



Council Agenda

MYRTLE BEACH CITY COUNCIL:
BRENDA BETHUNE, MAYOR
MICHAEL CHESTNUT, MAYOR PRO-TEM
MARY JEFFCOAT
MIKE LOWDER
PHILIP N. RENDER
GREGG SMITH
JACKIE VEREEN

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.

AGENDA

October 23, 2018

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

- CALL TO ORDER.....
- INVOCATION.....
- PLEDGE OF ALLEGIANCE.....
- APPROVAL OF AGENDA.....
- APPROVAL OF WORKSHOP MINUTES.....
- APPROVAL OF MINUTES.....

PUBLIC REQUESTS, PRESENTATIONS, AWARDS, MEMORIALS:

1. Santee Cooper Update - Jim Brogden, Santee Cooper Chairman
2. Chamber of Commerce Quarterly Report - Karen Riordan, MBACC CEO
3. Proclamation recognizing the Horry County Emergency Management Division for exemplary efforts during Hurricane/Flood Florence
4. Proclamation declaring November 1st as “Extra Mile Day”
5. Department Update – Neighborhood Services
6. Public Information Update – PIO Staff/Police

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 – there are no items listed on the Consent Agenda for this meeting.

REGULAR AGENDA

1st Reading Ordinance 2018-60 to amend Chapter 12, Motor Vehicles and Traffic, Article III, Stopping, Standing and Parking, Division 1, generally to enact the required public notice of restrictions of private parking lots.

This proposal is designed to curb unsavory business practices in private parking lots including misleading parking rate signage, rates that change after a vehicle enters the lot, towing without proper notice of where the vehicle can be retrieved, and issuance of parking “tickets” designed to look like they were issued by the City. These complaints happen frequently in the summer season are inconsistent with the experience the City wants for downtown visitors.

The proposed ordinance requires private lot owners to post notice of restrictions, contact information, times of operation, fixed cost of parking & towing information. The signs may also contain secondary messages including private parking notices, parking by permit only, private parking for named offices, businesses, apartments, etc. The proposed ordinance also includes restrictions on the placement of the signs, the size of the font, and for signs used in parking lots that are open at night, luminosity of the signs.

Towing vehicles from these private lots (unless there is a secondary sign message to that effect), booting or otherwise immobilizing vehicles on such lots, and issuing documents resembling official governmental citations for violations on private parking lots would also be prohibited through this ordinance.

1st Reading Ordinance 2018-61 to grant an encroachment to GDMB Marina Land, LLC, and its assigns to effectuate a Maintenance Agreement in motion M2018-155, and subsequent approved agreements pertaining thereto.

Through GDMB Marina Land, LLC, L-Star has proposed an advanced level of maintenance on some City Rights-of-Way. Upon approve they will hire a contractor to maintain landscaping along the following:

- *Area 1: beginning south of the roundabout in front of the Grande Dunes Marina south to Grissom Parkway (about 10,950’).*
- *Area 2: beginning at Marina Parkway, east to Clare Chapin Epps Drive (about 890’).*
- *Area 3: 71st N beginning at Marina Parkway east to the By-Pass (about 360’).*
- *Area 4: 79th N beginning at Marina Parkway east to the By-Pass (about 340’).*

This ordinance specifically allows GDMA an encroachment permit for Area 2 & grants additional encroachments for the other Areas after plans are approved by the City. The City has reserved the right to discontinue this agreement at any time with a 30-day notice. Upon such notice, the applicant must remove all improvements at no cost to the City.

1st Reading Ordinance 2018-62 to amend the zoning ordinance for the City of Myrtle Beach to allow Brew Pub as a use in the LM (Light Manufacturing) and WM (Warehouse

Manufacturing) zone. [Note: Staff has proposed an alternate version of this ordinance that would extend the approval to C-7 and C-8].

The applicant wishes to open a brewpub on property zoned LM to serve beer & limited food offerings on premise. A valid State issued brewpub permit authorizes the holder to produce a max of 2,000 barrels of beer/year for sale, sell the beer of another producer which has been purchased from a wholesaler, and be qualified as a public eating establishment.

Brewpubs are not currently permitted uses in the LM or WM zones. Staff feels brewpubs would be an asset in others areas as well, including the downtown districts, and has proposed this use in C7 & C8 districts. The alternate version of this ordinance opens up more C-7 and C-8 areas to such uses by eliminating existing minimum parking requirements.

Resolution R2018-40 granting a special event permit to the Oceanfront Merchants Association for “Holidays on the Boardwalk” from November 16, 2018 – January 2, 2019, and affirming the city’s co-sponsorship.

This is the 7th year for this event which takes place on the Boardwalk and the Burroughs & Chapin Pavilion Place Oceanfront lot. The proposed resolution authorizes re-approval of this event from November 16 through January 4, 2019, with hours from 4:00 p.m. to 8:00 p.m. Activities will include Santa & Mrs. Claus, a tree lighting (on November 23) train rides, arts & crafts, and live entertainment. The event provides a variety of activities in the downtown area during the winter months.

While the applicant seeks co-sponsorship, that designation does not include the provision of any City services. Co-sponsorship in this case only allows the City to promote this event.

Motion M2018-154 to appoint/reappoint one member to the Bicycle and Pedestrian Advisory Committee.

Bill Pritchard (City resident) has resigned. We have received a resume from Pamela Stone (non-resident), Matthew Hardee (City Resident), and Julia Brinkley (City Resident). Eight of the nine current Committee members are City residents.

Motion M2018-155 to approve a Maintenance Agreement between the City of Myrtle Beach and Grande Dunes Master Association for maintenance of certain portions of Marina Parkway, 61st, 71st and 79th Avenues North.

See proposed ordinance 2018-61. Through this 5-year agreement the Association will contract for a higher level of Rights-of-Way landscaping located at:

- Marina Parkway just south of the roundabout in front of the Grande Dunes Marina south to Robert Grissom Parkway for a total distance of 10,950 linear feet.*
- 62nd North beginning at Marina Parkway east to Claire Chapin Epps Drive, for a total distance of 890 linear feet.*
- 71st N beginning at Marina Parkway east to Bypass 17, for a total distance of 360 linear feet.*
- 79th N beginning at Marina Parkway east to Bypass 17, for a total distance of 340 linear feet.*

The City agrees to pay the Association an amount equaling the normal cost of landscape maintenance. These landscaping costs are based on a rate of \$2.25 per linear foot of ROW which comes to \$2,351.25 monthly or \$28,215.00 annually.

Motion M2018-156 to approve, in relationship to Living Dunes Development, LLC, a termination of ponds easement, release and amendment of restrictions and pond area easement agreement, as attached.

These actions are related to the City's recent conveyance of a pond known as "Parcel P-7" to Living Dunes Development, LLC per ordinance 2018-55. The Developer made improvements to improve the drainage functionality of another pond, Parcel P-8, so that P-7 is no longer needed for drainage purposes. The Developer wishes to use Parcel P-7 as an amenity for the residents of the Living Dunes PUD.

Motion M2018-157 to preliminarily approve small cell safe harbor design preferences, as attached.

The City has been working with a technical and a legal consultant to develop "safe harbor" preferences for the deployment of small cell technology by telecommunications providers. This phase of the project covers Ocean Boulevard from 31st Avenue North southward to the intersection with Kings Highway. These design preferences are intended to preserve the esthetic improvements made along the Boulevard at public expense, and to improve the ability of residents at access data via portable devices.

NON - AGENDA ITEMS FROM THE PUBLIC

COMMUNICATIONS FROM CITY BOARDS/COMMISSION MEMBERS

COMMUNICATIONS FROM CITY COUNCIL AND CITY MANAGER

1. Council Communications
2. CFO Update
3. CM/ACM Update:
 - *Nuisance enforcement actions.*
 - *Benchmark, LLC (Downtown Consultants), Update on Downtown Study, and beginning the process of developing Council's vision for the redevelopment of the downtown.*

REPORTS AND INFORMATION PRESENTATIONS FROM CITY STAFF

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