

**MEETING MINUTES
TUESDAY, MAY 26, 2020
10:00 A.M. – MEETING – TED C. COLLINS LAW ENFORCEMENT CENTER**

 **Roll Call.**


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

Absent/Excused: Philip N. Render.

CALL TO ORDER..... 10:07 A.M.
INVOCATION..... Councilman Chestnut
PLEDGE OF ALLEGIANCE..... Councilman Chestnut

APPROVAL OF AGENDA.....


 **Motion:** To Approve, **Moved by** John Krajc, **Seconded by** Jackie Hatley.


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

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

Absent: Philip N. Render.

APPROVAL OF MINUTES..... April 2, 2020
APPROVAL OF MINUTES..... April 6, 2020
APPROVAL OF MINUTES..... April 30, 2020
APPROVAL OF MINUTES..... May 12, 2020
APPROVAL OF MINUTES..... May 18, 2020




 **Motion:** To Approve All Minutes, **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, John Krajc, Mike Lowder, Gregg Smith, Jackie Hatley.


Absent: Philip N. Render.

NON-AGENDA ITEMS FROM THE PUBLIC

-  Mark McBride spoke to the past weekend's public safety.
-  Linda Stover spoke about the past weekend's shootings.
-  C E Moshier also spoke about the past weekend's shootings.

PUBLIC REQUESTS, PRESENTATIONS, AWARDS, MEMORIALS:

1. Workforce Housing Advisory Taskforce Report
 -  Amber Campbell and Habitat for Humanity of Horry County Executive Director, Carla Schuessler presented the Workforce Housing Advisory Taskforce Report
2. City Facility Re-Opening Update – Deputy City Manager
 -  Fox Simons reviews plans to re-open to include precautions and actions taken to keep residents and visitors safe.

 Dustin Jordan explains the various Recreation Centers' facility hours of operation, opening dates, the number of patrons/children allowed per facility along with summer camp regulations.

3. Public Information Update – PIO Staff

 Chasity Pendergrass reviews past, present and future events.

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, 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), & then approved (2nd reading). Resolutions are normally actions through which City Council reinforces or makes policy not rising to the level of law. Motions are generally related to direction from City Council to City staff to take certain actions.*

CONSENT AGENDA

REGULAR AGENDA

2nd Reading Ordinance 2020-24 an ordinance to declare a Specific Targeted Business Development Project known as the Great American Surf Park as eligible for development incentives, pursuant to Chapter 15, Article iv, Section 15-53.1 of the Code of Ordinances.

As contemplated in a Letter of Intent approved by City Council in August 2019, American Surf Parks, LLC proposes to develop a surf park and amphitheater on the City-owned property located behind the Sports Center, east of Grissom Parkway, and south of Burroughs and Chapin Boulevard. The premises contain approximately 295,000 cubic yards of stockpiled spoil dirt which must be removed at an estimated cost to the developer of \$2,000,000. A large portion of the spoil dirt will be used on the property adjacent to the proposed surf park to create an amphitheater with a sloping seating bowl. The estimated capacity of that amphitheater is approximately 2,000 spectators with fixed seats, and 8,000 more in the seating bowl.

Staff estimates the total projected revenues from the surf park operations alone at nearly \$450,000/year (exclusive of rent payments) for phase one of the project. This estimate includes city property taxes, business license fees, TDF, Hospitality Fees, and the City's portion of the State Admissions Tax. A separate phase two is contemplated with a proposed hotel. Staff has not estimated the financial impact of the proposed amphitheater.

The proposed ordinance authorizes the application of the City's Voucher Incentive Program to this project. Pursuant to that program the Applicant is eligible for reimbursement of certain fees paid to the City upon completion of the project and issuance of a project Certificate of Occupancy. The amount of the reimbursement is 2% of the construction costs of the project, which is estimated to be \$41,000,000 which would allow for a Voucher Incentive of \$820,000 over a five year period.

 **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, John Krajc, Mike Lowder, Gregg Smith, Jackie Hatley.

Absent: Philip N. Render.

1st Reading Ordinance 2020-25 an ordinance to amend in the Code of Ordinances Chapter 19, Article 1 sections 19-3.1.3, 19-3.1.5, 19-3.1.6, 19-3.1.7, 19-3.1.8, 19-3.1.9, and 19-3.2 as set forth below to permit and regulate sidewalk café uses at Nance Plaza

The decision to allow café uses in Nance Plaza was discussed during the consideration of the Arts and Innovation District and prior to Council's decision to sell a City owned building to be used as a brewery. This ordinance proposes to amend the Café Ordinance to allow for a café in the right-of-way of George Cox Street adjacent to Nance Plaza in the Arts and Innovation District subject to the approval of the Zoning Administrator. Provided that the size of the café does not adversely impact the remaining parts of the public way, or Nance Plaza, or compromise the essential purpose of Nance Plaza; and that a minimum of 5' is maintained for pedestrian passage in the right-of-way.

Additional conditions to operate a café on the west side of Nance Plaza:

- *The café perimeter must be fully or partially enclosed by a barrier approved by the Zoning Administrator (the barrier cannot interfere w/ pedestrians).*
- *Proof of off-premises beer and wine license issued by the SCDOR shall be provided to the city.*
- *The permittee shall supply clear plastic cups for beer & wine to patrons. The permittee's name and/or logo shall be displayed on such cups.*
- *Café cannot serve liquor, or serve beer or wine for in Nance Plaza in a container other than a clear plastic logo cup.*
- *Permittee may not serve beer or wine in their plastic logo cups after midnight. The café shall be closed between midnight until the permitted business opens for business the next day.*
- *Permittee shall display city-approved signage, viewable from the café, regarding this article and other rules/restrictions concerning alcohol consumption in & outside the Plaza.*



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



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

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

Absent: Philip N. Render.

Motion M2020-65 to appoint the members of the Myrtle Beach Coronavirus Recovery Task Force.

As approved in the resolution directing the Manager to Implement Executive Order 8, the Task Force responsibilities would be:

- *To review the effect all previous and subsequent Executive Orders, especially with respect to:*
 - *The health of our residents and visitors.*
 - *Local capacity to provide adequate medical treatment and facilities.*

- *The supply of commodities such as food, medical supplies, and other essential materials.*
- *Local economic conditions.*
- *Enforcement of existing laws, Governor's Executive orders, and City Executive Orders.*
- *To make recommendations to City Council regarding future phases of recovery.*
- *Other issues as assigned by City Council.*

The proposed membership would include:

- *Medical Provider Representative.*
- *City of Myrtle Beach Fire Chief.*
- *City of Myrtle Beach Police Chief.*
- *Hotel Owner or Manager.*
- *Restaurant Owner or Manager.*
- *City Convention Center Director.*
- *Retail Business Owner or Manager.*
- *Amusement/Attraction Owner or Manager.*
- *Small Business Owner/Manager.*
- *Three residents representing the south, central and center City areas.*

Meeting and reporting expectations

- *To meet as needed and as called by the Committee Chairperson.*
- *To report to Council at each Council Meeting until the expiration of the Civil Emergency.*


To report new developments and concerns to City Council along with recommendations to accelerate, slow down, or maintain the target dates and maximum occupancy targets.

 **Motion:** To Defer, **Moved by** Mayor Brenda Bethune, **None seconded.**

Motion M2020-67 to authorize the City Manager to enter into such documents as necessary to acquire the property fronting on both Canal and Nance Streets shown as Canal Sec Lot 16 TMS# 181-02-04-034 to be used for workforce housing purposes, at the appraised value of \$55,000, from funds authorized exclusively for this use.

Staff has proposed the acquisition of this .74 acre parcel for workforce housing uses. The proposed sales price is \$55,000, which reflects the appraised value of the property. The property is zoned R-8 and can accommodate up to four single family structures within that zoning designation. The funds for the purchase would come from the Workforce Housing Account, which is funded by a charge of .25% of the value of new construction, less \$100,000.

 **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, John Krajc, Mike Lowder, Gregg Smith, Jackie Hatley.

Absent: Philip N. Render.

Motion M2020-68 to authorize the City Manager to enter into negotiations with MYDATT SERVICES, INC., (DBA BLOCK BY BLOCK) to provide “ambassador services” in downtown Myrtle Beach.

Within the target area (east of Kings Highway from 29th N to 7th S and the Arts and Innovation District), the Ambassador Program is designed to:

- Build relationships with stakeholders (e.g. residents, visitors, property owners and business owners) offer hospitality services in the designated area.
- Further enhance the reality and perception of personal safety for our residents and guests.
- Report, and/or address maintenance issues including burned-out street lights, damaged public property, and sidewalk trip hazards.
- Act as a "force multiplier" for the Police to report actual or suspected criminal activity.
- Identify and report obvious zoning and building code violations.
- Work with City litter teams to report major unsightly debris and other aesthetic issues.
- Water the hanging baskets on a daily basis.
- Work with local area agencies to address homelessness persons and to make appropriate social service referrals.

The proposed agreement is for one year, which is to be considered a trial period. The proposed cost of this program is \$449,814.46. Under the terms of the proposed agreement the City is also obligated to provide a location for the contractor. The proposed source of funding is the "Downtown Improvement Fund". Within that Fund approximately \$518,000 comes to the City as a result of the decision to close the Downtown Redevelopment Corporation. The actual deployment of Ambassadors will fluctuate depending on the time of the year and the number of people anticipated to be in the target area.



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



Vote: Motion passed (**summary:** Yes = 5, No = 1, Recuse = 0).

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

No: Gregg Smith.

Absent: Philip N. Render.

Motion M2020-69 to allocate Accommodation Tax funding for 2020.

State law provides that State Accommodations Taxes be allocated as follows:

- The first \$25,000 statutory allocation to the General Fund
- The City receives statutory allocation of 5% of revenues after the first \$25,000 are deducted.
- The City receives 15% of revenue after the first \$25,000 for direct policing services, per Proviso No. 109.11
- Promotional allocation of 15% of revenue after the first \$25,000 is paid to the Chamber for advertising and promotion of tourism, per Proviso No. 109.11
- 65% of the balance to a special fund for Tourism-Related expenditures.

The purpose of this motion is to allocate the 65% portion of this fund (approximately \$5.19 million between City-related tourism used and 40 applicants who applied for funding through the A-tax process).



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



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


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

Absent: Philip N. Render.

Motion M2020-70 Authorizing the City Manager or his designee to apply for a grant of \$125,363.00 from the US Department of Justice, Office of Justice Programs (OJP), Bureau of Justice Assistance FY 2020 Coronavirus Emergency Supplemental Funding Program (CESF) for the purpose of purchasing personal protective equipment (PPE) and sanitizing equipment for the Police Department and providing training related to mitigation, preparation, response and recovery from the COVID 19 pandemic, 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 Police Department will use the emergency supplemental funding program to purchase PPEs and sanitizing equipment for the officers and provide necessary training related to mitigation preparation, response and recovery from the pandemic. There is no match requirement.

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

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


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

Absent: Philip N. Render.

Motion M2020-71 Authorizing the City Manager or his designee to apply for a grant of \$3,500 from the United States Tennis Association Facility Recovery Grant program for the purpose of purchasing tennis equipment to assist in reopening the Tennis Center due to the COVID19 closing, 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 Parks, Recreation and Sports Tourism Department will use the recovery grant funding to purchase needed tennis equipment. The USTA Facility Recovery Grants program was created to assist facilities defray some of the tennis-related costs associated with reopening in 2020 if the facility closed due to the impact of COVID-19.

 **Motion:** To Approve, **Moved by** Jackie Hatley, **Seconded by** John Krajc.

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

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

Absent: Philip N. Render.

COMMUNICATIONS FROM CITY COUNCIL AND CITY MANAGER

1. **Mini-Budget Retreat: Discussion moved to June 4, 2020 Council Workshop Meeting**
 - **Manager's Opening Remarks**
 - **Background information from the CFO.**


- FY 2019-20 – Weathering the pandemic.
- FY 2020-21 Budget:
 - Flexibility.
 - Strategies – those used to balance the budget, and those rejected.
 - Rate, fees, and property tax increase proposals.
 - Service Implications – limited new services.
 - Solid Waste cost re-allocations.
- FY 2021 – 2025 Capital Improvement Program.
 - Overall theme of CIP.
 - Downtown Masterplan Implementation Update (postponed until 7/ 2).
 - Stormwater Update.
 - Transfer Station Update.
- Council discussion and direction.


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 Executive Session to discuss the development of security personnel with Chief Prock, and to discuss a contractual matter. **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, John Krajc, Mike Lowder, Gregg Smith, Jackie Hatley.
Absent: Philip N. Render.

1:08 P.M.

 **Motion:** To Exit Executive Session **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, John Krajc, Mike Lowder, Gregg Smith, Jackie Hatley.

Absent: Philip N. Render.

3:37 P.M.

ADJOURNMENT



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



Vote: Motion carried by unanimous roll call vote (**summary:** Yes = 6).
Yes: Mayor Brenda Bethune, Michael Chestnut, John Krajc, Mike Lowder, Gregg Smith, Jackie Hatley.

Absent: Philip N. Render.

3:39 P.M.

ATTEST:

BRENDA BETHUNE, MAYOR

LINDSEY HARING, ACTING CITY CLERK