

**MYRTLE BEACH CITY COUNCIL MEETING MINUTES  
TUESDAY, MAY 24, 2022  
9:00 A.M. – WORKSHOP – COUNCIL CHAMBER  
10:00 A.M. – MEETING – COUNCIL CHAMBER  
COUNCIL CHAMBER, TED C. COLLINS LAW ENFORCEMENT CENTER  
1101 NORTH OAK STREET, MYRTLE BEACH, SC 29577**

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

1. SCDOT – Mr. Joe White, 21<sup>st</sup> Ave N, US 501 /3<sup>rd</sup> Ave., S Projects (Workshop)
  - Highlights of SCDOT improvement plans include: Leading Pedestrian Intervals at Signalized Intersections, High Visibility Ladder-Style Crosswalks, ADA Ramp Improvements, Flashing Yellow Arrow Signal Heads, Pedestrian Signal Heads Where Missing, New Pavement Markings along Corridor, Seaboard Street Refuge Island and Crossing Improvements, Reduce Driveway Conflicts near Robert M Grissom Parkway. SCDOT reviews modifications that can be implemented at the intersection at Cannon Rd/501/& 3<sup>rd</sup> Ave S to reduce accidents with innovative designs called RCIs. SCDOT further explains that Reduced Conflict Intersection (RCI) creates intersection designs that improve traffic safety and operations by changing how minor road traffic crosses or turns left at a major road. RCIs reduces the total number and overall severity of vehicle-to-vehicle conflict points. At a typical four-leg intersection, an RCI design reduces the total number of conflict points from 32 to 18. (Presentation available upon request).

Mr. Simons then reviews Resolution R2022-22 and explains that it is an extension of the current agreement. Mr. Simons continues that Resolution R2022-23 shows a decrease and reviews how funding will be used.

**CALL TO ORDER**.....10:03 A.M.  
**INVOCATION**.....Councilwoman Hatley  
**PLEDGE OF ALLEGIANCE**.....Councilwoman Hatley

**APPROVAL OF AGENDA**.....

**Motion:** To Approve, **Moved by** Mike Lowder, **Seconded by** Jackie Hatley.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

**Yes:** Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Gregg Smith, John Krajc.

**Absent:** Philip N. Render

**APPROVAL OF MINUTES**.....May 10, 2022

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

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

**Yes:** Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Gregg Smith, John Krajc.

**Absent:** Philip N. Render

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

2. Recognition of the MBFD Class 4 Graduates of the Citizens' Fire Academy (meeting)
  - Cpt. Jonathan Evans thanks City Council for their support of program and introduces class participants and they state how much fun and enjoyable the class is.
3. Recognition of Brooke Vu - Miss Myrtle Beach (meeting)

- Mark Kruea introduces Ms. Vu and she thanks Council for recognition.
- 4. Police Officer of the Year – Amy Prock (Meeting)
  - Chief Prock introduces Zack Reffey and thanks Council for recognition.
- 5. Proclamation declaring June 3, 2022 as National Gun Violence Awareness Day (meeting)
  - Mark Kruea presents proclamation.
- 6. Proclamation declaring the month of June as Pride Month (meeting)
  - Mark Kruea presents proclamation.
- 7. Hurricane Season – 2022 – Travis Glatki, Emergency Manager (meeting)
  - Dana Rush reviews hurricane preparedness.
- 8. Public Information Update – PIO Staff
  - Meredith Helline reviews past, present, and future events.

**CONSENT AGENDA** – *The Consent Agenda covers items anticipated to be routine in nature. Any Council member may ask that an item be moved from the Consent Agenda to the Regular Agenda for lengthier discussion, or a member of the public may request that such an item be moved. Items remaining on the Consent Agenda will be briefly described by staff and may be passed as a group with the approval of the agenda.*

**Note:** *City laws are known as ordinances. Before a city ordinance can be enacted, it must be introduced (1st Reading) and then approved (2nd Reading). Resolutions are actions through which City Council reinforces or makes policy not rising to the level of law. Motions are related to direction from City Council to city staff to take certain actions.*

## **CONSENT AGENDA**

**Motion M2022-083 to approve a Special Event Permit to Crossroads Event Productions for the “Myrtle Beach Jazz Festival”, from October 14 through October 16, 2022, between the hours of 12:00pm and Midnight Friday and Saturday and 12:00pm to 11:00pm on Sunday. 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.**

*The promoter is expecting there will be 5,000 attendees. The event will include live music, food, retail and craft vendors. Beer, wine and spirituous liquors will also be available for purchase. Carver Street will be closed between 18<sup>th</sup> Avenue N. and 21<sup>st</sup> Avenue N., October 13, 2022 at 12 noon to 1pm on October 17, 2022. .*

**Motion M2022-084 to designate the Myrtle Beach Area Chamber of Commerce as the organization to manage and direct the expenditure of tourism and promotion funds for the 2022-23 fiscal year per SC Code §6-4-10(3), Accommodations Tax Revenues.**

*Per State statute, the funds received by a municipality or a county in county areas collecting more than fifty thousand dollars must be allocated in the following manner:*

- (1) *The first \$25,000 must be allocated to the general fund.*
- (2) *5% of the balance (after the \$25,000), must be allocated to the general fund.*
- (3) *30% of the balance for advertising and promotion of tourism to develop and increase tourist attendance through the generation of publicity. To manage and direct the expenditure of these tourism promotion funds, the municipality or county shall select one or more organizations, such as a chamber of commerce, visitor and convention bureau,*

or regional tourism commission, which has an existing, ongoing tourist promotion program.

(4) 65% to the City for tourism related expenses.

Recognizing the unique nature of this City's tourism demands the Legislature has also approved a budgetary proviso that allows half of the money that would ordinarily go to the Myrtle Beach Area Chamber of Commerce to be retained by the City and used to meet public safety expenses related to tourism. After these deductions, the amount available for advertising and promotion by the MBACC in FY 2022-23 is estimated at \$1,512,750.

### **Motion M2022-085 to approve a Mutual Aid and Assistance Agreement for Water and Wastewater Utilities**

*This Agreement is made and entered into by public and private Water and Wastewater Utilities that have, by executing this agreement, manifested their intent to participate in an Intrastate Program for Mutual Aid and Assistance.*

*Recognizing that emergencies may require assistance in the form of personnel, equipment, and supplies from outside the area of impact, the signatory of utilities established an Intrastate Program for Mutual Aid and Assistance. Through the Mutual Aid and Assistance Program, members coordinate response activities and share resources during emergencies. This Agreement sets forth the procedures and standards for the administration of the Intrastate Mutual Aid and Assistance Program.*

**Motion M2022-086 authorizing the City Manager or his designee to apply for a grant of \$78,946.52 from the U.S. Department of Justice – Patrick Leahy Bullet Proof Vest Partnership for the purpose of purchasing 76 bulletproof vests; 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 a \$39,473.26 match requirement from the Police Department budget.**

*The Patrick Leahy Bulletproof Vest Partnership (BVP), created by the Bulletproof Vest Partnership Grant Act of 1998 is a unique U.S. Department of Justice initiative designed to provide a critical resource to state and local law enforcement. Since 1999, the BVP program has awarded more than 13,000 jurisdictions a total of \$548 million in federal funds for the purchase of over one million vests (1,490,930) as of January 2022.*

**Motion:** To Approve Consent Agenda Items, **Moved by** Jackie Hatley, **Seconded by** Michael Chestnut.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

**Yes:** Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Gregg Smith, John Krajc.

**Absent:** Philip N. Render

### **REGULAR AGENDA**

**2<sup>nd</sup> Reading Ordinance 2022-025 authorizing: the creation of the Myrtle Beach Downtown Municipal Improvement District and approving an improvement plan for the district; providing for the financing of improvements therein by assessments and other revenues as herein described; providing for the publication of this ordinance upon the enactment hereof; ordering the preparation of an assessment roll; the**

**publishing of the completion of the assessment roll and sending notice of such assessment to property owners; and, other matters relating thereto.**

*The purpose of the MID is to provide for the provision and funding of various public improvements for the benefit of the current and future users of the real property located within the district, as set forth in Resolution 2022-01, adopted on April 12, 2022.*

*Proposed public improvements consist of the following:*

- *Ambassador Program*
- *Events and Marketing*
- *Special Projects*
- *Planning and Research*

*Absent the establishment of the district, other funding sources would need to be identified to provide for the public improvements proposed within the district.*

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

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

**Yes:** Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Gregg Smith, John Krajc.

**Absent:** Philip N. Render

#### **ADOPTED**

**2<sup>nd</sup> Reading Ordinance 2022-026 to rezone approximately 0.54 acres on Grey Street (Pin #425-13-03-0034) from R5 (Single Family) to RMM (Multifamily Medium Density) to match the zoning of the adjacent parcel to allow for the development of multifamily units.**

*The property fronts on both Grey Street and White Street in the Carrie May Johnson Neighborhood. The adjacent property to the north is zoned RMM, and adjacent properties on the other three sides are zoned R5. R5 is a Single Family District with a minimum lot size of 5,000 square feet. RMM is a Multifamily District that allows up to 12 units per acre.*

*If approved, the rezoning could result in a slight density increase. In R5, the property is currently nonconforming with two residential units. However, the property is currently eligible for subdivision into four single-family lots. Rezoning to RMM could result in as many as six units total, depending upon the design. The city has a documented shortage of workforce housing.*

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

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

**Yes:** Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Gregg Smith, John Krajc.

**Absent:** Philip N. Render

#### **ADOPTED**

**2<sup>nd</sup> Reading Ordinance 2022-027 annex approximately 1.26 acres at 2115 Highway 501 (PIN #425-09-03-0003 and #425-09-03-0009) and rezone the property from Horry County HC (Highway Commercial) to Myrtle Beach HC1 (Highway Commercial) in order to attain city water and sewer service.**

*The request is to annex two parcels along Highway 501 near Seaboard Street. Parcel #425-09-03-0003 is approximately 0.35 acres, and it is currently leased to Brakes 4 Less. Parcel #425-09-03-0009 is approximately 0.91 acres, and it currently sits vacant, but with plans for a fast food restaurant.*

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

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

**Yes:** Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Gregg Smith, John Krajc.

**Absent:** Philip N. Render

## **ADOPTED**

### **1<sup>st</sup> Reading Ordinance 2022-028 to levy taxes and establish a municipal budget for the fiscal year beginning July 1, 2022, and ending June 30, 2023.**

*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 2022-23 is \$292,204,387, a .04% increase from the current revised budget. The proposed budget includes a proposed property tax increase of 10 mills, from 78.9 mills to 88.9 mills. Property taxes will equate to 88.9 cents /\$100 of assessed valuation (\$.829 for operations & .06 for debt service). In addition, the proposed budget includes a proposed blended water & sewer rate increase of 4.68%, a storm water fee increase of \$1.67/ ERU (adopted in separate resolution), a parking fee increase of \$.50 - \$1.25 Hourly, \$2.00 - \$5.00 Daily, and \$20.00 for a weekly on-street pass. (Non-Resident Annual Vehicle & Golf Cart, Employee and Replacement Decal fees unchanged). The proposed budget is balanced w/ fund balance targets & ratios of recurring revenues to expenditure met. The General Fund is balanced w/ ratio of recurring sources to recurring uses at 104.5% & fund balance at 19.8% of recurring expenditures.*

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

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

**Yes:** Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Gregg Smith, John Krajc.

**Absent:** Philip N. Render

## **APPROVED 1<sup>st</sup> READING**

### **Resolution R2022-022 an Intergovernmental Agreement between Horry County and the City of Myrtle Beach to allocate county-wide Community Development Block Grant (CDBG) funding and to proportionately distribute the benefits thereof.**

*To increase City CDBG funding Myrtle Beach relinquished direct recipient status and cooperated with Horry County and Conway to obtain Urban County Entitlement status in 2008. These jurisdictions have entered into several 3-year Intergovernmental agreements since 2008. In the most recent agreement (2019), Conway opted out of the tri-party IGA. This newest IGA is a 3-year agreement that is scheduled to begin on 10/1/22.*

*The agreement also includes compliance with HUD's 'restrictive covenant' requirement which states: Any projects from \$20,000 to \$50,000 must provide benefits to low-moderate-income persons or areas for a minimum of 10 years.*

*For projects from \$50,001 to \$100,000, the minimum is 15 years.*

*For projects from \$100,001 to \$150,000, the minimum is 20 yrs.*

*For projects over \$150,001, the minimum is 30 years.*

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

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

**Yes:** Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Gregg Smith, John Krajc.

**Absent:** Philip N. Render

## APPROVED

### **Resolution R2022-023 to adopt the Myrtle Beach Housing and Community Development Annual Action Plan and budget for FY 2022/2023.**

*In total the City's CDBG allocation is projected to decrease from \$405,014 to \$381,039. The funds are budgeted on the federal fiscal year, and must be spent to primarily benefit low and moderate income people. The following is the proposed allocation covering the period 10/1/2022 – 9/30/2023:*

Public Infrastructure	\$326,039
Public Facilities	\$55,000

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

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

**Yes:** Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Gregg Smith, John Krajc.

**Absent:** Philip N. Render

## APPROVED

**Motion M2022-087 to approve a Special Event Permit to Mike Shank/NS Promotions for the “Summer 5K Series” on the streets in the Market Common area .There will be 3 races, June 7<sup>th</sup>, July 19<sup>th</sup> and August 16<sup>th</sup> 2022, between the hours of 5:00pm and 8pm. 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.**

*This request includes rolling closures for portions of the following streets: Knoles, Johnson, Shine, Howard and Huger. The P.R.S.T. department will provide course setup and monitoring.*

Mayor Bethune recused herself due to working relationship with applicant.

**Motion:** To Approve, **Moved by** Mike Lowder, **Seconded by** Jackie Hatley.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

**Yes:** Michael Chestnut, Jackie Hatley, Mike Lowder, Gregg Smith, John Krajc.

**Absent:** Philip N. Render

**Recused:** Mayor Brenda Bethune

## APPROVED

**Motion M2022-088 to approve a Special Event Permit to Mike Shank / NS Promotions for the “Independence Day 5K race on the streets in the Market Common area and at Grand Park on July 4, 2022, between the hours of 6:00am and 10am. 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.**

*This request includes rolling closures for portions of the following streets: Farrow Parkway, Pampas, Myers and Forbus Court.*

Mayor Bethune recused herself due to working relationship with applicant.

**Motion:** To Approve, **Moved by** Mike Lowder, **Seconded by** Jackie Hatley.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

**Yes:** Michael Chestnut, Jackie Hatley, Mike Lowder, Gregg Smith, John Krajc.

**Absent:** Philip N. Render

**Recused:** Mayor Brenda Bethune

## APPROVED

**Motion M2022-089 to approve a Special Event Permit to NS Promotions for the “2022 Turkey Trot” 5K race on the streets in the Market Common area on November 24, 2022 from 6:00am and 11:00am, take down will be completed by Noon. 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.**

*It is anticipated that there will be at least 1,200 runners for this event. This request includes rolling closures for portions of the following streets: Farrow Parkway, Pampas, Forbus and Myers. there are no in-kind services request.*

Mayor Bethune recused herself due to working relationship with applicant.

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

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).

**Yes:** Michael Chestnut, Jackie Hatley, Mike Lowder, Gregg Smith, John Krajc.

**Absent:** Philip N. Render

**Recused:** Mayor Brenda Bethune

## APPROVED

**Motion M2022-090 to accept a donation of \$10,000 from Ms. Carol W. Conner for beach walkover maintenance activities to promote beach maintenance and accessibility. No local match is required.**

*The 34<sup>th</sup> Ave N. walkover, stairs, and sand level had been improved in a timely and adequate fashion at the request of local beachgoer Barbara Enrick. After a responsive and well-executed beach nourishment project on 34th Ave N., these funds were donated in satisfaction with City employee actions and will be used to further beach walkover maintenance activities.*

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

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

**Yes:** Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Gregg Smith, John Krajc.

**Absent:** Philip N. Render

## APPROVED

**Motion M2022-091 to allocate \$7,500 in 2022 Accommodations Tax Funding for the Waccamaw Arts & Crafts Guild**

*During the distribution of the 2022 Accommodations Tax monies at the April 26, 2022 City Council meeting, \$2,500 remained. The additional \$5,000 will reduce the amount of funding earmarked for City projects. This Motion allocates these monies to the Waccamaw Arts & Crafts Guild. With this allocation, the Waccamaw Arts & Crafts Guild will receive a total of \$9,500 in 2022 Accommodations Tax funding.*

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

**Motion:** To Amend contingent of funding for hosting four events within Valor Park or downtown, **Moved by** John Krajc, **Seconded by** Michael Chestnut.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

**Yes:** Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Gregg Smith, John Krajc.

**Absent:** Philip N. Render

## **APPROVED**

**Motion M2022-092 to appoint one member to the Technology Advisory Committee (TAG).**

*Sarah Bonnoitt, with HTC, is resigning her position with TAG, and HTC wishes to replace her with Kevin Cox, HTC, Strategic Account Advisor.*

*Via M2019-189, City Council approved a 10-year gift agreement with HTC. Per the agreement, HTC will contribute \$250,000 over the course of the 10-years (\$125,000 in cash and \$125,000 in in-kind services). In consideration of this gift, HTC will have a member on the TAG Board for as long as the agreement is in place. Currently Sarah Bonnoitt is the HTC representative on TAG and HTC wishes to replace Ms. Bonnoitt with Mr. Cox.*

**Motion:** To Appoint Kevin Cox, **Moved by** John Krajc, **Seconded by** Gregg Smith.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

**Yes:** Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Gregg Smith, John Krajc.

**Absent:** Philip N. Render

## **APPROVED**

**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.*

**Motion:** To Enter Closed Session to discuss 1) proposed purchase of property in the downtown area and invite Joey Ganassa and Adam Cates 2) proposed contractual negotiations involving city owned property in the Arts & Innovation District and include Joey Ganassa and Adam Cates in discussion 3) legal advice concerning city's fireworks ordinance and invite Chief Prock, Chief Gwyer, and Ken May 4) personnel matter regarding Planning Commission with invite Ken May 5) personnel matter regarding Beach Advisory Committee **Moved by** John Krajc, **Seconded by** Michael Chestnut.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

**Yes:** Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Gregg Smith, John Krajc.

**Absent:** Philip N. Render

11:29 A.M.

**Motion:** To Exit Closed Session, **Moved by** Mike Lowder, **Seconded by** John Krajc.

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

**Yes:** Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Gregg Smith, John Krajc.

**Absent:** Philip N. Render

2:16 P.M.

### **ADJOURNMENT**

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

**Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

**Yes:** Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Gregg Smith, John Krajc.

**Absent:** Philip N. Render

2:16 P.M.

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BRENDA BETHUNE, MAYOR

ATTEST:

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JENNIFER ADKINS, CITY CLERK