

**MINUTES OF CITY COUNCIL MEETING
MARCH 27, 2018
TED C. COLLINS LAW ENFORCEMENT CENTER**

COUNCIL:

PRESENT:

MAYOR BRENDA BETHUNE
MAYOR PRO-TEM MIKE CHESTNUT
MARY JEFFCOAT
MIKE LOWDER
PHILIP N. RENDER
GREGG SMITH
JACKIE VEREEN

ABSENT:

STAFF PRESENT:

JOHN G. PEDERSEN, CITY MANAGER
JONATHAN "FOX" SIMONS, JR., ASSISTANT CITY MANAGER
BRUCE BOULINEAU, ASSISTANT CITY MANAGER
MICHAEL SHELTON, CHIEF FINANCIAL OFFICER
TOM ELLENBURG, CITY ATTORNEY
JOAN GROVE, CITY CLERK

ALL FOIA REQUIREMENTS WERE MET.

CALL TO ORDER.....Mayor Brenda Bethune



Roll Call.

Present: Mayor Brenda Bethune, Michael Chestnut, Mary Jeffcoat, Mike Lowder, Philip N. Render, Gregg Smith, Jackie Vereen.



Mayor Bethune opened the meeting

INVOCATION.....Councilman Chestnut

PLEDGE OF ALLEGIANCE.....Councilman Lowder

APPROVAL OF AGENDA.....



Mr. Pedersen reviewed the agendas:

CONSENT AGENDA:

CONTINUE:

Resolution R2018-10 granting a Special Event Permit for "Carolina Country Music Festival"

MOVE TO REGULAR AGENDA:

Ordinance 2017-60 Osceola Street Planned Unit Development

Motion M2018-51 to approve a Special Event Permit for Grande Dunes Kentucky Derby Festival

Motion M2018-52 to approve a Special Event Permit for Thursday Night Concert @ Grande Dunes

REGULAR AGENDA:

AMENDED:

Ordinance 2018 -12 granting Franchise Agreement to Gil Scooter

Ordinance 2018 -15 granting Franchise Agreement to Kickback Korner LLC, Kickback Corner Golf Carts

Ordinance 2018 17 granting Franchise Agreement to Blue Coral Surf LLCC, Moped USA

In each of the above the number of Golf Carts set forth in the Franchise was increased from 15 to 20.

Motion to approve the Agendas as amended - Moved by Philip Render, Seconded by Mike Lowder. Motion Carried 7-0

APPROVAL OF WORKSHOP MINUTES.....March 13, 2018

Motion to approve the Workshop Minutes of March 13, 2018 as presented – Moved by Mike Lowder, Seconded by Jackie Vereen. Motion Carried 7-0

APPROVAL OF MINUTES.....March 13, 2018

Motion to approve the Meeting Minutes of March 13, 2018 as presented – Moved by Jackie Vereen, Seconded by Mike Lowder. Motion Carried 7-0

PUBLIC REQUESTS, PRESENTATIONS, AWARDS, MEMORIALS:

Recognition of My Beach 101 Graduates – Cookie Goings



Cookie Goings introduced the 26 graduates of the 3rd session of My Beach 101

Class spokesperson thanked Council for the opportunity to participate in this program.

Proclamation declaring March American Red Cross Month

Mark Kruea presented Proclamation to the American Red Cross representatives in attendance.

Presentation to U.S. Army Recruiting Company

Mark Kruea introduced Capt. “Brandon Brim. This group works with the Ocean County JR ROTC drill teams. Drill Team Competition is part of Military Appreciation Day.

Capt. Brandon Brim introduced the members of the Company and thanked Council.

Charlie’s Place Update – Herbert Riley



Herbert Riley gave an update: April 17, 7PM ETB will be hosted at the Convention Center NY Museum of Design will have an exhibit of Charlie’s Place

Thanked the city employees who work behind the scenes to make Charlie’s Place a success.

Public Information Update – PIO Staff



Mark Kruea reviewed events past, present, future.

Police – Public Safety on the Beach Police Chief Amy Prock reviewed.

CONSENT AGENDA

2nd Reading **Ordinance 2017-60** An ordinance to create a Planned Unit Development known as Osceola Street PUD Planned Unit Development.



Mr. Pedersen reviewed.




Carol Coleman, Planning Director, reviewed the project and stated the PUD has been modified to have only one storage unit with retail fronting on Mr. Joe White. Affordable housing

north of the storage building will be constructed at the same time also. PUD fees for public improvement will provide for surveillance cameras, school bus shelter & playground equipment. Language will be added to the ordinance to provide that payment for these public benefits will be due when building permits are issued.

MOVED TO REGULAR AGENDA. The following action was taken.

Motion to adopt as amended, Moved by Mike Lowder, Seconded by Gregg Smith Motion carried 7-0

1st Reading **Ordinance 2018-26** An ordinance to authorize the City Manager to enter into Franchises for Water Safety Services and Beach Concessions with the Franchisees in accordance with the Franchise Agreement.

 Mr. Pedersen stated 16 lifeguards will be added for the beach. The franchise is for a term of 7 years beginning April 15, 2018 through September 30, 2024.

APPROVED


Resolution **R2018-10** granting a Special Event Permit to Palmetto Event Productions, Inc. on behalf of Full House Productions for "Carolina Country Music Festival" on June 1-13, 2018 and affirming the city's co-sponsorship.

 **CONTINUED**

Motion **M2018-49** to approve a contractual agreement between Horry County Schools and the City of Myrtle Beach Police Department to provide one certified police officer in uniform to perform the duties of a School Resource Officer (SRO) at the Myrtle Beach High School and Myrtle Beach Middle School for the 2018-2019 school year.

 **APPROVED**

Motion **M2018-50** to approve a Special Event Permit to Patricia Mulkey/Bar W Rodeo Company for the "Myrtle Beach Stampede Rodeo" to be held at the former Myrtle Square Mall site, located on Kings Hwy between Myrtle Place and 27th Ave North, on July 13 – 14, 2018 from 6:00 pm to 12:00 am. 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.

 **APPROVED**

MOTIONS M2018-51 AND M2018-52 MOVED TO THE REGULAR. The following action was taken.

At this time Mayor Bethune recused herself from participating in any discussion or action taken regarding Motions M2018-51 and M2018-52. Mayor Pro-Tem Michael Chestnut presided.

Motion **M2018-51** to approve a Special Event Permit to Mike Shank/Festival Promotions & L Star for the 2018 Grande Dunes Kentucky Derby Festival to be held on the Grande Dunes Event Lawn May 5, 2018 from 3:00 pm to 7:00 pm. 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.

Motion to approve Moved By Mike Lowder, Seconded By Jackie Vereen. Motion carried 6-0

Motion **M2018-52** to approve a Special Event Permit to Mike Shank/Festival Promotions & L Star for Thursday Night Concert @ Grande Dunes to held on the Grande Dunes Event Lawn on April 26, 2018 from 5:00 pm to 9:00 pm. 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.


Motion to approve Moved By Jackie Vereen, Seconded By Mike Lowder . Motion carried 6-0

At this time Mayor Bethune resumed the dias.

Motion **M2018-56** to approve a Memorandum of Understanding between the Department of Veterans Affairs and the Myrtle Beach Police Department.

 **APPROVED**

Motion **M2018-57** to appoint Yvette Jefferson to the Convention Center Hotel Board to fill the vacancy created by the resignation of Bob Singleton due to a conflict of interest.

 **REAPPOINTED YVETTE JEFFERSON**

Motion **M2018-58** to affirm that Ordinance No. 2015-31, read for second reading on 4-28-15 has identified four (4) events that are declared to be extraordinary events, until subsequent act of City Council. Having been legislatively declared, the manager shall inform City Council of any executive orders pertaining to same.

Mr. Pedersen advised the 4 events are: Political debates, Appearance of certain political or religious dignitaries, Permitted performances with an anticipated crowd of 10,000 or greater, Memorial Day weekend motorcycle events.

APPROVED

REGULAR AGENDA

2nd Reading **Ordinance 2018-10** An ordinance 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, for a period of one year. The Agreement includes 24 vehicles. (24 Golf Carts/0 Mopeds)

2nd Reading **Ordinance 2018-11** An ordinance 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 Itzhak Chiprot d/b/a Extreme Scooter Rental LLC, located at 412 6th Avenue North, Myrtle Beach, SC 29577, for a period of one year. The Agreement includes 39 vehicles. (20 Golf Carts/19 Mopeds)

2nd Reading Ordinance **2018-12** An ordinance 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, located at 109 South Kings Highway, Myrtle Beach, SC 29577, for a period of one year. The Agreement includes 15 vehicles. (15 Golf Carts/0 Mopeds)

2nd Reading **Ordinance 2018-13** An ordinance 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 Blvd., Myrtle Beach, SC 29577, for a period of one year. The Agreement includes 35 vehicles. (10 Golf Carts/25 Mopeds)

2nd Reading **Ordinance 2018-14** An ordinance 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 115 vehicles. (31 Golf Carts/84 Mopeds)

2nd Reading **Ordinance 2018-15** An ordinance 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 15 vehicles. (15 Golf Carts/0 Mopeds))

2nd Reading **Ordinance 2018-16** An ordinance 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 1001 3rd Avenue South, Myrtle Beach, SC 29577, for a period of one year. The Agreement includes 145 vehicles. (145 Golf Carts/0 Mopeds)

2nd Reading **Ordinance 2018-17** An ordinance 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 15 vehicles. (15 Golf Carts/0 Mopeds)

2nd Reading **Ordinance 2018-18** An ordinance 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 40 vehicles. (10 Golf Carts/30 Mopeds)

2nd Reading **Ordinance 2018-19** An ordinance 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 Blvd., Myrtle Beach, SC 29577, for a period of one year. The Agreement includes 197 vehicles. (64 Golf Carts/133 Mopeds)


2nd Reading **Ordinance 2018-20** An ordinance 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 Blvd., Myrtle Beach, SC 29577, for a period of one year. The Agreement includes 83 vehicles. (16 Golf Carts/67 Mopeds)


2nd Reading **Ordinance 2018-21** An ordinance 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 63 vehicles. (27 Golf Carts/36 Mopeds)


Motion to amend Ordinances 2018-12, 2018-15 and 2018-17 to increase the number of allowable golf carts for each from 15 to 20, Moved By Philip Render, Seconded By Mike Lowder, Motion Carried 7-0


Motion to adopt Ordinances 2018 -10, 2018-11, 2018-12, as amended, 2018-13, 2018-14, 2018-15, as amended, 2018-16, 2018-17, as amended, 2018-18, 2018-19, 2018-20 and 2018-21, Moved By mike Lowder, Seconded By Philip Render. Motion Carried 7-0

1ST Reading **Ordinance 2018-23** An ordinance to amend Chapter 2, Article VI, Division 6, to reimpose the Local Option Tourism Development Fee with an effective date of August 1, 2018.

 Mr. Pedersen advised the original authorization expires August 1, 2019. Law allows for reauthorization by either of two methods, super-majority vote of Council or a special referendum.


 Brad Dean, CEO OF MBACC, this was implemented in 2009 and designated the Chamber to receive revenues and conduct promotional activities funded by the TDF. He further advised the Chamber has been audited every year. Visitor visits have risen. Property tax cuts 82%.


 Mary Jeffcoat addressed why there is not a referendum on the TDF. Ran in support of the TDF two years ago and plan to vote for it today.

 Mike Lowder stated he has not had one resident call and ask he not support the TDF. He stated his vote today will be yes.

 Phil Render  commented on the tax relief. He stated he will vote in the affirmative.

 Councilman Chestnut voting for it because it is working.

 Gregg Smith stated he is voting to keep the TDF.

 Councilwoman Vereen stated her vote also is to support the TDF.

Motion to approve, Moved By Mary Jeffcoat, Seconded By Mike Lowder. Motion Carried 7-0

1st Reading **Ordinance 2018-25** An ordinance to establish special property tax assessments for rehabilitated historic properties in the manner provided for in SC Code Sec. 4-9-195 and extended to municipalities by Sec. 5-21-140; to fix the term of such special assessments; to establish requirements for eligibility; and to determine the process for applying for the special assessment.

Carol Coleman advised a property to qualify must meet one of the following:

Listed on National Register of Historic Places;

Be designated a historic property by the governing body based on criteria established by that body and be at least 50 years old;

Be 50 years old or older and located in a historic district.

Motion to approve, Moved By Mike Lowder, Seconded By Michael Chestnut

Motion **M2018-55** to declare certain vehicles abandoned or derelict pursuant to the authority of Article 41 of Title 56 South Carolina Code of Laws 2001. Memo dated March 19, 2018 shows 17 vehicles.

Motion to declare, Moved By Mike Lowder, Seconded By Michael Chestnut, Motion Carried 7-0.

NON-AGENDA ITEMS FROM THE PUBLIC

Brad Dean spoke in support of the TDF

Anthony Calda spoke in opposition to the TDF

Ed Carey spoke in opposition to the TDF

Ann Dunham briefly made some negative comments regarding the TDF and Council's handling



Reuben Hyman spoke to Council considering enlarging the number of festivals.

COMMUNICATIONS FROM CITY BOARDS/COMMISSION MEMBERS

COMMUNICATIONS FROM CITY COUNCIL AND CITY MANAGER

1. Council Communications
2. CFO Update
3. CM/ACM Update
 - Historic District Report – Carol Coleman
 - Sports Tourism Report – Tim Huber/Sports Facility Adviser/Sports Facility Management

REPORTS AND INFORMATION PRESENTATIONS FROM CITY STAFF

 Chief Prock – Mobile command post arrives Thursday! More training 

35TH class graduated.

Easter weekend coming up help from other agencies.

 Reuben Hyman talked about festivals.


Time for MB Seafood Festival


EXECUTIVE SESSION

Council may take action on matters discussed in Executive Session.


NON-AGENDA ITEMS FROM THE PUBLIC:


Anthony Calda opposes the TDF and requested a referendum. Cited need to be competitive with cities around us. Asked say no to TDF.



 Ann Dunham ran for city council on this issue. Is the Chamber handing out checks this time as in 2009.


 Mr. Chapman stated the shoulder season weekends have benefitted the working public. Have seen the biggest growth in last few years. These positives are a result of the TDF.


 Ed Carey said Mayor ran on transparency. Objected to voting without a referendum.

 Reuben Hyman came to praise the benefits of the TDF. Would like to see Council look at a bipartisan committee to control the advertising portion of the TDF.

 Reverend Robert Wilkes resident since 1983, Recognizing is tourism is #1 industry and recognizing the importance of advertising and knowing the success of the TDF. Asks Council to move forward and renew the TDF because it is the right thing for our community

 Tod Sesser thanked Council for their support of the TDF.  The greatest benefit is the creation of jobs based on advertising.

 Charles Wilcher when there is a item of financial benefit council should recuse themselves.

 Mayor spoke to transparency. Made an agreement with chamber the following will take place. Before 2nd Reading the Chamber will public

ADJOURNMENT – 4:00 pm

ATTEST:

BRENDA BETHUNE, MAYOR

JOAN GROVE, CITY CLERK