

MEETING MINUTES

JUNE 22, 2021


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


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

 Roll Call.

Present: Mayor Brenda Bethune, Mike Lowder, Gregg Smith, Jackie Hatley, John Krajc.
Absent/Excused: Michael Chestnut, Philip N. Render.


CALL TO ORDER.....9:04 A.M. Workshop Meeting

 **Motion:** To Enter Closed Session to discuss A) potential contractual agreement involving Accommodations Tax and TDF and B) proposed sale of city owned property, **Moved by** Jackie Hatley, **Seconded by** John Krajc.

 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 5).
Yes: Mayor Brenda Bethune, Mike Lowder, Gregg Smith, Jackie Hatley, John Krajc.
Absent: Michael Chestnut, Philip N. Render

9:19 A.M.

 **Motion:** To Exit Closed Session, **Moved by** Jackie Hatley, **Seconded by** John Krajc.

 **Vote:** Motion carried by unanimous roll call vote (summary: Yes = 5).
Yes: Mayor Brenda Bethune, Mike Lowder, Philip N. Render, Gregg Smith, Jackie Hatley, John Krajc.
Absent: Michael Chestnut, Philip N. Render



9:48 A.M.

CALL TO ORDER.....10:01 A.M. Regular Meeting


 Councilman Render is now present for regular meeting.

INVOCATION.....Mayor Pro-Tem Hatley
PLEDGE OF ALLEGIANCE.....Mayor Pro-Tem Hatley

APPROVAL OF AGENDA.....

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



APPROVAL OF MINUTES.....June 8, 2021

 **Motion:** Approve, **Moved by** Mike Lowder, **Seconded by** Gregg Smith.
 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).

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

Absent: Michael Chestnut.

PUBLIC REQUESTS, PRESENTATIONS, AWARDS, MEMORIALS:

1. Outside Agency Allocation Discussion (Workshop).
 Michael Price, Budget Department, reviews allocation requests.
2. Public Information Update – PIO Staff (Meeting).
 Mark Kruea 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 2021-2 to rezone 1.36 acres located at 1002 29th Ave N from MU-M (Mixed Use Medium Density) to HC-1 (Highway Commercial) for the purpose of holding events.

Applicant is the owner of El Cerro Mexican restaurant located at 1002 29th Ave N. Applicant would like to expand the use of the restaurant and hold special events, such as Cinco de Mayo celebrations; the applicant intends to utilize floor space for bands and dancing as well as charge a cover fee at the door.

This description is in line with the “nightclub” use in the zoning ordinance, even though the applicant has stated that they do not want to turn the restaurant into a typical “nightclub.” Applicant’s property is adjacent to two other zoning districts that allow for nightclubs: E (Entertainment) and HC1 (Highway Commercial).

Item was continued from the last meeting to allow the applicant an opportunity to meet and discuss this request with concerned neighbors. The meeting between the parties is/was scheduled for 2.19.21.

Planning Commission recommends approval as requested (7-0).

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

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

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


Absent: Michael Chestnut.

CONTINUED

2nd Reading Ordinance 2021-29 approving corrections to City of Myrtle Beach, South Carolina 2020 amendment to the Oceanfront Redevelopment Plan; and other matters relating thereto.

On December 1, 2020, Council adopted Ordinance No. 2020-46, amending the Oceanfront Redevelopment Plan dated September 8, 2020, expanding the area of the Oceanfront Redevelopment District and adding a number of Redevelopment Projects. The Plan correctly identified the 285.95-acre Additional Redevelopment Project Area and 3,808 parcels in the Area, but the parcel listing attached as Exhibit B mistakenly included certain parcels located outside the limits of the Additional Redevelopment Project Area. Correcting this scrivener's error will bring Exhibit B into agreement with the text of the Plan and the approving ordinance.

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

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

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


Absent: Michael Chestnut.

ADOPTED

Motion M2021-79 authorizing the City Manager or his designee to apply for a Library Network Recovery (LINEAR) grant from the SC Department of Administration for \$21,879.00 for mitigating security risks and solidifying network recovery planning as part of an eRate funded library network. No match required.

The Library Network Recovery (LINEAR) grant for library network resiliency and recovery is specifically for mitigating internet security risks for eRate participating libraries. The LINEAR grant is to help South Carolina libraries prepare their networks and prevent service disruption to their communities.

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

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

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

Absent: Michael Chestnut.

APPROVED

Motion M2021-80 authorizing the City Manager or his designee to apply for a grant of \$10,195,037.50 from the U.S. Economic Development Administration - Public Works and Economic Adjustment Assistance grant program for the purpose of Phase 1B of the Arts and Innovation District's reconstruction of water, sewer and storm drainage. \$2,548,759.38 match required from the Capital Improvements Program.

Phase 1B of the Arts and Innovation District consists of the reconstruction of approximately 1500 linear feet of the 66-foot-wide Oak St corridor between 8th Ave N and Mr. Joe White Ave and 550 linear feet of the 100-foot-wide section of 9th Ave N. The section of 9th Ave N runs between Kings Hwy to Oak St. These streets will include a total reconstruction of roadway and all infrastructure from property line to

property line which includes but is not limited to the removal and replacement of the roadway pavement, curbing, sidewalks, water lines, sewer lines, force mains, drainage lines, along with undergrounding overhead electric, phone, and cable.

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

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

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

Absent: Michael Chestnut.

APPROVED

Motion M2021-81 authorizing the City Manager or his designee to apply for a \$17,329 grant from the U.S. Department of Justice – Patrick Leahy Bullet Proof Vest Partnership; 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. Matching funds of \$17,329.00 is included in 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 \$522 million in federal funds for the purchase of over one million vests (1,441,013) as of November 2020. If awarded this grant would fund 43 vests.

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

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

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


Absent: Michael Chestnut.

APPROVED

Motion M2021-82 authorizing the City Manager or his designee to apply for a grant of \$27,371.25 from the U.S. Department of Justice - Office of Community Oriented Policing Services (COPS) School Violence Prevention 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. The \$9,123.25 match will be shared with the Police Department and Horry County Schools.

The Myrtle Beach Police Department and the Horry County Schools, Myrtle Beach Cluster, have a long-standing partnership. The purpose of this partnership is to keep students and employees safe in grades K-12. This is specifically due to the commitment to the School Resource Officer Program, training, communication, curriculum involvement and prevention. In order to continue to do this effectively, both the school system and the Police Department need additional resources. The grant focus will expand the City's communication program, the schools' internal security program and our active shooter response program. This grant will affect Myrtle Beach High, Middle, Elementary and Primary schools.

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

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



APPROVED

Motion M2021-83 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 2021-22 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 2021-22 is estimated at \$1,511,250.

 **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, Mike Lowder, Philip N. Render, Gregg Smith, Jackie Hatley, John Krajc.
Absent: Michael Chestnut.

CONTINUED


Motion M2021-84 to render a decision of the business license revocation for DHD Saloon, LLC d/b/a Donny's and/or The Location.

 Mayor Bethune recused herself for she was not present during June 3, 2021 hearing.

 **Motion:** To affirm revocation of business license, **Moved by** Mike Lowder, **Seconded by** Philip N. Render.
 **Vote:** Motion carried by unanimous roll call vote (**summary:** Yes = 6).
Yes: Mayor Brenda Bethune, Mike Lowder, Philip N. Render, Gregg Smith, Jackie Hatley, John Krajc.
Absent: Michael Chestnut.

AFFIRMED REVOCATION OF BUSINESS LICENSE

NON-AGENDA ITEMS FROM THE PUBLIC

 W. E. Landis, city resident, spoke of illegal activity taken place in Wither's Swash Park and that more law enforcement is needed in that area. (Mr. Landis' written statement attached).

COMMUNICATIONS FROM CITY COUNCIL AND CITY MANAGER

1. CM/ACM Update

- 9/11 Memorial Update- Lisa Wallace

 Ms. Wallace explains that memorial relocation should be complete by August.

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 pending litigation and a contractual matter, **Moved by** Jackie Hatley, **Seconded by** John Krajc.

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

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

Absent: Michael Chestnut.

10:44 A.M.

 **Motion:** Exit Closed Session, **Moved by** Jackie Hatley, **Seconded by** John Krajc.

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

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

Absent: Michael Chestnut.

11:02 A.M.

ADJOURNMENT

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



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

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

Absent: Michael Chestnut.

11:03 A.M.

ATTEST:

BRENDA BETHUNE, MAYOR

JENNIFER ADKINS, CITY CLERK

Facebook post 6/21/2021

WHY is Wither's Swash Park so important to Myrtle Beach as a whole ??

TUESDAY, JUNE 22 , 2021 Myrtle Beach City Council Meeting

- **9:00 a.m.** – City Council Workshop, Council Chamber, Ted C. Collins Law Enforcement Center, 1101 North Oak Street
- **10:00 a.m.** – City Council Meeting, Council Chamber, Ted C. Collins Law Enforcement Center, 1101 North Oak Street

ANSWER : Wither's Swash Park (3rd Ave. South) is a reflection of the **WELLING BEING** of Myrtle. As the Park goes, so does the City of Myrtle Beach in it's matters of safety and lifestyle. The park is centrally located to the "crime area" and has been this way by my witness since Apr, 2015 (when I arrived).

QUESTION to MB City Council : Why does MBPD NOT follow the law (Ord. Sec. 14-316), as written, for the park ?

Please answer this stated question. Some answers of the past include police officer discretion but discretion is stated to the officer by the law when it can be used, so discretion is by the law as written when used properly. The question remains ! Some answers include I did not know, okay but then the next day the same officer on the same issue responds with the same answer. This is just NOT acceptable !!! But after working with the MBPD since 01/01/19 and getting the same results, it appears to be policy of the MBPD. It appears to be the policy of MBPD to NOT address many issues of the park by do not enforce the law as written. This policy appears to be applied to ALL areas of myrtle and is WRONG, resulting in many issues of today.

QUESTION to MB City Council : What quality control procedures are in place to maintain "quality" of our police function ?

Know, Mr, Charles Gasque (retired law enforcement), in January, 2019, took on the task of "cleaning up" the park, By December, 2019, it was clean ! The biggest task was "teaching" the officers to enforce the law and we again struggle today !!! That includes the issues of threats. knives and guns during the clean up.

I will be at the City Council meeting HOPING to hears some answers !!!

The following was recommended to the Mayor in writing on November 30, 2017 but I never heard any response. It is proven effective and could actually be a true service to the people to get some answers.

Brenda Bethane 11/30/2017

I strongly recommend a NEW Employee Position (CLO) for MB

Community Liaison Officer

Purpose Statement

The primary role of the Community Liaison Officer (CLO) is to implement the strategic use of communication vehicles to advance the workings and missions of Myrtle Beach City Government; advising the Mayor and City Council on communication issues; serving as a liaison on community events, organizations, committees, problem solving and facilitating proactive relationships within the community and city government. The Community Liaison Officer coordinates communications to the City Government and Mayor/City Council relative to operational issues and functions, as identified during the course of problem solving and improving daily operations of city government . The CLO performs other duties and assumes other responsibilities assigned by the Mayor/City Council.

The CLO is hired by and reports to the Mayor/City Council.

Essential Functions

- §♣ Acts as advisor to the Mayor/City Council on all matters relating to assigned areas of responsibility for the purpose of providing information to meet city goals and objectives. Aids with coordinating problem resolution as identified by external stakeholders and city departments.**
- §♣ Collaborates with internal (Mayor/City Council) and external stakeholders for the purpose of building effective communication, enhancing relationships, and ensuring a high quality of customer service to achieve goals and objectives, within the guidelines of established governmental procedures.**
- §♣ Attends district City Council meetings, community organizations, departmental meetings for the purpose of developing a presence in the community and serving as a liaison between external stakeholders and City Government.**
- §♣ Recommends responses and action plans as a result of interacting with the external stakeholders ensuring effective communication practices to meet strategic goals and objectives.**
- §♣ Develops, plans, and/or coordinates various system-wide activities for the purpose of enhancing community relationships, improving customer services/programs, and promoting a positive public image.**
- §♣ Designs in conjunction with the Mayor and City Council the implementation and solicitation of feedback from external stakeholders for the purpose of improving services and programs provided and forecasting future needs of the community.**
- §♣ Contributes to the promotion of various city programs and events for the purpose of communicating and implementing city vision and culture with internal and external stakeholders.**

End of PM

**Sincerely
William Landis
Myrtle Beach**