



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 AGENDA
TUESDAY, FEBRUARY 14, 2023
9:00 A.M. – WORKSHOP, COUNCIL CHAMBER
10:00 A.M. – MEETING, COUNCIL CHAMBER
TED C. COLLINS LAW ENFORCEMENT CENTER
1101 NORTH OAK STREET, MYRTLE BEACH, SC 29577**

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.

CITIZENS ARE INVITED TO ATTEND AND PARTICIPATE IN 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.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES... January 24, 2023

PUBLIC REQUESTS, PRESENTATIONS, AWARDS AND MEMORIALS:

1. Cultural Resources Committee Update (Workshop)
2. Proclamation to Recognize 75th Anniversary of the Archibald Rutledge Club (Meeting)
3. Public Information Update – PIO Staff

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.*

CONSENT AGENDA

Motion M2023-007 authorizing the City Manager or his designee to: apply for a renewal of a grant of \$164,328 from the SC Department of Public Safety – Highway Safety and Justice Programs, School Resource Officer Grant Program for the purpose of training and continuing the School Resource Officer Program within Myrtle Beach Primary School and Myrtle Beach Elementary School for the FY 2023-24 school year; 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 required to put that grant into effect. No match is required.

The School Resource Officers at Myrtle Beach Primary School and Myrtle Beach Elementary School provide a safe place for students to learn. The partnership of SROs, administrators and faculty develops safety plans and education tools for students.

REGULAR AGENDA

1st Reading Ordinance 2023-002 approving the execution and delivery by the City of Myrtle Beach, South Carolina, of a lease between the city, as lessor, and, Liberty & New Life, LLC as lessee, with respect to building located at 708 North Kings Highway in the City of Myrtle Beach.

The city is in the process of acquiring 708 North Kings Highway from the owner and operator of Liberty & New Life, LLC. A condition of the Purchase and Sale Agreement is to provide an eight-month lease to the current owner. The lease is \$2,500/month.

1st Reading Ordinance 2023-003 to amend the Market Common Master Plan to allow for the enclosure of currently open-air residential-level walkways along the exterior of 3346 Reed Street and to allow for exterior changes at 1150 Farrow Parkway.

The applicant would like to amend the plan in order to turn open-aired walkways at 3346 Reed Street into enclosed walkways. The applicant would also like to amend the plan in order to upgrade the exterior of 1150 Farrow Parkway, which is currently facing issues with the material durability. On February 7, 2023, the Planning Commission voted to recommend approval (7/0).

1st Reading Ordinance 2023-004 to amend Sections 203 to define Electric Vehicle Charging Stations and 1502 to allow electric vehicle charging stations as accessory uses with conditions.

Due to an increase in popularity among consumers, there is a growing need for EV Charging Stations in Myrtle Beach. The ordinance defines three levels of charging stations:

- *EV Charging Station, Level 1: Provides charging through a 120 volt (V), alternating-current (AC) plug. Level 2 is considered as slow charging. Level 1 equipment is standard on vehicles and therefore does not require the installation of charging equipment.*
- *EV Charging Station, Level 2: Charging is through a 240 V, AC plug and requires installation of home charging or public charging equipment. These units require a dedicated 40 AMP circuit.*
- *EV Charging Station, Level 3, Direct Current Fast Charging (DCFC): Level 3 or DCFC charging is through a 480 V, direct-current (DC) plug.*

Level 1 and 2 EV Charging Stations can be an accessory use for all permitted uses/zoning districts and Level 3 EV Charging Stations can be an accessory use for all permitted uses/zoning districts except for residential use in the city.

Resolution R2023-002 a resolution encouraging the South Carolina Governor and the General Assembly to adopt a statewide hate crime bill.

The City of Myrtle Beach is committed to promoting a community that is unified where people of different races, religion, sexual orientation and ethnic backgrounds resolve together to overcome the challenges of its past, and become stronger and more inclusive. South Carolina is one of two states in the United States that does not have a law on hate crimes (Wyoming). H.3005, H.3014 and H.3020 are currently being considered by the House Judiciary Committee and similar bills (S.0003 and S.0296) are currently being considered by the Senate Judiciary Committee. These bills would establish hate crime legislation for South Carolina.

Resolution R2023-003 to amend R2022-042, the City of Myrtle Beach's 2023 State Legislative Priorities, and add R2023-002, an initiative to encourage the support of statewide hate crime legislation, and to advocate for an increase in the state's low income housing tax credit cap.

The 125th South Carolina General Assembly commenced its two-year session on January 10, 2023. City Council adopted the city's 2023 state legislative priorities list via Resolution 2022-042 on December 14, 2022.

The city wishes to incorporate the following two amendments to the list of priorities:

- *Encourage the Governor and South Carolina General Assembly to adopt a statewide hate crime bill.*
- *Advocate for the South Carolina General Assembly to increase the statewide Low Income Housing Tax Credit cap from its current amount of \$20 million dollars to \$40 million dollars.*

Resolution R2023-004 adopting a Workforce Housing Strategic Plan.

Shortage of workforce housing makes it more difficult for local businesses to recruit and retain a dependable workforce, affecting the local economy. The city tasked Habitat for Humanity of Horry County, Inc., with: preparing a Workforce Housing Strategic Plan; and, outlining strategies in partnership with private and non-profit entities to increase housing

options for workers who serve the local community. The Workforce Housing Strategic Plan prepared by Habitat for Humanity of Horry County, Inc. was developed with input from employers, residents, workers, advocates, city staff and City Council, and includes recommendations for a comprehensive plan to address the City's workforce housing needs.

Resolution R2023-005 authorizing the City Manager to enter into an agreement with Habitat for Humanity of Horry County, Inc. for management of the city's Workforce Housing Strategic Plan.

Habitat agrees to manage and implement the City of Myrtle Beach's workforce housing strategy per the terms of the agreement.

Resolution R2023-006 authorizing the purchase of real estate located in the Oceanfront Redevelopment Project area.

The city adopted the Pavilion Area Master Plan in 1999, Tax Increment Financing (TIF) District in 2008 and Downtown Master Plan in 2019. Property acquisition and assemblage is necessary to create meaningful redevelopment in this area. The city continues to invest in redevelopment efforts and infrastructure upgrades in these areas. The referenced properties are within the TIF district, and are strategically located for future redevelopment.

Resolution R2023-007 authorizing the purchase of real estate located in the Oceanfront Redevelopment Project area.

The city adopted the Pavilion Area Master Plan in 1999, Tax Increment Financing (TIF) District in 2008 and Downtown Master Plan in 2019. Property acquisition and assemblage is necessary to create meaningful redevelopment in this area. The city continues to invest in redevelopment efforts and infrastructure upgrades in these areas. The referenced properties are within the TIF district, and are strategically located for future redevelopment.

Motion M2023-008 appoint/reappoint three members to the Human Rights Commission.

Craig McGee's term expires on February 22, 2023, and Tania Appel's term expires on March 14, 2023. Both wish to be reappointed. A vacancy also exists due to Amanda Masterpaul's resignation. On file, the city has resumes for the following: Benjamin Parker (non-city resident), Danette Patton (non-city resident), Debra Holmes (non-city resident), Jaquelyn Graham (city resident), Keith Burroughs (city resident), Leah Edwards (non-city resident), Nora Hutchison (city resident) and Sandi Huddleston-Edwards (city resident). The new expiration dates for all three seats are February 22, 2026.

Motion M2023-009 to appoint/reappoint four members to the Board of Zoning Appeals.

The terms of William Dickson, Rock Smith and Amit Patel will expire on February 22, 2023. All wish to be reappointed. The new terms will expire February 22, 2026. Edgar Wilson has resigned. One applicant wishes to be appointed to fill the vacancy: Aaron McKnight (city resident). Mr. McKnight would be filling the unexpired term ending February 22, 2024.

Motion M2023-010 to appoint/reappoint two members to the Beach Advisory Committee.

The terms of Tony Brumfield and Randy Wallace will expire February 22, 2023. Both wish for reappointment and the city has no resumes on file. The new terms will expire February 22, 2026.

Motion M2023-011 to appoint/reappoint two members to the Chapin Memorial Library Board.

The terms of Susan Hudgins and Samuel Bookhart will expire February 14, 2023. Both wish for reappointment. On file, the city has a resume for Sandi Huddleston-Edwards (city resident). Both terms expire February 14, 2026.

Motion M2023-012 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.

NON-AGENDA ITEMS FROM 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 and/or 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; or, 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 of the reasons above. Council takes no votes or action in Executive Session. Council may take action on matters discussed in Executive Session which are deemed to be “emergency” concerns upon reconvening in open session.

ADJOURNMENT