

**MYRTLE BEACH CITY COUNCIL MEETING MINUTES
TUESDAY, JUNE 14, 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. Myrtle Beach Area Chamber of Commerce Quarterly Update – Karen Riordan (Workshop)
 - Mrs. Riordan reviews funding amounts used on marketing, occupancy numbers, campaign messaging schedule, and community initiatives. (Presentation available upon request).

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 2022-23 FISCAL YEAR

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

Michelle Shumpert, Chief Financial Officer, explains that requirements of public notice were met per S.C. Code Sec. 6-1-8, the 2022-2023 budget ad ran in the Myrtle Beach Herald on Friday, May 20, 2022.

Mayor Bethune asks if anyone from the public has any comments or questions, no one comes forward. Mayor Bethune then closes the public hearing 10:06 A.M.

CALL TO ORDER.....10:06 A.M.
INVOCATION.....Councilman Smith
PLEDGE OF ALLEGIANCE.....Councilman Smith

APPROVAL OF AGENDA.....

CONTINUED ITEMS:

1st Reading Ordinance 2022-29 to annex 5.26 acres along Pine Island Rd. (PIN# 45216030015) into the City of Myrtle Beach and to zone the property from Horry County LI (Limited Industrial) to Myrtle Beach Pine Island Point PUD.

1ST Reading Ordinance 2022-30 to amend Ordinances 2006-24, 2016-27 & 2018-67, known as Pine Island Point Planned Unit Development to include an additional ~5.26 acres with additional housing and retail opportunities, to add up to 2 additional signs, to add public improvements, to reduce the number of required trees, and to update the phasing schedule.

Motion: To Approve Amended Agenda, **Moved by** Philip N. Render, **Seconded by** Jackie Hatley.

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

Yes: Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Gregg Smith, John Krajc, Philip N. Render.

Absent: Mike Lowder

APPROVAL OF MINUTES.....

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, Gregg Smith, John Krajc, Philip N. Render.

Absent: Mike Lowder

PUBLIC REQUESTS, PRESENTATIONS, AWARDS, MEMORIALS:

- 2. Juneteenth Proclamation (meeting)
 - Mark Kruea presents proclamation. Ms. Cookie Goings graciously accepts proclamation.
- 3. Proclamation declaring week of June 20-26, 2022 as Amateur Radio Week – Todd Rush (meeting)
 - Mark Kruea presents proclamation.
- 4. Public Information Update – PIO Staff
 - Mark Kruea reviews past, present, and future events.

NON-AGENDA ITEMS FROM PUBLIC.....30 Minute Time Limit

- Bill McClure, suggests a searchable voting record software.
- Terry Livingston, Grand Strand Pride (comments attached)

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 M2022-93 authorizing the City Manager or his designee to apply for a grant of \$9,696 from the T-Mobile Hometown Community 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. No match is required.

The purpose of this grant is for new signage in Bathsheba Bowens Memorial Park. Proposed project will have a specific focus on educating community members and park visitors about the historical, environmental, and cultural happenings that have influenced the community.

Motion M2022-94 authorizing the City Manager or his designee to apply for a grant of \$12,000 from the Firefighters Charitable Foundation, 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 purpose of the grant is to purchase a SKID for MBFD. This piece of equipment provides fire protection, suppression, and rescue too many unincorporated areas and allows responders to effectively fight and mitigate brush, woods, wildland, and improve our urban interface firefighting. Other specialized roles a SKID unit serves include: certain types of larger special events (i.e., car shows, CCMF, food truck festival), off-road firefighting capability on the beach, off-road

firefighting capabilities at constructions sites, developments, or any other area in which a pumper is not going to be effective or able to gain access.

Motion M2022-95 to approve a Special Event Permit to the Myrtle Beach Area Chamber of Commerce for Beach Beautification from June 15, 2022 to September 15th 2022. 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 event will include semi-permanent art installations on the parking garage and on light poles around the arts and innovation district.

Motion M2022-96 to approve a Special Event Permit to “Pride Myrtle Beach” for “Pride in the Park” at Valor Gardens on October 1, 2022. 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 event will celebrate LGTBQ+ inclusion and acceptance. This is a gated free event, there will be live entertainment, a DJ, food trucks and beer and wine sales. This request includes a closure of Hackler St. between Howard and Farrow.

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, Gregg Smith, John Krajc, Philip N. Render.

Absent: Mike Lowder

ALL ITEMS APPROVED

REGULAR AGENDA

2nd Reading Ordinance 2022-28 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 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, Gregg Smith, John Krajc, Philip N. Render.

Absent: Mike Lowder

ADOPTED

1st Reading Ordinance 2022-29 to annex 5.26 acres along Pine Island Rd. (PIN# 45216030015) into the City of Myrtle Beach and to zone the property from Horry County LI (Limited Industrial) to Myrtle Beach Pine Island Point PUD.

Pine Island Point is a mixed-use PUD of approximately 35 acres at the corner of Seaboard Street and Pine Island Road. This annexation adds approximately 5.26 acres (PIN#42516030015) along Pine Island Rd. Planning Commission (4.5.22): recommends approval (8/0)

CONTINUED

1ST Reading Ordinance 2022-30 to amend Ordinances 2006-24, 2016-27 & 2018-67, known as Pine Island Point Planned Unit Development to include an additional ~5.26 acres with additional housing and retail opportunities, to add up to 2 additional signs, to add public improvements, to reduce the number of required trees, and to update the phasing schedule.

Pine Island Point is a mixed-use PUD of approx. 35 acres at the corner of Seaboard Street and Pine Island Road. Phase One is complete, and includes the 55 & older Inspire Coastal Grand multifamily project and new Sea Pine Blvd (a private St). Plans for the additional acreage include multifamily housing and a retail building along Sea Pine Blvd. Planning Commission (5.3.22): recommends approval (6/0) with the following changes:

- *At least one bus shelter, the location of which will be coordinated with COAST RTA.*
- *Pedestrian improvements to the intersection of Pine Island Rd & Seaboard St, in coordination with the City's Public Works Department, to include at a minimum ladder-style crosswalks on all four sides, ADA ramps on all four corners, and pedestrian crossing signals for the visually impaired on all four corners.*
- *Exhibit 17.E, Sec. 902.B.2 is amended to require the number of trees for multifamily dwellings be 1 tree for every 3 units, and allow the flexibility in new tree placement as requested.*

CONTINUED

1st Reading Ordinance 2022-31 granting a franchise to provide towing and storage services within the City of Myrtle Beach, South Carolina.

Sec. 23-130 governs removal of disabled/abandoned vehicles & police directed tows. The Manager is responsible for ensuring that such vehicles & police directed tows are removed from public property in a timely manner. Staff issued an RFQ for City-directed towing services for the next 5-year period. Only the 4 current franchise holders responded to the RFQ:

- *Shoreline Towing.*
- *Strand Towing.*
- *Corner Cars.*
- *Quality Towing.*

Motion: To Approve, Moved by Gregg Smith, Seconded by Jackie Hatley.

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

Yes: Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Gregg Smith, John Krajc, Philip N. Render.

Absent: Mike Lowder

APPROVED 1st READING

1st Reading Ordinance 2022-32 granting a boardwalk vendor franchise agreement for the 6th Ave N portion of the public boardwalk of the City of Myrtle Beach for a period of two years beginning June 14, 2022.

There are 4 existing Boardwalk franchises at the following locations:

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

Normal Franchises are for 3 year, but due to turn over the sequencing is skewed. This two-year franchise will help staff try to get the franchises in synch.

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, Gregg Smith, John Krajc, Philip N. Render.

Absent: Mike Lowder

APPROVED 1st READING

1st Reading Ordinance 2022-33 in the Code of Ordinances for the City of Myrtle Beach, an ordinance to amend Chapter 5, Section 5-18 to provide a civil penalty and to amend Chapter 9, Article 1, Section 9-5 to prohibit certain types of uses as well as use of fireworks in certain areas and during certain times; exceptions and violation resulting in civil infraction.

To amend city code sections addressing fireworks to comply with state law. The proposed amended ordinance would continue to prohibit the use, discharge or ignition of fireworks on the public beach, beach access, government land adjacent to the beach, public street or right of way including street ends adjacent to the beach, public park and other public property at all times. The proposed amended ordinance would also make it unlawful to:

1. *To use, fire, shoot, discharge, or ignite fireworks if a person is under the age of 18 years, unless accompanied by a parent or legal guardian;*
2. *To shoot, fire, discharge, or throw fireworks at or toward any person, animal, structure, or vehicle, including but not limited to golf carts;*
3. *To use, fire, shoot, discharge, or ignite any fireworks within or throw fireworks or from a vehicle, including golf carts;*
4. *To use, fire, shoot, discharge, or ignite any fireworks within 500 feet of a church, hospital, asylum, or school; and*
5. *To use, fire, shoot, discharge, or ignite any fireworks within 300 feet of gasoline stations or other businesses where gasoline and/or other flammable liquids or gases are sold or stored. Under the proposed amended ordinance, violations are subject to civil fine of \$250 for a first violation and \$500 for each subsequent violation occurring within twelve months.*

Motion: To Approve, Moved by Gregg Smith, Seconded by Jackie Hatley.

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

Yes: Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Gregg Smith, John Krajc, Philip N. Render.

Absent: Mike Lowder

APPROVED 1st READING

Resolution R2022-24 to amend the schedule of storm water fees according to the procedure specified in City Code Sec. 18-27.

The City commissioned a Storm Water rate study in 2022 to assess the operating and capital funding needs of the storm water program over the next 5 years. Current revenues generated through the Storm Water fee are not sufficient to cover the operating cost of the system and provide for necessary capital improvements.

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, Gregg Smith, John Krajc, Philip N. Render.

Absent: Mike Lowder

APPROVED

Resolution R2022-25 to adopt a five-year Capital Improvement Plan for fiscal years 2023 through 2027.

Budget Ordinance appropriates funding for projects in the 1st year of the CIP. This resolution establishes the remainder of the plan as a base line for capital investment in years 2-5. The resolution does not provide any appropriation but gives the plan life beyond the fiscal year until & unless it is replaced or revised.

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, Gregg Smith, John Krajc, Philip N. Render.

Absent: Mike Lowder

APPROVED

Resolution R2022-26 to allow a non-exclusive encroachment permit on City property that allows minor landscaping and the placement of removable furniture (chairs, tables, and umbrellas, etc...) for use by the adjacent property located at 701 S. Ocean Boulevard (PIN# 44311030224 and the beach

The City owns a narrow strip of property, varying in depth, between private properties and the beach. Over the years the City has granted Encroachment Permits to adjacent property owners for limited use of the City's property, guided by Ordinance 91-22 as amended from time to time, the latest being Ordinance 2006-21. The applicant is asking to grade to resolve a small erosion issue, plant grass, and install removable lawn furniture for use by Bali Bay guests. The applicant has signed an agreement holding harmless the City for any damages arising out of, from or in connection with the exercise of the privilege granted by issuance of the Non-Exclusive-Use Encroachment Permit.

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

Vote: Motion carried by unanimous roll call vote (summary: Yes = 5 No = 1).

Yes: Mayor Brenda Bethune, Jackie Hatley, Gregg Smith, John Krajc, Philip N. Render.

No: Michael Chestnut

Absent: Mike Lowder

APPROVED

Motion M2022-97 to authorize the City Manager to enter into a one-year funding agreement with the Myrtle Beach Downtown Alliance.

This is a formal agreement between the City and the Myrtle Beach Downtown Alliance. This agreement expires 6.30.23.

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, Gregg Smith, John Krajc, Philip N. Render.

Absent: Mike Lowder

APPROVED

Motion M2022-98 to appoint/reappoint one member to the Human Rights Commission.

There are currently three vacant seats. Chairman recommends Shane Cacho (Non-Resident) to fill one of these seats. This term will expire February 22, 2025.

Motion: To Appoint Shane Cacho, 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, Gregg Smith, John Krajc, Philip N. Render.

Absent: Mike Lowder

Motion M2022-99 apply for a grant in the amount of \$200,000 from the Chapin Foundation for the purchase, custom fitting, and wrapping of a sprinter van for library bookmobile services and outreach lab. No match required.

The bookmobile will extend library services beyond the building into neighborhoods, daycare facilities, assisted living homes, after school programs, and other appropriate sites. It will provide greater opportunity for library staff to collaborate with other community partners with similar goals and elevate the library's resource reach and visibility in the community.

Motion: To Approve, Moved by Jackie Hatley, Seconded by Philip N. Render.

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

Yes: Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Gregg Smith, John Krajc, Philip N. Render.

Absent: Mike Lowder

APPROVED

Motion M2022-100 to consider renewal of the City Manager's Contract.

The City Manager serves at the pleasure of the City Council under an annual contract which is reconsidered annually by Council.

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

Motion: To Amend to increase annual salary to \$250,000.00, **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, Gregg Smith, John Krajc, Philip N. Render.

Absent: Mike Lowder

APPROVED WITH AMENDMENT

Motion M2022-101 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** 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, Gregg Smith, John Krajc, Philip N. Render.

Absent: Mike Lowder

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.

ADJOURNMENT

Motion: To Adjourn, **Moved by** Philip N. Render, **Seconded by** John Krajc.

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

Yes: Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Gregg Smith, John Krajc, Philip N. Render.

Absent: Mike Lowder

11:20 A.M.

ATTEST:

BRENDA BETHUNE, MAYOR

JENNIFER ADKINS, CITY CLERK



Good morning mayor and council members and thank you for this opportunity to address the city. My name is Terry Livingston and today I am here representing Grand Strand PRIDE, which is the advocacy voice of the local LGBTQ+ community. Although I sent you all a thank you e-mail after you declared June as Pride Month in the City of Myrtle Beach, I felt it was very important to make a public thank you today as well. As you are well aware, there is suddenly a lot of confusion and mis-information on this topic. Not on your part, and not on our part, but by Horry County Council. On March 31st, our organization made a request to the county clerk and all of county council to request a Pride Month declaration very much like what you did and on May 17th, they passed such a resolution. Then at their next meeting on June 7th, County Council quietly rescinded the resolution. It seems our leadership at the county level is not interested in building a culture of inclusiveness and acceptance.

Grand Strand PRIDE's tag line for PRIDE is People Respecting Inclusion, Diversity & Equality. I am very happy to report this tag line accurately and fairly describes the leadership at the City of Myrtle Beach. And for this reason, I am proud to call Myrtle Beach my home.

I am leaving you all with an advance copy of the booklet we will be distributing at our Pride Month Celebration this Thursday afternoon. Page 2 includes a letter from Mayor Brenda and page 3 is a copy of the City's Proclamation. Please know that Grand Strand PRIDE is working hard to separate the good leadership here at the City from the negative leadership at the county on inclusion, diversity and equality.

Thank you for your ongoing support!

Is there anything else I can do to help?