



# 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, MARCH 28, 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...** March 14, 2023

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

1. WWII Memorial Update – Public Works Staff (Workshop)
2. Carolina Country Music Festival Update – Bob Durkin and Amie Lee (Meeting)
3. Proclamation declaring March 25, 2023, as Greek Independence Day (Meeting)
4. Public Information Update – PIO Staff (Meeting)

## **NON-AGENDA ITEMS FROM 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.*

## **CONSENT AGENDA**

**Motion M2023-025 to accept a donation for \$4,455 from the Home Depot Foundation on behalf of Neighborhood Services for the replanting of garden beds for the Garden of Hope. No match is required.**

*This gift is designated to cover costs related to replanting efforts at the Garden of Hope. The local Home Depot store manager and the regional manager will provide 10+ employees to assist Parks Division and Neighborhood Services Department staff with the installation of the boxes.*

**Motion M2023-026 to approve a Mutual Aid Agreement between the City of Myrtle Beach Police Department and the following: City of Aynor, Clarendon County Sheriff's Office, City of Charleston, Coastal Carolina University, Horry County Sheriff's Office, Town of Briarcliffe Acres, City of Columbia Police Department, City of Conway Police Department, City of Georgetown Police Department, City of Loris Police Department, City of North Myrtle Beach Police Department, City of North Charleston Police Department, Lexington County Sheriff's Officer, Town of Surfside Beach Police Department, and Williamsburg Sheriff's Office.**

*This two-year Memorandum of Understanding (MOU) will authorize law enforcement agencies to enter into a mutual aid agreement for the proper and prudent exercise of public safety across jurisdictional lines. This includes the following: City of Aynor, Clarendon County Sheriff's Office, City of Charleston, Coastal Carolina University, Horry County Sheriff's Office, Town of Briarcliffe Acres, City of Columbia Police Department, City of Conway Police Department, City of Georgetown Police Department, City of Loris Police Department, City of North Myrtle Beach Police Department, City of North Charleston Police Department, Lexington County Sheriff's Officer, Town of Surfside Beach Police Department, and Williamsburg Sheriff's Office. The renewal of the MOU continues the partnership to provide services and assistance, as needed.*

**Motion M2023-027 authorizing the City Manager or his designee to: re-apply and extend the grant of \$163,890 from the SC Department of Public Safety – Highway Safety and Justice Programs' Project Safe Neighborhood Grant Program that was previously accepted for the purpose of continuing the program for hiring a Detective, a Crime Analyst, and a NIBIN technician; provide training and equipment for personnel; 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 Project Safe Neighborhood Grant Program provides funding for projects related to gang and gun-related crimes. The Myrtle Beach Police Department will continue its public safety efforts toward crime reduction and use grant-funded personnel and equipment to enhance police strategies, agency collaboration, and crime-solving processes to achieve long-term reduction goals.*

## **REGULAR AGENDA**

**2nd Reading Ordinance 2023-005 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V of the Code of Ordinances of Myrtle Beach, to Austin Shelley doing business as Ajax Golf Cart Rentals located at 1307 Nature's Way, North Myrtle Beach, SC 29582, for a period of one year. The agreement includes 24 golf cart decals.**

*This company was approved for a franchise agreement covering 24 golf cart decals in 2022. For 2023, the applicant requests 24 decals.*

**2nd Reading Ordinance 2023-006 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V of the Code of Ordinances of Myrtle Beach, to David Stone doing business as Go Fast Motorsports LLC, Go Fast Scooters, located at 609 South Kings Highway, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 95 golf cart decals and 20 moped decals.**

*This company was approved for a franchise agreement covering 95 golf cart decals and 20 moped decals in 2022. For 2023, the applicant requests the same total number of decals 115 (95 golf cart decals and 20 moped decals).*

**2nd Reading Ordinance 2023-007 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V of the Code of Ordinances of Myrtle Beach, to Jack Zakhra doing business as Zeus MB LLC, Happy Scooter, located at 311 Third Avenue South, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 50 golf cart decals and 13 moped decals.**

*This company was approved for a franchise agreement covering 27 golf cart decals and 36 moped decals in 2022. For 2023, the applicant requests same total number of 63 decals, but would like exchange 23 moped decal for 23 golf cart decals; so, the company is requesting 50 golf cart decals and 13 moped decals.*

**2nd Reading Ordinance 2023-008 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V of the Code of Ordinances of Myrtle Beach, to Derrick and Barbara Haynes doing business as Kickback Korner LLC, Kickback Korner Golf Carts, located at 506 Yaupon Drive, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 20 golf cart decals.**

*This company was approved for a franchise agreement covering 20 golf cart decals in 2022. For 2023, the applicant requests 20 golf cart decals.*

**2nd Reading Ordinance 2023-009 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V of the Code of Ordinances of Myrtle Beach, to Mark Sichitano doing business as Myrtle Beach Golf Carts, located at 408 Third Avenue South, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 165 golf cart decals.**

*This company was approved for a franchise agreement covering 165 golf cart decals in 2022. For 2023, the applicant requests 20 golf cart decals (total of 185).*

*Staff does not recommend adding more conveyances to this franchise. While we sympathize with the applicant, we do not see how the city can justify additional decals for this franchisee without also considering requests for additional decals from other franchisees. The purpose of establishing the franchise system was to cap and limit the number of golf cart and moped conveyances on the street with the overall goal of reducing the total number of conveyances over time.*

**2nd Reading Ordinance 2023-010 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V of the Code of Ordinances of Myrtle Beach, to Ben Robinson doing business as Rent Me Superstore, located at 106 North Kings Highway, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 30 golf cart decals and 10 moped decals.**

*This company was approved for a franchise agreement covering 30 golf cart decals and 10 moped decals in 2022. For 2023, the applicant requests the same total number of decals (30 golf cart decals and 10 moped decals).*

**2nd Reading Ordinance 2023-011 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V of the Code of Ordinances of Myrtle Beach, to Ben Robinson doing business as Rent Me Superstore, located at 300 South Ocean Boulevard, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 114 golf cart decals and 83 moped decals.**

*This company was approved for a franchise agreement covering 114 golf cart decals and 83 moped decals in 2022. For 2023, the applicant requests the same number of decals (114 golf cart decals and 83 moped decals).*

**2nd Reading Ordinance 2023-012 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V of the Code of Ordinances of Myrtle Beach, to Ben Robinson doing business as Rent Me Superstore, located at 1205 North Ocean Boulevard, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 46 golf cart decals and 37 moped decals.**

*This company was approved for a franchise agreement covering 46 golf cart decals and 37 moped decals in 2022. For 2023, the applicant requests the same number of decals (46 golf cart decals and 37 moped decals).*

**2nd Reading Ordinance 2023-013 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V of the Code of Ordinances of Myrtle Beach, to David Stone doing business as Go Fast Motorsports/Savemart Scooters, located at 412 Sixth Avenue North, Myrtle Beach, SC**

**29577, for a period of one year. The agreement includes 34 golf cart decals and 5 moped decals.**

*This company was approved for a franchise agreement covering 34 golf cart decals and 5 moped decals in 2022. For 2023, the applicant requests the same total number of decals, 39 (total of 34 golf cart decals and 5 moped decals).*

**2nd Reading Ordinance 2023-014 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V of the Code of Ordinances of Myrtle Beach, to David Stone doing business as Go Fast Motorsports/Sunshine Scooters, located at 713 North Ocean Boulevard, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 30 golf cart decals and 5 moped decals.**

*This company was approved for a franchise agreement covering 30 golf cart decals and 5 moped decals in 2022. For 2023, the applicant requests the same total number of decals, 35 (total of 30 golf cart decals and 5 moped decals).*

**2nd Reading Ordinance 2023-015 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V of the Code of Ordinances of Myrtle Beach, to Bayliss Spivey doing business as KOA Campground located at 613 Fifth Avenue South, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 50 golf cart decals.**

*This company was approved for a franchise agreement covering 50 golf cart decals in 2022. For 2023, the applicant requests additional 50 golf cart decals, totaling 100 golf cart decals.*

*Staff does not recommend adding more conveyances to this franchise. While we sympathize with the applicant, we do not see how the city can justify additional decals for this franchisee without also considering requests for additional decals from other franchisees. The purpose of establishing the franchise system was to cap and limit the number of golf cart and moped conveyances on the street with the overall goal of reducing the total number of conveyances over time.*

**2nd Reading Ordinance 2023-016 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V of the Code of Ordinances of Myrtle Beach, to Ron Simantov doing business as Blue Coral Surf LLC, Moped USA, located at 1301 South Kings Highway, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 20 golf cart decals.**

*This company was approved for a franchise agreement covering 20 golf cart decals in 2022. For 2023, the applicant again requests 20 golf cart decals.*

**2nd Reading Ordinance 2023-017 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V of the Code of Ordinances of Myrtle Beach, to Sarah Yakoel doing business as Gil Scooter/Evry LLC, located at 109 South Kings Highway, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 20 golf carts.**

*This company was approved for a franchise agreement covering 20 golf cart rentals in 2022. For 2023, the applicant again requests 20 golf cart decals.*

**2nd Reading Ordinance 2023-018 to authorize the City Manager to enter into amended franchises for water safety services and beach concessions.**

*This ordinance amends the current water safety and concession services franchise agreements.*

**1st Reading Ordinance 2023-019 to amend the Market Common Master Plan to replace plans for a hotel at the corner of Farrow Parkway and Phillis Boulevard with plans for 203 residential units and related amenities.**

*The Market Common Master Plan was adopted in 2005. Originally, the Master Plan called for approximately 181,000 square feet of retail in Phase 1A at the corner of Farrow Parkway and Phillis Boulevard on the property known as XYZ. In 2017, the Master Plan was amended to replace the retail with a 100-unit hotel. Due to market conditions, the hotel project never materialized.*

*The applicant proposes to amend the Master Plan to replace the hotel with new plans for:*

- 98 Commercial/Residential Townhomes
- 105 Commercial/Residential Cottages
- A Swimming Pool and Club House
- 443 New Parking Spaces

*At the city's request, the applicant conducted a Traffic Impact Analysis of the project and its vicinity. The report found that the project would not negatively affect levels of service of area roadways or intersections, and the project did not warrant additional turn lanes.*

**1st Reading Ordinance 2023-020 to amend Ordinance 2022-040 authorizing the sale of 21.6 acres, a portion of TMS #1730004170 to MHI Capital, LLC, to aid in construction of the proposed surf park.**

*Ordinance 2022-040 authorized the execution of a purchase agreement to sell 21.6 acres to MHI Capital, Inc. for \$4.5 million for the development and construction of a surf park. The buyers have proposed five changes to the current contract:*

- Assignment from MHI Capital, LLC, to Surfworks Land Holdings, LLC
- Extend closing to October 9, 2023
- Increase earnest money to \$150,000 to be immediately non-refundable
- Require buyer to provide proof of \$54 million in legally binding commitments from an SEC-regulated fund
- Replace the Donation Clause with only a Right of Repurchase

*The project is still on schedule, and the developer is continuing with design, engineering and permitting. The extension is solely to allow the multiple investors to make final arrangements.*

**Motion M2023-023 to appoint/reappoint four members to the Seniors Advisory Board.**

*The term of Tammy Lail expired on February 28, 2023. The terms of Patty Sleem and Brenda Watkins Noel expired on March 8, 2023. Also, a resignation vacated a seat with an expiration date of February 9, 2025. On file, the city has résumés for the following: L. Keith*

Compton (city resident), Lauren Keith Hudson (city resident), Robert N. Saunders (city resident), Patricia Hampton (city resident), and Carolyn Milliron (city resident). All three seats will expire March 8, 2026.

**Motion M2023-028 to appoint/reappoint two members to the Chapin Memorial Library Advisory Board.**

*The terms of J.J. Fickenworth and Dr. Subhash Saxena expired March 23, 2023. Ms. Fickenworth does wish to be reappointed. On file, the city has a résumé for Sandi Huddleston-Edward (city resident). The Board Chairman recommends the appointment of Ms. Huddleston-Edward. Both seats will expire on February 14, 2026.*

**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**