



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

June 11, 2019

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

10:00 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..... May 28, 2019

PUBLIC REQUESTS, PRESENTATIONS, AWARDS, MEMORIALS:

1. Proclamation recognizing Brown Bradley.
2. Proclamation recognizing Lauren Sanders.
3. Recognition of MBHS Boy's State Champion Tennis Team.
4. Proclamation declaring June 17th as Garbage Man Day.
5. 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

REGULAR AGENDA

2nd Reading Ordinance 2019-29 to enact Chapter 12, Motor Vehicles and Traffic, a new Article 6, shared mobility dockless electric scooters and bicycles, and unfranchised rental scooters.

Many communities are trying to manage the proliferation of dockless motorized scooter and bicycles. These conveyances are unregulated and often end up abandoned in parking spaces, bike lanes, parks, sidewalks, boardwalks, and other public places, and are often used by minors who lack proper training or safety equipment. This ordinance does not apply to pedal operated bicycles rented to consumers by a properly licensed business.

If passed this ordinance would make it:

- *Unlawful to leave mobility device or unfranchised rented motor scooter in the rights-of-way, or a rented scooter on public property anywhere in the City.*
- *Illegal to operate, to provide, or to offer for use, a shared mobility device or scooter in the rights-of-way or on public property anywhere in the City.*

As proposed, law enforcement officers, parking enforcement officers, any party contracted by the City are authorized to impound the device. Any such device left unattended on public property may be removed and held by the City for 48 hours. A confiscated scooter shall be released upon proof of ownership and payment of a \$100 fee for removal and storage. Motorized scooters held for over 48 hours may be disposed of by discarding, donation, auction, or any other manner deemed appropriate by the City.

2nd Reading Ordinance 2019-30 to levy taxes and establish a municipal budget for the fiscal year beginning July 1, 2019, and ending June 29, 2020, and a Capital Improvements Program for fiscal years 2020-2024.

The proposed budget includes:

- *A 3-mill tax increase to fund the 3rd year of the Police recruitment/retention & staffing plans.*
- *Proposed 7.0% Water & 5.0% Sewer rate increase.*
- *\$4.75 Residential, \$2.00 Commercial (Rollout), and \$7.25 Commercial (8 cubic yard container) Solid Waste rate increase.*
- *1% Retirement contribution increase - \$495,000.*
- *4% Step Increase - \$335,000 (sworn Police only).*
- *0-3% Merit increase - \$349,000 (employees other than sworn Police Officers).*
- *4% Health insurance premium increase - \$594,000.*

Service level changes include:

- *10 new Police Officer & support positions (\$1,036,077).*
- *PT Administrative Assistant in the Public Defender's Office (\$20,000).*
- *Building Maintenance Office Assistant (\$50,092).*
- *Full time Coordinator to Staff Charlie's Place (\$60,000)*
- *Solid Waste Residential Collection Crew (\$1,211,003)*

- Solid Waste Regulatory Crew (\$169,545).

The following changes have been made since the budget retreat:

- The TDF Credit was increased by \$150,000, and the Hospitality Fee transfer was reduced by \$150,000.
- Revenues were added from service charges for Banquet Hall and Large Classroom Rental (\$25,000); Train Depot Rental (\$10,000); and Train Car Rental (\$10,000).
- Added expenditures for:
 - Waves of Praise (\$137,000 funded by Chamber A-Tax hold-back funds).
 - Salaries and related costs for staffing of Charlie's Place (\$60,000).

Resolution R2019-30 granting a special event permit to Palmetto Event Productions, Inc. on behalf of Tin Roof for "Coastal Sounds Oceanfront Concerts" on August 3, 2019, from 11:00 a.m. to 11:00 p.m. at Burroughs & Chapin Pavilion Place, and to affirm the City's co-sponsorship. The City Manager is authorized to make changes to these plans as he deems necessary in keeping with the nature of the event and as circumstances dictate.

This festival will include bands, food trucks, beverage and merchandise vendors, and is expected to attract 5,000-7,500 concertgoers. No road closures are requested. The event is free and open to the public. A separate VIP ticket will be available for purchase at \$25 each.

Per proposed resolution Council:

- Adopts the site plan and authorizes the City Manager to make changes to site plan as necessary.
- Agrees to festival co-sponsorship and agrees to provide in-kind services, including the City stage, traffic control, road closures, barricades, litter control, heightened Police presence and EMS.
- Authorizes area businesses to display temporary welcome signs.
- Extends a welcome to festival participants.

Resolution R2019-31 granting a special event permit to Palmetto Event Productions, Inc. on behalf of Tin Roof for "Myrtleween" on October 26, 2019, from 11:00 a.m. to 11:00 p.m. at Burroughs & Chapin Pavilion Place, and to affirm the city's co-sponsorship. The City Manager is authorized to make changes to these plans as he deems necessary in keeping with the nature of the event and as circumstances dictate.

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- Extends a welcome to festival participants.

Resolution R2019-32 to name the pier in Futrell Park after former Council Member Crain E. Woods.

Mr. Crain E. Woods served for two years in the United State Army before beginning a 34-year career as an educator in Clarendon, and then, Horry Counties. He was first elected to the Myrtle Beach City Council in November 1991, was reelected in November 1995, and served with distinction until January 2000. During his tenure on Council Mr. Woods was instrumental in the development of Futrell Park, and was one of the City's earliest stormwater mitigation advocates. After a lifetime of public service Mr. Woods passed away on March 5, 2017.

Per the proposed resolution City Council:

- *Honors the memory of Crain E. Woods in tribute to his tireless work for the residents of Myrtle Beach and Horry County, and a lifetime of Public Service.*
- *Names the pier in Futrell Park the “Crain E. Woods Memorial Pier”, in his honor and memory.*
- *Directs that a plaque bearing this name be placed at that location.*

Resolution R2019-33 of the City of Myrtle Beach to adopt a five-year Capital Improvement Plan (CIP) for fiscal years 2020 through 2024.

The Budget Ordinance appropriates funding for projects in the first year of the CIP. This resolution establishes the remainder of the plan as a base line for capital investment in years 2-5. Major projects included in this CIP include the following major categories:

- *General Pay as You Go Projects: \$9,185,000.*
- *Oceanfront/Downtown Redevelopment District Projects: \$15,615,000.*
- *Other City Facilities Projects: \$4,930,000.*
- *Storm Water Projects: \$18,000,000.*
- *Water & Sewer System Projects \$23,600,000.*

Adoption of the CIP by resolution is recommended as a best practice in governmental budgeting and financial management and supports the City’s strong credit scores by the rating agencies. The resolution does not appropriate any funds, but it gives the plan life beyond the fiscal year until and unless it is replaced or revised. There is no new debt issue anticipated in the first year of the CIP.

Motion M2019-80 to approve a Special Event Permit to Mike Shank / Festival Promotions for the “Independence Day 5K race on the streets in the Market Common area and at Valor Park on July 4, 2019, between the hours of 7:30 and 9 a.m. The City Manager is authorized to make changes to these plans as he deems necessary in keeping with the nature of the event and as circumstances dictate.

This will be the 10th year for this event, which is expected to draw 1,000 athletes. Temporary road closures are planned for portions of Farrow Parkway, Shine, Pampas, Mallard Lakes, Cactus, Swallow, and Myers.

Motion M2019-81 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 that staff has tagged as abandoned or derelict. Council’s approval of this item 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.

Motion M2019-82 to approve a Mutual Aid Agreement between Coastal Carolina University Police Department, Conway Police Department, Horry County Sheriff’s Department, 15th Circuit Solicitor’s Office.

These mutual aid agreements between agencies cover the purchase and use of GrayKey, a forensic tool used by law enforcement in the furtherance of investigations that have digital devices that need to be forensically processed.

Motion M2019-83 to approve a Mutual Aid Agreement with the City of Myrtle Beach and the Family Justice Center.

This motion approves an annual agreement allowing the cooperation between the City and this agency. Specifically, the Family Justice Center:

- *Provides community awareness of, and education on, domestic violence in this community.*
- *Works with the Police Department in the investigation of domestic violence cases.*

Motion M2019-84 to authorize the City Manager to negotiate a contract for Architectural Services relating to the proposed Arts & Innovation District.

The City is currently engaged in an effort to identify a firm to assist in the design of the public structures and spaces in the proposed Arts and Innovation District as described in the City's newly adopted Downtown Master Plan. State law precludes the usual "Request for Proposal" process for procuring architectural services. Instead the City has conducted a "Request for Qualifications" process, the final step of which should be concluded on Monday. If, at that time a leading firm has emerged, Council will be asked to consider this motion for a specific firm. If a leading firm has not emerged on Monday, this item will be continued to the June 25 meeting.

Since price is not a consideration in the RFQ process, approval of this motion only authorizes the Manager to negotiate an agreement with the firm identified in this action. Once the agreement has been negotiated, that contract will come back before City council for approval.

Motion M2019-85 to designate an organization to manage and direct the expenditure of tourism and promotion funds for the 2019-20 fiscal year per SC Code §6-4-10(3).

Per State statute, the City is required to designate a "Direct Marketing Organization" ("DMO") to provide "out of market" advertising and promotion associated with Statewide Accommodations Tax funding. Historically the Myrtle Beach Area Chamber of Commerce has been designated as the City's DMO. The statute requires that the funds be distributed as follows:

- *The first \$25,000 to the General Fund.*
- *5% of the balance (after the \$25,000), to the General Fund.*
- *30% of the balance for advertising and promotion of tourism.*
- *65% to the City for tourism related expenses.*

Recognizing the unique nature of this City's tourism demands the Legislature has also approved a budgetary proviso that allows half of the money that would ordinarily go to the DMO to be retained by the City and used to meet public safety expenses. After these deducts the amount available to go to the DMO in FY 2019-20 is estimated at \$1,586,250.

Motion M2019-86 to approve grants to outside agencies for the fiscal year beginning July 1, 2019.

As presented the FY 2019-20 budget includes \$173,000 to support agencies that provide services aligned with Council's strategic vision. Council may choose to increase or decrease this amount at their sole discretion. The effect of this motion is to allocate those funds among the 18 applicants.

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

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