



# 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, MAY 9, 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...** April 25, 2023

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

1. Proclamation declaring the week of May 7-13, 2023, as Public Service Recognition Week. (Meeting)
2. Proclamation declaring the week of May 14- 20, 2023, as National Police Week, and May 15, 2023, as Peace Officers Memorial Day. (Meeting)

3. Proclamation declaring the week of May 20-26, 2023, as National Safe Boating Week. (Meeting)
4. Public Information Update – PIO Staff

### **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**

**Resolution R2023-012 to accept the dedication of a certain roadways, known as “Pozzallo Place” (50’ Public Right-of-Way), “Cagliari Court” (50’ Public Right-of-Way), and “Brindisi Street” (50’ Public Right-of-Way), within the Marina Tract P-5 Development.**

*The owner has constructed three 50’ public rights-of-way for the following roadways within the Marina Tract P-5 Development: Pozzallo Place, Cagliari Court, and Brindisi Street. Public utilities have been located within, along, and above the rights-of-way. Streets comply with current standards and construction requirements. Owner has provided the executed dedication deed for the transfer of the roadways. Proposed resolution is consistent with long-standing city policy and practice.*

**Motion M2023-035 to approve seeking a Mutual Aid Agreement between the City of Myrtle Beach Police Department and the City of Summerville, County of Chesterfield, County of Darlington, City of Columbia, City of Cheraw, and City of Hartsville.**

*The 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 all listed agencies, and it is a renewal to continue our partnerships and service assistance as needed.*

### **REGULAR AGENDA**

**2nd Reading Ordinance 2023-021 to create a Planned Unit Development known as Nance Street International Residence Hall Planned Unit Development and to rezone approximately 7.62 acres at the corner of Robert Grissom Parkway and Mr. Joe White Avenue (PIN #425-13-01-0080) from HC2 (Highway Commercial) to PUD (Nance Street International Residence Hall Planned Unit Development) to provide safe housing for seasonal international workers.**

*The project is an international residence hall to house temporary seasonal workers from other countries. The City of Myrtle Beach relies on J1 students and other international*

groups to sustain our seasonal workforce. International workers are in need of adequate housing during their stay.

Public improvements include:

- Installing storm drainage improvements, the capacity of which shall include a portion of the existing stormwater, within the boundary of Canal Street, Nance Street, Mr. Joe White Avenue and Robert Grissom Parkway.
- Installation of a 10-foot, multi-purpose path outside the perimeter fencing, providing safe access from the project along Mr. Joe White Avenue to Robert Grissom Parkway.
- Developer shall install improvements within the right-of-way of Nance Street to accommodate shuttle bus drop-off, a bus shelter and pick-up for residents returning to, and leaving from, the project. Improvements shall be in accordance with SCDOT requirements.
- Developer shall install improvements within the right-of-way of Mr. Joe White Avenue to accommodate turning movements in accordance with the requirements of the City Engineering Department and SCDOT.

**2nd Reading Ordinance 2023-024 authorizing and directing the City of Myrtle Beach to: enter into an Intergovernmental Agreement relating to South Carolina local revenue services; participate in one or more local revenue service programs; execute and deliver one or more participant program supplements; and, other matters relating thereto.**

*The Municipal Association of South Carolina (MASC) is rebranding their Tax Collection Programs, with a name change to Local Revenue Services (LRS). MASC has been collecting business license taxes on insurance, brokers, and telecommunication companies since 1998.*

*The proposed ordinance:*

- Authorizes the City of Myrtle Beach to enter into contract with MASC for administration and collection of current and delinquent taxes, and administration of insurance, brokers, and telecommunication tax.
- Enacts LRS ordinance and allows City of Myrtle Beach to enter into new Intergovernmental Agreement and Participant Program Supplement with MASC.

**2nd Reading Ordinance 2023-025 to amend Ordinance 2021-018, a Boardwalk vendor franchise agreement with VD Vending, LLC, by changing its location from Third Avenue North to Fifth Avenue North; all other portions of the Franchise Agreement remain unchanged, including the termination date of April 30, 2024.**

*Four Boardwalk franchises exist at the following locations:*

- Third Avenue North
- Fourth Avenue North
- Fifth Avenue North
- Sixth Avenue North

*The current franchise at Fifth Avenue North is no longer participating in the city's Boardwalk Franchise Program. VD Vending, LLC, the franchisee at Third Avenue North, would like to move to the Fifth Avenue North location.*

**2nd Reading Ordinance 2023-026 an ordinance to levy taxes and establish a municipal budget for the fiscal year beginning July 1, 2023, and ending June 30, 2024.**

*State law requires each unit of local government to approve a budget for the fiscal year detailing the community's operational and financial goals for that year. The total budget proposal for Fiscal Year 2023-24 is \$358,232,411.*

*Notable highlights of the proposed budget include:*

- *No Property Tax Increase*
- *Blended Water & Sewer Rate of 4.6%*
- *Stormwater Fee Increase of \$2.05/ERU (To Be Adopted in Separate Resolution)*
- *Parking Fee Extended Year-Round*

**1st Reading Ordinance 2023-027 to amend the Market Common Master Plan reflecting design changes for buildings at 3324 Reed Street, 3346 Reed Street, 3064 Howard Avenue, 3073 Howard Avenue, 3078 Howard Avenue, 3093 Howard Avenue, and 4000 Howard Avenue.**

*The purpose of the changes is to repair the exterior surfaces, such as wall cladding, roof covering, window materials, and enclosing existing open corridors. The Market Common Master Plan was adopted in 2005 to guide the mixed-use core development of the former Myrtle Beach Air Force Base. The amendment is required due to the Market Common Master Plan being enforced exclusively from exhibits. On April 4, 2023, the Planning Commission unanimously recommended approval (6-0).*

**1st Reading Ordinance 2023-028 a series ordinance approving the financing of the installation of standby pumps at sanitary sewer pump stations in connection with the water and sewer system of the City of Myrtle Beach, South Carolina, through the borrowing by the city of not exceeding \$5,400,000, including capitalized interest, if any, from the state water pollution control revolving fund, by agreement with the South Carolina water quality revolving fund authority (the "authority"), pursuant to Title 48, Chapter 5, Code of Laws of South Carolina 1976, as amended; providing for an agreement to make and to accept a loan, the execution and delivery of a loan agreement between the city and the authority, the execution and delivery of a promissory note from the city to the authority; and, other matters relating thereto.**

*This proposed ordinance authorizes the Mayor or City Manager to execute a loan agreement with the South Carolina Revolving Fund to provide for Sewer Pump Station Protective Measures Standby Pump Installation. City Council adopted Resolution R2022-014, dated April 12, 2022, and the amending Resolution R2023-008 adopted on March 13, 2023, authorizing the City Manager or his designee to apply for the SRF loan. The amount to borrow will not exceed \$5,400,000 including capitalized interest, if any, from the South Carolina Revolving Fund Authority. The estimated savings by using SRF financing at 1.40% versus current market rates for a revenue backed bond issue (estimated 3.5%) is approximately \$1.3 million over the 20-year term.*

**1st Reading Ordinance 2023-029 a series ordinance approving the financing of the installation of transmission main protective measures in connection with the water and sewer system of the City of Myrtle Beach, South Carolina, through the borrowing**

by the city of not exceeding \$2,550,000, including capitalized interest, if any, from the state drinking water revolving loan fund, by agreement with the South Carolina water quality revolving fund authority (the “authority”), pursuant to Title 48, Chapter 5, Code of Laws of South Carolina 1976, as amended; providing for an agreement to make and to accept a loan, the execution and delivery of a loan agreement between the city and the authority, the execution and delivery of a promissory note from the city to the authority; and, other matters relating thereto.

*This proposed resolution authorizes the Mayor or City Manager to execute a loan agreement with the South Carolina Revolving Fund Authority (SRF) to borrow funds for the Water Transmission Main Protective Measures PRV Install Project. The original approval to apply for the SRF loan was authorized by City Council in Resolution R2022-015 dated April 12, 2022. The loan amount allowed to borrow will not exceed \$2,550,000. The estimated savings by using SRF financing at 1.40% versus current market rates for a revenue backed bond issue (estimated 3.5%) is approximately \$640,000 over the 20-year term.*

**Resolution R2023-013 to amend the schedule of storm water fees according to the procedure specified in City Code Sec. 18-27.**

*The city commissioned a stormwater rate study in 2021 to assess the operating and capital funding needs of the stormwater program over the next five years. Current revenues generated through the stormwater fee are not sufficient to cover the operating cost of the system and provide for necessary capital improvements. The five-year Capital Improvement Plan addresses a number of neighborhood stormwater and flood risk mitigation projects. If approved, this resolution increases the ERU fee from \$9.30/month to \$11.35/month. Absent the resolution, the stormwater fee will not produce sufficient revenue to continue to cover operations or allow for additional infrastructure improvements to the storm drainage system.*

**Resolution R2023-014 a resolution of the City of Myrtle Beach to adopt a five-year Capital Improvement Plan for Fiscal Years 2024 through 2028.**

*The budget ordinance appropriates funding for projects in the first year of the Capital Improvement Plan (CIP). This resolution establishes the remainder of the plan as a baseline for capital investment in fiscal years two through five. The resolution does not provide any appropriation but gives the plan life beyond the fiscal year until, and unless, it is replaced or revised. The adoption by resolution is recommended as consistent with best practices in governmental budgeting and financial management.*

**Motion M2023-036 to appoint/reappoint three members to the Planning Commission.**

*The terms of Joyce Karetas, Zeb Thomas, and Austin Guyton expired on April 13, 2023. All wish to be reappointed. On file, City Clerk Adkins has resumes for Paul Williamson (city resident), Thomas Muller (city resident), Debra Kresch (city resident), Lizzie Daniel (city resident), Richard Maxey (city resident), and Veena Wulfekuhle (city resident). All three terms will have the new expiration date of April 13, 2026.*

**Motion M2023-037 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**