HTC.

HTC desires to donate \$500,000 to the City, along with one (1) year of free fronthaul and backhaul fiber services at up to ten (10) locations. The donation must be used to support economic development efforts, including but not limited to the City's "Smart City" economic development initiatives.

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

The terms of Shawn Kennedy and Shannon Farro have expired. Ms. Farro does wish for reappointment. Mr. Kennedy does not wish to be reappointed. Two other seats are vacant due to resignations. On file are the resumes of Dan Lewis (Non-Resident), Daniel Rojas (Non-resident), John Krajc (City Resident), Ryan McRae (Non-resident), Tonya Gore (City Resident), and Tushara Rhodes (Non-Resident). Three of the four seats' terms will expire on March 10, 2027. One resigned seat's term does not expire until March 10, 2025.

Motion M2024-42 to appoint/reappoint two members to the Planning Commission.

The terms of Paul Williamson and Philip Stalvey will expire on April 13, 2024. Both wish for reappointment. Their new terms will expire on April 13, 2027.

Motion M2024-43 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 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