



# Council Agenda

**MYRTLE BEACH CITY COUNCIL:**  
BRENDA BETHUNE, MAYOR  
MICHAEL CHESTNUT, MAYOR PRO-TEM  
JACKIE HATLEY  
JOHN KRAJC  
MIKE LOWDER  
PHILIP N. RENDER  
GREGG SMITH

**MYRTLE BEACH CITY COUNCIL MEETING AGENDA  
TUESDAY, APRIL 12, 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**

*NOTE: CITIZENS ARE INVITED TO ATTEND AND PARTICIPATE IN THE MEETINGS. CITIZENS WHO WISH TO ADDRESS COUNCIL ON NON-AGENDA ISSUES ARE ASKED TO SIGN IN PRIOR TO THE START OF THE MEETING AND STATE THEIR NAMES PRIOR TO SPEAKING. A TOTAL OF 30 MINUTES WILL BE PROVIDED AT THE END OF THE MEETING.*

*ANYONE WHO REQUIRES AN AUXILIARY AID OR SERVICE FOR EFFECTIVE COMMUNICATION OR PARTICIPATION SHOULD CONTACT THE CITY CLERK'S OFFICE AT (843) 918-1004 AS SOON AS POSSIBLE, BUT NO LATER THAN 48 HOURS BEFORE THE SCHEDULED EVENT.*

## **CALL TO ORDER**

## **INVOCATION**

## **PLEDGE OF ALLEGIANCE**

## **APPROVAL OF AGENDA**

## **APPROVAL OF MINUTES...** March 22, 2022

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

1. My Beach 101 Recognition – “Cookie” Goings, Neighborhood Services Department Director (Meeting)

2. Proclamation declaring April 10-16, 2022, as National Public Telecommunicators Week. (Meeting)
3. Public Information Update – PIO Staff (Meeting)

### **NON-AGENDA ITEMS FROM THE PUBLIC (30 MINUTE TIME LIMIT)**

**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.*

**Motion M2022-056 authorizing the City Manager or his designee to: apply for a grant of \$7,144.95 from the Gary Sinise Foundation; record the appropriation of such grant funds in the amount that may be approved; and, 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 grant funding would upgrade existing radio equipment to enable wireless Bluetooth operation for firefighters, and it would greatly enhance communication capabilities while crews are operating in dangerous environments. This system would operate by connecting directly to the firefighters' air packs and allow them to communicate more efficiently during high-stress situations. Outcomes would increase communication reliability and allow for more efficient execution of emergency tasks.*

**Motion M2022-057 authorizing the City Manager or his designee to: apply for a grant of \$8,650 from the AARP Community Challenge Grant Program; record the appropriation of such grant funds in the amount that may be approved; and, 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 city's Diversity, Equity and Inclusion (DEI) Office and the Neighborhood Services and Public Information Departments will hold a special event at Charlie's Place for: mural painting, tile seating and dance steps on sidewalk projects. The Public Information Department will work with the Senior Advisory Committee to provide assistance with the project.*

**Motion M2022-058 authorizing the City Manager or his designee to: accept a cash award in the amount of \$85,146.50 from the SC Public Safety Coordinating Council and the SC Department of Public Safety; and, authorize the City Manager or his designee to execute and deliver the agreement and such related documents as may be required to put the reimbursement grant into effect. No local match is required.**

*The Police Department applied for a reimbursement grant from the SC Public Safety Coordinating Council and the SC Department of Public Safety in the amount of \$266,576.24 to cover the cost of body-worn camera equipment, along with maintenance and storage.*

*The city's reimbursement amount for Fiscal Year 2021/22 is \$85,146.50. No match is required, and the city made outlays for this purpose in excess of the amounts reimbursed by this grant.*

**Motion M2022-059 to accept a donation from Beverly Homes of Conway, South Carolina, given to the Myrtle Beach Police Department in the amount of \$2,500 to support the Police Department for community engagement.**

*The Myrtle Beach Police Department is actively involved in Project Lifesaver, an international public safety program that works as a search and rescue program to help locate missing individuals with a wrist or ankle transmitter. The funds from Beverly Homes will be used to purchase two new receivers; MBPD equipment is becoming significantly outdated and our program needs more equipment. Thank you to Beverly Homes for supporting MBPD and the Project Lifesaver program.*

## **REGULAR AGENDA**

**1st Reading Ordinance 2022-021 to close and abandon a portion Porcher Drive right-of-way located at 79th Avenue North.**

*Mr. Davis owns the property to the east of the abandoned portion of Porcher Drive. Of the 80' right-of-way, the city will keep 15' of the right-of-way and abandon 65' to adjoin with the property owned by Mr. Davis.*

*In a separate action, the applicant also proposes to exchange property with the city:*

- *Thomas W. Davis owns property along Sixth Avenue North and Maple Street.*
- *Thomas W. Davis wishes to exchange this property with the city for the abandoned portion of Porcher Drive.*

**1st Reading Ordinance 2022-022 to amend the Planned Unit Development known as the 17th Avenue North PUD to: move the parking garage and guest check-in to the second row; increase allowable signage; decrease the required sidewalk width; allow upper-story balconies to overhang the sidewalk; and, eliminate outdated references to public improvement costs.**

*The 17th Avenue North PUD was created in 2005 and has been amended three times due to property owners, developers and plans changing over time. The current PUD has strict specifications regarding sign placement; the amendment provides some flexibility while recognizing required Community Appearance Board (CAB) approval.*

*The existing sidewalk along Ocean Blvd is approximately 5' wide, but actual width varies. The current PUD requires a minimum 12' sidewalk along Ocean Boulevard regardless of the existing width. This proposal adds a 5' sidewalk easement to the existing sidewalk, which in some locations will result in segments of sidewalk less than 12' in width. The applicant also requests that, above 24' over grade, balconies and architectural features be allowed to overhang the sidewalk, subject to Community Appearance Board (CAB) approval.*

*On March 15, 2022, the Planning Commission recommended the amendment (9/0 Approval) with the following recommendations:*

- *Only architectural features from the third story and up be allowed to overhang the sidewalk, and that the features specifically exclude open balconies.*

- *Building setbacks: from grade to 36 feet above-grade of the hotel shall be a minimum five (5) feet measured from the property line; from 36 feet above grade and higher of the hotel, the building setback lines may be reduced to zero, provided that architectural elements extending over the lower 5' setback are fully enclosed with a minimum 50% glass; and, further provide that an easement to the city for sidewalks may be granted within building setbacks.*
- *Expand 10' sidewalk and 4' landscape section in accordance with city standards, including the Community Appearance Board (CAB), with a minimum 10' pedestrian way on both sides of Ocean Boulevard, clear of obstruction.*
- *All city property resulting from the alleyway swaps shall be landscaped.*

**Resolution R2022-012 authorizing the purchase of Lot 3, Eighth Avenue North, TMS #181-06-13-005, to be used as a future stormwater retention area.**

*This parcel is one of eight identified by city engineers to be used to accommodate a new stormwater retention area associated with the development in the Arts & Innovation District. Parcel is Lot 3, Eighth Avenue North, and is identified as TMS #181-06-13-005. The purchase price is \$123,711.00.*

**Resolution R2022-013 authorizing the purchase of Lot 4, Alder Street, TMS #181-06-13-011 to be used as a future stormwater retention area.**

*This parcel is one of eight identified by city engineers to be used to accommodate a new stormwater retention area associated with the development in the Arts & Innovation District. Parcel is Lot 4 on Alder Street, TMS #181-06-13-011. The purchase price is \$64,500.*

**Resolution R2022-014 a resolution of the City Council of the City of Myrtle Beach, South Carolina, authorizing an application to the State Water Pollution Control Revolving Fund for pump station protective measures, specifically standby pump installation; and, other matters related thereto.**

*This proposed resolution authorizes the Mayor, City Manager and the City Manager's designee to prepare and file an application for 1.50% financing for sewer pump station protective measures, specifically the standby pump installation. The project is for the city to install standby pumps at 16 of the city's sanitary sewer pump stations to address potential overflow conditions in the associated service areas. By using State Revolving Fund (SRF) financing at 1.50% versus current market rates for a bank-placed loan (estimated to be 3.21% as of April 5, 2022), an estimated savings of approximately \$552,600 over the 20-year term is expected.*

**Resolution R2022-015 a resolution of the City Council of the City of Myrtle Beach, South Carolina, authorizing: an application to the South Carolina Water Quality Revolving Fund Authority for a loan from the state drinking water revolving loan fund for the installation of transmission main protective measures; and, other matters related thereto.**

*This proposed resolution authorizes the Mayor, City Manager and the City Manager's designee to prepare and file an application for 1.50% financing for water transmission main protective measures, specifically the pressure reducing valve system installation. The project includes upgrading the pressure reducing valve system on the city's water transmission main to protect the critical water distribution system infrastructure. By using*

*State Revolving Fund (SRF) financing at 1.50% versus current market rates for a bank-placed loan (estimated at 3.21% as of April 5, 2022), an estimated savings of approximately \$675,400 over the 20-year term is expected.*

**Resolution R2022-016 a resolution of the City Council of the City of Myrtle Beach, South Carolina, authorizing: an application to the South Carolina Water Quality Revolving Fund Authority for a loan from the state water pollution control revolving fund for Broadway wetland and stream improvements; and, other matters related thereto.**

*This proposed resolution authorizes the Mayor, City Manager and the City Manager's designee to prepare and file an application for 1.50% financing for the Broadway wetland and stream improvements project. The project will achieve the following: expand and enhance the existing wet pond along Withers Swash; incorporate wetland features; provide additional surface area; install fore bay areas to reduce resuspension of sediment; and, stabilize and enhance approximately 500 linear feet of stream with natural channel design. By using State Revolving Fund (SRF) financing at 1.50% versus current market rates for a bank-placed loan (estimated at 3.15% as of April 5, 2022), an estimated savings of approximately \$145,600 over the 30-year term is expected.*

**Resolution R2022-017 a resolution pursuant to Section 59-37-50 of the Municipal Improvement Act of 1999 describing the Myrtle Beach Downtown Municipal Improvement District (MID) and the improvement plan to be effected therein, the projected time schedule for the accomplishment of the improvement plan, the estimated cost of the improvements and the amount of such costs to be derived from assessments, bonds or other legally available funds, setting forth the proposed basis and rates of assessments to be imposed within the Myrtle Beach Downtown Municipal Improvement District; and, other matters relating thereto.**

*The purpose of the Municipal Improvement District (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. Proposed public Improvements consist of the following:*

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

*Absent this resolution, other general funding sources would need to be identified to provide the public improvements proposed within the district.*

**Motion M2022-060 to allocate Accommodations Tax funding for 2022. All remaining funds subsequent to the tourism and cultural arts applicant allocations are to be used by the city as presented in the city's applications for those activities caused by tourism concentration.**

*State law provides that Accommodations Tax dollars be allocated, as follows:*

- *The first \$25,000 statutory allocation to the General Fund.*
- *The city receives statutory allocation of 5% of revenues to the General Fund.*

- 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 (Myrtle Beach Area Chamber of Commerce) for advertising and promotion of tourism (per Proviso No. 109.11).
- And, 65% of the balance to a special revenue fund for tourism-related expenditures.

*The purpose of this motion is to allocate the 65% portion of this fund (approximately \$5.2 million between city-related tourism and 31 applicants who applied for funding through the ATAX process).*

**Motion M2022-061 to appoint/reappoint one member to the Beach Advisory Committee.**

*Erik Powalie has resigned. On file, the city has resumes for Robert Randolph “Randy” Wallace (city resident) and Fred Knight (city resident). The term expires on February 22, 2023.*

**Motion M2022-062 to appoint/reappoint three members to the Accommodations Tax Advisory Committee.**

*The terms of Jeffrey Urso, Jamie Broadhurst and Betty Ann Mills have expired. Mr. Broadhurst and Ms. Mills wish to be reappointed. On file, the city has resumes for Paul Garcia (city resident), Clay Nance (city resident) and Michael McMiller (non-city resident). All three terms expire on February 22, 2025.*

**Motion M2022-063 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. The report includes vehicles that 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, the tow company may sell the vehicle and keep the proceeds as compensation.*

**NON-AGENDA ITEMS FROM THE PUBLIC (30 MINUTE TIME LIMIT)**

**COMMUNICATIONS FROM CITY BOARDS/COMMISSION MEMBERS**

**COMMUNICATIONS FROM CITY COUNCIL AND CITY MANAGER**

1. Council Communications
2. Chief Financial Officer (CFO) Update
3. City Manager/Assistant City Manager (CM/ACM) Update

**REPORTS AND INFORMATION PRESENTATIONS FROM CITY STAFF**

**EXECUTIVE SESSION** – Upon returning to Public 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 vote or action in Executive Session.*

## **ADJOURNMENT**