

**MEETING MIINUTES
DECEMBER 13, 2022
9:00 A.M. – WORKSHOP MEETING – TED C. COLLINS LAW ENFORCEMENT CENTER
10:00 A.M. – MEETING – TED C. COLLINS LAW ENFORCEMENT CENTER**

Council:

Present:

Mayor Brenda Bethune
Mayor Pro Tem Michael Chestnut
John Krajc
Mike Lowder
Gregg Smith

Absent:

Jackie Hatley
Philip N. Render

Staff Present:

Jonathan “Fox” Simons, Jr., City Manager
Brian Tucker, Assistant City Manager
Michelle Shumpert, Chief Financial Officer
William Bryan, City Attorney
Jennifer Adkins, City Clerk

CALL TO ORDER.....9:00 A.M. Workshop

1. Myrtle Beach Area Chamber of Commerce Quarterly Update – Karen Riordan
 - Ms. Riordan reviews 2022 accolades and awards, January through September A-Tax and TDF allocations, long-term marketing goals and objections, campaign purpose and alignments, air service marketing, international media mix for 2023, and destination marketing. (Full presentation available upon request).

Motion: Enter Closed Session to receive legal advice regarding Planned Unit Developments

Moved by: Mike Lowder **Seconded by:** John Krajc.

Vote: Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Gregg Smith.

Absent: Jackie Hatley, Philip N. Render.

9:36 A.M.

Motion: Exit Closed Session **Moved by:** Mike Lowder **Seconded by:** Gregg Smith.

Vote: (summary: Yes = 5) **Yes:** Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Gregg Smith.

Absent: Jackie Hatley, Philip N. Render.

9:52 A.M.

CALL TO ORDER.....10:00 A.M.

INVOCATION.....Councilman Smith

PLEDGE OF ALLEGIANCE.....Councilman Smith

APPROVAL OF AGENDA.....

Motion: To Approve **Moved by:** Mike Lowder **Seconded by:** Gregg Smith.

Vote: (summary: Yes = 5) **Yes:** Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Gregg Smith.

Absent: Jackie Hatley, Philip N. Render.

APPROVAL OF MINUTES.....December 6, 2022

Motion: To Approve **Moved by:** Mike Lowder **Seconded by:** Michael Chestnut.

Vote: (summary: Yes = 5) **Yes:** Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Gregg Smith.

Absent: Jackie Hatley, Philip N. Render.

PUBLIC REQUESTS, PRESENTATIONS, AWARDS, MEMORIALS:

2. COVID/Influenza Update - Dr. Harmon, Tidelands Health
 - Presentation rescheduled for later date.
3. Public Information Update – PIO Staff
 - Meredith Denari reviews past, present, and future events and happenings.

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 M2022-151 authorizing the City Manager or his designee to accept a cash award in the amount of \$266,567 from the South Carolina Public Safety Coordination Council and the South Carolina Department of Public Safety; and to authorize the City Manager or his designee to execute and deliver the agreement and such related documents as may be required to put the reimbursement grant into effect.

The City's reimbursement amount for FY22/23 is \$266,576. This is reimbursement for body-worn cameras in the Police Department. There is no match requirement, and the City has made outlays for this purpose in excess of the amounts reimbursed by this grant.

Motion M2022-152 to accept a donation of \$1,000 from Ms. Carol W. Conner for beach walkover maintenance activities to promote beach maintenance and accessibility. No local match is required.

The 34th Ave N. walkover, stairs, and sand level had been improved at the request of a local beachgoer. These funds were donated and will be used to further beach walkover maintenance activities.

Motion M2022-153 authorizing the City Manager or his designee to accept a donation from the Myrtle Beach Area Chamber of Commerce on behalf of the Parks, Recreation and Sports Tourism Department in the amount of \$10,000 and to record the appropriation of such donation funds in the amount approved. No match is required.

This is a routine donation acceptance. The City has a Local Government Contingency Agreement with the Chamber, whereby, the Chamber will set aside approximately 5% of the A-Tax revenues received from the respective local government. These funds are to be used by the City to defray the cost of promotional items for City sports marketing.

Motion M2022-154 authorizing the City Manager or his designee to apply for a grant of \$14,762 from the CSX Railroad Pride In Service Grant Program; 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. There is no match requirement.

The proposed funding will allow the City of Myrtle Beach Police Department (MBPD) to enhance the quality of life and public safety of all who reside in and visit the city. Expanding the number of bicycles our officers use continues public safety efforts within our community. These funds would allow more police officers to travel throughout Downtown via bicycle. Officers on bicycles are more approachable to the general public.

Motion M2022-155 authorizing the City Manager or his designee to apply for a grant of \$9,000 from the Arbor Day Foundation, 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 required.

The Parks, Recreation, and Sports Tourism Department is seeking funding from the Arbor Day Foundation and a community sponsor to conduct a tree donation in the Summer of 2023. The event will take place at Myrtle's Market with the help of volunteers, PRST staff, Neighborhood Services, and Public Information. Refreshments, entertainment, and educational information about tree planting will be available as native trees are given away.

Motion M2022-156 authorizing the City Manager or his designee to accept a grant in the amount of \$15,000 from the South Carolina Department of Commerce Office of Innovation, 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. There is a one-to-one matching requirement that will be provided by eMYRge.

This funding will be used to develop Myrtle Beach's Digital Economy Ecosystem in collaboration with the Center on Rural Innovation (CORI). Establishing the city's digital ecosystem will locate locally driven strategies for scalable entrepreneurial support, access to digital jobs, digital workforce development, and access to capital. The Center on Rural Innovation will help to educate, identify, and analyze best practices associated with the development and growth of a digital ecosystem.

Motion M2022-157 authorizing the City Manager or his designee to apply for a grant of \$2,500 from the USA Swimming Foundation for the purpose of providing swim lesson scholarships to youth, 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 USA Swimming Foundation provides the opportunity for every child in the U.S. to learn to swim through an annual grant program. USA Swimming Foundation Youth Learn to Swim Grants are intended to expand existing programming and support opportunities for children who otherwise would not participate in swimming lessons. Awarded funds may be used by the swim lesson program to offer free or reduced-cost swimming lessons. Lessons will be offered through the aquatics program at the Mary C Canty and Pepper-Geddings Recreation Centers.

Motion M2022-158 authorizing the City Manager or his designee to apply for a grant of \$500 from the USA Swimming Foundation for the purpose of providing swim lesson scholarships to adults, 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 goal of the Adult Learn to Swim Grant is to educate and teach adults about the appropriate safety and swimming techniques required for learning how to swim. The program's hope is that once adults learn to swim or improve their swimming skills, they will have the confidence and desire to continue swimming in a Masters Swimming program and experience the lifelong benefits of swimming. The Adult Learn to Swim scholarships will be available through the Mary C Canty and Pepper-Geddings Recreation Centers aquatics program.

Motion: To Approve Consent Agenda Items **Moved by:** Mike Lowder **Seconded by:** Michael Chestnut.

Vote: (summary: Yes = 5) **Yes:** Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Gregg Smith.

Absent: Jackie Hatley, Philip N. Render.

ALL CONSENT AGENDA ITEMS APPROVED

REGULAR AGENDA

2nd Reading Ordinance 2022-49 to amend the Code of Ordinances, City of Myrtle Beach, Appendix A Zoning Article 2 Definitions, Article 10 Parking and Loading Requirements, and Article 14 Zoning Districts to add “Data Center” as a permitted use in the AP (Airport), HC1 (Highway Commercial), LM (Light Manufacturing), and WM (Wholesale/Manufacturing) Zoning District.

In recent months the City has had multiple inquiries from developers in the data industry scouting Myrtle Beach as a possible location for new Data Center facilities. Data Centers are large facilities housing computer servers, with minimal staff on-site (i.e., cloud servers). Data Centers are currently not a Permitted Use. The applicant requests Data Centers be allowed in the HC1 (Highway Commercial) District. Staff has reviewed the Zoning Code and the Zoning Map and recommends Data Centers also be allowed in the AP (Airport), LM (Light Manufacturing), and WM (Wholesale/Manufacturing) Zoning Districts.

Motion: To Approve **Moved by:** John Krajc **Seconded by:** Mike Lowder.

Vote: (summary: Yes = 5) **Yes:** Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Gregg Smith.

Absent: Jackie Hatley, Philip N. Render.

ADOPTED

2nd Reading Ordinance 2022-50 to amend the Code of Ordinances, City of Myrtle Beach, Appendix A Zoning Section 1311.M.8 Concealed Wireless Facility to include additional options for wireless facilities and their support structures to allow for improved ventilation of equipment.

The Zoning Code regulates construction and appearance of wireless communications facilities (radios/antennae) and the structures that support them, to the extent permitted by federal

regulations. Per Code, some areas of the City only allow concealed facilities (concealment measures are designed in such a way as to be hidden from public view, often by the design of their support structure (e.g. radios and antennae housed within a church steeple). This Ordinance, if adopted, would increase the concealment options available to meet current technologies developed by the industry.

Motion: To Approve **Moved by:** Gregg Smith **Seconded by:** Michael Chestnut.

Vote: (summary: Yes = 5) **Yes:** Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Gregg Smith.

Absent: Jackie Hatley, Philip N. Render.

ADOPTED

2nd Reading Ordinance 2022-51 in the Code of Ordinances for the City of Myrtle Beach, an ordinance to amend Section 19-124 and Divisions 1, 2, 3, 4, 5 and 7 of Chapter 19, Article VI entitled special events, parades, facility use, public performance and picketing.

Ordinance to streamline the special event and facility use permit process. Permit decisions will be made by the Special Event Committee, instead of City Council; appeal to City Manager. Clarifying membership and makeup of the Special Event Committee. Parade applications will be processed by the Special Event Committee rather than the Police Department. Clarifying City's intent to recover costs for the provision of city services. Insurance is required for all facility use permits with alcohol present. Gives City Manager, in consultation with the Director of Insurance and Risk Services, discretion to require more or less insurance coverage or, in some circumstances, waive the insurance requirement.

Motion: To Approve **Moved by:** John Krajc **Seconded by:** Gregg Smith.

Vote: (summary: Yes = 5) **Yes:** Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Gregg Smith.

Absent: Jackie Hatley, Philip N. Render.

ADOPTED

2nd Reading Ordinance 2022-52 approving the execution and delivery by the City of Myrtle Beach, South Carolina, of a lease between the city, as lessor, and, Automoney, Inc. as lessee, with respect to building located at 706 North Kings Hwy in the City of Myrtle Beach.

The City is in the process of acquiring 706 N. Kings Hwy from the owner and operator of AutoMoney, Inc. A condition of the Purchase and Sale Agreement is to provide a one year lease to the current owner. The lease is for \$33,600.

Motion: To Approve **Moved by:** Michael Chestnut **Seconded by:** Gregg Smith.

Vote: (summary: Yes = 5) **Yes:** Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Gregg Smith.

Absent: Jackie Hatley, Philip N. Render.

ADOPTED

2nd Reading Ordinance 2022-53 to amend Ordinance No. 2021-28, the 2021-22 Budget Ordinance, recognizing material events and their impacts upon the 2021-22 budget and reconciling budgets with audited results.

Each year, as the result of closing & adjusting entries, the City considers whether it must adopt a wind-up ordinance to account for adjustments that changed the original adopted budget.

Changes to the FY22 Budget include:

- *Air Base Tax Increment Funds, to recognize revenues in excess of budget estimates & transfer surplus greater than estimated.*
- *General revenues, to recognize revenues in excess of budgeted amounts and to recognize transfers to Workforce Housing Fund and Capital Projects.*
- *Sports Tourism Fund to recognize revenues in excess of budget estimates & increase the budget for operating costs.*
- *Workforce Housing, to recognize transfers in from general revenues.*
- *Capital Projects, to recognize transfers in of general revenues*
- *Water & Sewer Fund, to recognize revenues in excess of budget estimates & to increase the budget for operating costs.*
- *Parking Utility Fund, to recognize revenues in excess of budget estimates & to increase budget amounts for operating costs.*

Motion: To Approve **Moved by:** Mike Lowder **Seconded by:** Michael Chestnut.

Vote: (summary: Yes = 5) **Yes:** Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Gregg Smith.

Absent: Jackie Hatley, Philip N. Render.

ADOPTED

2nd Reading Ordinance 2022-54 to amend Ordinance No. 2022-028, the 2022-23 Municipal Budget Ordinance, by appropriating allocations from fund balance /retained earnings for certain operating and capital expenditures .

As a result of vacancies throughout the City, considerable savings in personnel costs were recognized during the year ended June 30, 2022. The savings are sufficient to allow a one-time bonus to those employees that maintained service levels in spite of staffing shortages. (\$3,462,341). The combination of stronger than expected revenues and expenditure savings in the General Fund for the year ended June 30, 2022 and the corresponding Fund Balance growth allows for the funding of a number of items that were not included in the original FY23 budget. (\$6,510,000). The combination of stronger than expected revenues and expenditure savings in the General Fund for the year ended June 30, 2022 and the corresponding Fund Balance growth allows for the appropriation of funds to expedite deficit funding in the Health Insurance Fund. (\$1,000,000). Stronger than expected Tourism Driven Revenues received for the year ended June 30, 2022 allow for the allocation of funds for projects that either came in over (Fire Station#3 \$4,500,000) budget or need to be addressed at this time (Storm Water properties \$600,000 & Crabtree Gymnasium \$825,000)

Motion: To Approve **Moved by:** Mike Lowder **Seconded by:** Michael Chestnut.

Vote: (summary: Yes = 5) **Yes:** Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Gregg Smith.

Absent: Jackie Hatley, Philip N. Render.

ADOPTED

1ST Reading Ordinance 2022-55 to authorize a property exchange between the City of Myrtle Beach and Auto Rebuilt, LLC along Alder Street for parcel along 8th Ave. North.

The City has purchased eight properties within the last year for needed stormwater facilities in this immediate area. The City is the fee simple owner of two parcels along Alder Street, PIN's 44301020037 and 44304020036. Auto Rebuilt, LLC is the fee simple owner of a lot along 8th Avenue North, PIN 44304020027. The Auto Rebuilt property on 8th Ave., North is better situated for a stormwater retention facility than the City owned properties on Alder Street. Auto Rebuilt, LLC does not wish to sell their property, but is willing to enter in to a property exchange with the City

Motion: To Approve **Moved by:** Michael Chestnut **Seconded by:** Gregg Smith.

Vote: (summary: Yes = 5) **Yes:** Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Gregg Smith.

Absent: Jackie Hatley, Philip N. Render.

APPROVED 1ST READING

1st Reading Ordinance 2022-56 to rezone ~1.5 acres at 1300 N Kings Hwy (PIN 42416030012) from HC-2 (Highway Commercial) to A (Amusement), and to rezone ~0.32 acres across Chester St (PIN 44401020048) from MUH (Mixed Use – High Density) to A (Amusement) in order to allow anticipated uses.

The properties are adjacent to N Kings Hwy, 14th Ave N, Chester St, and 13th Ave N. The properties are close to A (Amusement) zoned properties to the east and south. Directly adjacent properties are zoned C-8, MU-H, E, and HC-2. The applicant plans to preserve the former First Presbyterian Church building.

Mayor Bethune recused due to husband represents purchaser.

Motion: To Approve **Moved by:** Mike Lowder **Seconded by:** Michael Chestnut.

Vote: (summary: Yes = 4 Recused = 1) **Yes:** Michael Chestnut, John Krajc, Mike Lowder, Gregg Smith.

Absent: Jackie Hatley, Philip N. Render.

Recused: Mayor Brenda Bethune.

APPROVED 1ST READING

1st Reading Ordinance 2022-57 to amend Sec. 701 Parking and Exhibit A of the ITAP PUD (Planned Unit Development) to add minimum parking requirements for data centers and to amend Exhibit A to reflect an updated Roadway B.

Data Centers are new to Myrtle Beach and the parking requirements were not thought of during the creation of iTAP. Because Data Centers have low staffing needs, and do not serve on-site customers the parking needs are minimal. With this ordinance a Data Center will be required to have a minimum of 1 parking space for every 4,000 square feet of net leasable space. This amendment is consistent with the parking requirements in Ordinance 2022-049. Planning Commission recommends approval unanimously (8/0), 12/6/2022.

Motion: To Approve **Moved by:** Michael Chestnut **Seconded by:** Gregg Smith.

Vote: (summary: Yes = 5) **Yes:** Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Gregg Smith.

Absent: Jackie Hatley, Philip N. Render.

APPROVED 1st READING

1ST Reading Ordinance 2022-58 to amend the Code of Ordinances, City of Myrtle Beach, Appendix A Zoning Article 14 Zoning Districts to add “Religious Establishments” as a conditional use and Article 15 Conditional and Accessory Uses and Special Exceptions in the LM (Light Manufacturing) Zoning District.

Applicant is requesting a conditional use for Religious Establishments in the LM zone. The conditions are: the property is located within 100' of an airport, and the property is less than 1 acre. Planning Commission recommends denial, 8/0 (12.6.22):

The request is inconsistent with development plans of the City; the intention of LM zoning is for manufacturing endeavors and compatible uses; allowing religious establishments in the LM zone could impact the ability to attract manufacturers to the district; there are only 6 LM zones in the City. Approval could set a precedent and could prevent restaurants (permitted uses in the LM) from opening because state law prevents alcohol sales within 300 ft. of a church. The Planning Commission wants to make clear their recommendation is not a denunciation against religious establishments, and they acknowledge such facilities are an asset to the community. There are plenty of opportunities to open religious establishments in other locations within the City, and this recommendation is based upon best planning and zoning practices.

Motion: To deny **Moved by:** John Krajc **Seconded by:** Mike Lowder.

Vote: (summary: Yes = 5) **Yes:** Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Gregg Smith.

Absent: Jackie Hatley, Philip N. Render.

DENIED

Resolution R2022-42 to adopt state legislative priorities for the 2023 South Carolina Legislative Session.

*The 125th South Carolina General Assembly commences its two-year session on 1.10.23
The following priorities are the 2023 State Legislative Priorities for the City of Myrtle Beach:*

- *Economic Development*
 - *Downtown Revitalization Encourage and support State collaboration and partnerships to further the City's Downtown Revitalization*
 - *Convention Center Revitalization Support state assistance in further renovations and rehabilitation to the Myrtle Beach Convention Center's lobby and atrium*
- *Public Safety*
 - *Squat Truck Legislation: Support legislation restricting the elevating or lowering a motor vehicle*
 - *Opioid Legislation: Support legislation that continues to address opioid, fentanyl, and synthetic drugs in our community.*
 - *Mental Health: Support legislation increasing the expansion of mental health services in the state.*
- *Transportation*
 - *Alternative modes of transportation Support efforts requiring SCDOT to incorporate alternative modes of transportation when resurfacing / rehabilitating state roadways within neighborhoods*
- *General*
 - *Retiree Proviso Support reasonable legislation to allow SCRS and PORS retirees to return to work without financial limitations*

- Home Rule: Oppose any proposed legislation or regulation infringing on the City's home rule

Motion: To Approve **Moved by:** Michael Chestnut **Seconded by:** Gregg Smith.

Vote:

Yes: (summary: Yes = 4 No = 1) **Yes:** Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder.

No: Gregg Smith.

Absent: Jackie Hatley, Philip N. Render.

APPROVED

Resolution R2022-44 authorizing the amendment of R2022-36 to provide for reimbursement of certain expenses related to the property acquisition of PIN 44401040062.

When the City acquired PIN 44001040062 in Resolution R2022-36, the tenant exercised their right of first refusal. Subsequent to the tenant exercising their right, the tenant and the City continued to negotiate the possible buyout of the tenant's lease eventually coming to an agreement. The tenant had already proceeded with plans to redevelop the property and incurred certain related expenses, such as architectural, engineering, and contractor costs. This parcel is in close proximity to other purchases and provides value and flexibility toward future redevelopment plans.

Motion: To Approve **Moved by:** Michael Chestnut **Seconded by:** Gregg Smith.

Vote: (summary: Yes = 5) **Yes:** Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Gregg Smith.

Absent: Jackie Hatley, Philip N. Render.

APPROVED

Resolution R2022-45 to oppose antisemitism in all of its forms, as well as other types of religious intolerance, racism and discrimination.

The City of Myrtle Beach unequivocally rejects antisemitism, along with other forms of racism, religious intolerance and discrimination, both here and around the world, and welcomes people of all religions and faiths – or none at all – to our community as residents, businesspeople and visitors, in keeping with the religious freedoms expressed in the First Amendment of the U.S. Constitution.

Motion: To Approve **Moved by:** Michael Chestnut **Seconded by:** Gregg Smith.

Vote: (summary: Yes = 5) **Yes:** Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Gregg Smith.

Absent: Jackie Hatley, Philip N. Render.

APPROVED

Motion M2022-159 to appoint/reappoint ~~three~~ four seats on the Myrtle Beach Housing Authority Committee

The terms of Murry Chesson, Robert Gore, Dorothy Greene, and Susan McGartlin expired on December 9, 2022. All wish for reappointment. These terms will expire on December 9, 2027.

Motion: To reappoint Murry Chesson, Robert Gore, Dorothy Greene, and Susan McGartlin.

Moved by: Mike Lowder **Seconded by:** Michael Chestnut.

Vote: (summary: Yes = 5) **Yes:** Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Gregg Smith.

Absent: Jackie Hatley, Philip N. Render.

Motion M2022-160 to appoint/reappoint three members to the Community Appearance Board.

The terms of Paul T. Williamson, Jeff Eden, and James Hubbard will expire on December 31, 2022. All three wish for reappointment. On file are the resumes of Geoff Kay (City Resident), Cindy Bonner (City Resident), and Richard M. Howell (City Resident). All three new terms will expire on December 31, 2025.

Motion: To reappoint Paul T. Williamson, Jeff Eden, and James Hubbard **Moved by** Mike Lowder **Seconded by:** John Krajc.

Vote: (summary: Yes = 5) **Yes:** Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Gregg Smith.

Absent: Jackie Hatley, Philip N. Render.

Motion M2022-161 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.

Motion: To Approve **Moved by:** Mike Lowder **Seconded by:** Michael Chestnut.

Vote: (summary: Yes = 5) **Yes:** Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Gregg Smith.

Absent: Jackie Hatley, Philip N. Render.

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

Motion: To Adjourn **Moved by:** Mike Lowder **Seconded by:** John Krajc.

Vote: Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Gregg Smith.

Absent: Jackie Hatley, Philip N. Render.

11:24 A.M.

BRENDA BETHUNE, MAYOR

ATTEST:

JENNIFER ADKINS, CITY CLERK