

MEETING MINUTES

APRIL 25, 2023

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

10:00 A.M. – MEETING – TED C. COLLINS LAW ENFORCEMENT CENTER

MYRTLE BEACH CITY COUNCIL:

BRENDA BETHUNE, MAYOR
MICHAEL CHESTNUT, MAYOR PRO-TEM
JOHN KRAJC
MIKE LOWDER
GREGG SMITH
PHILIP N. RENDER

STAFF PRESENT:

JONATHAN “FOX” SIMONS, JR., CITY MANAGER
BRIAN TUCKER, ASSISTANT CITY MANAGER
MICHELLE SHUMPERT, CHIEF FINANCIAL
OFFICER
AMY NEUSCHAFER, ASSISTANT CITY ATTORNEY
JENNIFER ADKINS, CITY CLERK

ABSENT:

JACKIE HATLEY

Mayor Bethune opens public hearing 10:00 A.M.

THE FOLLOWING PUBLIC HEARING WILL BE HELD AT THE TED C. COLLINS LAW ENFORCEMENT CENTER 1101 NORTH OAK STREET, PRIOR TO THE START OF THE REGULAR SCHEDULED MEETING.

10:00 A.M. PUBLIC HEARING ON THE MUNICIPAL BUDGET FOR THE 2023-24 FISCAL YEAR

Michelle Shumpert reviews proposed budget.
No one from the public came forward with comment.
Mayor Bethune closes public hearing 10:06 A.M.

CALL TO ORDER..... 10:06 A.M.
INVOCATION..... Mayor Pro-Tem Chestnut
PLEDGE OF ALLEGIANCE..... Mayor Pro-Tem Chestnut

APPROVAL OF AGENDA.....

Motion: To Approve **Moved by:** Philip N. Render **Seconded by:** Gregg Smith.

Vote: (summary Yes = 6 Absent = 1) Yes: Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Philip N. Render, Gregg Smith.

Absent: Jackie Hatley.

APPROVAL OF MINUTES..... April 11, 2023

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

Vote: (summary Yes = 6 Absent = 1) Yes: Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Philip N. Render, Gregg Smith.

Absent: Jackie Hatley.

PUBLIC REQUESTS, PRESENTATIONS, AWARDS, MEMORIALS:

1. Solid Waste Transfer Station Hour Update – Janet Curry / Brian Tucker (workshop)
 - Brian Tucker and Janet Curry review transfer station operation hours and details.
2. Myrtle Beach Fire Department Recognition – Chief Tom Gwyer (meeting)

- Chief Gwyer calls forward Nathan Ellis to receive recognition for his brave heroic of saving three lives during a house fire while off duty visiting family in Georgetown, SC. Chief Gwyer presents Ellis with the Valor Commendation.
- 3. Proclamation declaring the week of May 1-7 as National Correction Officers Week (meeting)
 - Mark Kruea presents proclamation and PD detention staff was present and thanks City Council.
- 4. Public Information Update – PIO Staff
 - Erin O’Hagan reviews past, present, and future happenings and events.

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 M2023-34 to accept a grant award of \$2,000 from the South Carolina State Library for the Summer Reading and Learning Program at Chapin Memorial Library. There was a match requirement of \$1,030.

Summer Reading offers educational and recreational programs for children and teens to promote reading throughout the summer, motivating students to keep up the skills they learned during the school year and encouraging them to become lifelong library users.

Motion: To Approve Consent Agenda item **Moved by:** Gregg Smith **Seconded by:** John Krajc.
Vote: (summary Yes = 6 Absent = 1) Yes: Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Philip N. Render, Gregg Smith.
 Absent: Jackie Hatley.

CONSENT AGENDA ITEM APPROVED

REGULAR AGENDA

2nd Reading Ordinance 2023-22 to rezone ~0.59 acres on Grissom Pkwy (PIN 42512030009) from R10 (single family) to RMH – BTW (multifamily high density with the Booker T. Washington Overlay) and a small remainder portion from R10 (single family) to Mu-M (mixed use medium density) to allow for the continued development of Bay Pointe Apartments.

This property is currently split zoned, and this request would remove the split zoning on this parcel. The subject property fronts on both Grissom Pkwy and Mr Joe White Ave in the Booker T. Washington neighborhood. Adjacent property is zoned MU-M, R10, RMH-BTW, and R10-BTW. RMH-BTW is a multifamily residential district with a minimum lot size 14,520 sq.ft. R10 has a lot size of 10,000 sq.ft. This request is in combination with Ordinance 2023-23.

Councilman Smith recused due to wife’s employer is current property owner

Motion: To Approve **Moved by:** Michael Chestnut **Seconded by:** John Krajc.
Vote: (summary Yes = 5 Recused: 1 Absent = 1) Yes: Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Philip N. Render.
 Recused: Gregg Smith

Absent: Jackie Hatley.

ADOPTED

2nd Reading Ordinance 2023-23 to annex approximately ~3.23 acres at PIN 425-12-03-0058 and rezone from Horry County NC (Neighborhood Commercial) to City of Myrtle Beach RMH - BTW (Residential Multifamily High Density with the Booker T. Washington Overlay).

The property is currently under Horry County's jurisdiction and is zoned NC (Neighborhood Commercial). The applicant is requesting a rezoning to RMH - BTW (Residential Multifamily High Density with the Booker T. Washington Overlay) for the construction of apartments. The applicant requested RMH-BTW to remain consistent with the zoning throughout the area. The Booker T. Washington Overlay does not contain any provisions that will impact this development as it prevents nightclubs and bars which is also prevented by the RMH zoning classification. Nance St. is planned for extension to Grissom Pkwy, joining adjacent from Monticello Dr. This road is currently private. The developers would like for this to be a public road in the future.

Councilman Smith recused due to wife's employer is current property owner

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

Vote: (summary Yes = 5 Recused: 1 Absent = 1) Yes: Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Philip N. Render.

Recused: Gregg Smith

Absent: Jackie Hatley.

ADOPTED

1st Reading Ordinance 2023-21 to create a Planned Unit Development known as Nance Street International Residence Hall Planned Unit Development and to rezone ~7.62 acres at the corner of Robert Grissom Pkwy & Mr. Joe White Ave (PIN 425-13-01-0080) from HC2 (highway commercial) to PUD (Nance Street International Residence Hall Planned Unit Development) to provide safe housing for seasonal international workers.

The project is an international residence hall to house temporary seasonal workers from other countries. The City of Myrtle Beach relies on J1 students and other international groups to sustain our seasonal workforce. International workers are in need of adequate housing during their stay. Public Improvements:

- *Installing storm drainage improvements the capacity of which shall include a portion of the existing storm water within the boundary of Canal Street, Nance Street, Mr. Joe White Avenue and Robert M. Grissom Parkway.*
- *Installation of a 10-foot multi-purpose path outside the perimeter fencing, providing safe access from the Project along Mr. Joe White to RG Parkway.*
- *Developer shall install improvements within the right-of-way of Nance Street, to accommodate shuttle bus drop off, bus shelter and pick up for residents returning to and leaving from the Project, in accordance with the requirements of SCDOT*
- *Developer shall install improvements within the right-of-way of Mr. Joe White Avenue to accommodate turning movements in accordance with the requirements of the City Engineering Department and SCDOT*

Councilman Smith recused due to wife's employer is current property owner

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

Many residents came forward to speak in opposition and in favor of proposed project (full list is available upon request and may also be watched on city's website)

Vote: (summary Yes = 5 Recused: 1 Absent = 1) Yes: Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Philip N. Render.
Recused: Gregg Smith
Absent: Jackie Hatley.

APPROVED 1st READING

1st Reading Ordinance 2023-24 authorizing and directing the City of Myrtle Beach to enter into an Intergovernmental Agreement relating to South Carolina local revenue services; to participate in one or more local revenue service programs; to execute and deliver one or more participant program supplements; and other matters relating thereto.

MASC Tax Collection Programs rebranding and name change to Local Revenue Services (LRS). MASC has been collecting business license taxes on insurance, brokers, and telecommunication companies since 1998.

Proposed ordinance:

- *Authorizes City to enter into contract w/ MASC for administration & collection of current & delinquent taxes & administration of insurance, brokers, and telecommunication tax.*
- *Enacts LRS ordinance and allows COMB to enter into new Intergovernmental Agreement and Participant Program Supplement with MASC.*

Motion: To Approve **Moved by:** Gregg Smith **Seconded by:** Philip N. Render.

Vote: (summary Yes = 6 Absent = 1) Yes: Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Philip N. Render, Gregg Smith.
Absent: Jackie Hatley.

APPROVED 1st READING

1st Reading Ordinance 2023-25 to amend Ordinance 2021-18, a Boardwalk vendor franchise agreement with VD Vending, LLC by changing its location from 3rd Ave., N to 5th Ave., N; all other portions of the Franchise Agreement remain unchanged, including the termination date of April 30, 2024.

There are 4 existing Boardwalk franchises at the following locations:

- *3rd Ave., N*
- *4th Ave., N*
- *5th Ave., N*
- *6th Ave., N*

The current franchise at 5th Ave N is no longer participating in the City's Boardwalk Franchise program. VD Vending, LLC, the franchisee at 3rd Ave., N would like to change to the 5th Ave., N location.

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

Vote: (summary Yes = 6 Absent = 1) Yes: Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Philip N. Render, Gregg Smith.

Absent: Jackie Hatley.

APPROVED 1st READING

1st Reading Ordinance 2023-26 an ordinance to levy taxes and establish a municipal budget for the fiscal year beginning July 1, 2023, and ending June 30, 2024.

State law requires each unit of local government to approve a budget for the fiscal year detailing the community's operational and financial goals for the year. The total budget proposal for FY 2023-24 is \$358,232,411. Some notable highlights include:

- *No proposed property tax increase.*
- *Proposed blended Water & Sewer rate of 4.6%.*
- *Storm Water fee increase of \$2.05/ ERU (adopted in separate resolution).*
- *Parking Fee extended year round.*

Motion: To Approve **Moved by:** Michael Chestnut **Seconded by:** John Krajc.

Vote: (summary Yes = 6 Absent = 1) Yes: Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Philip N. Render, Gregg Smith.

Absent: Jackie Hatley.

APPROVED 1st READING

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:** Michael Chestnut

Vote: (summary Yes = 6 Absent = 1) Yes: Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Philip N. Render, Gregg Smith.

Absent: Jackie Hatley.

12:45 P.M.

BRENDA BETHUNE, MAYOR

ATTEST:

JENNIFER ADKINS, CITY CLERK