



Council Agenda

MYRTLE BEACH CITY COUNCIL:
BRENDA BETHUNE, MAYOR
MICHAEL CHESTNUT
JACKIE HATLEY, MAYOR PRO-TEM
JOHN KRAJC
MIKE LOWDER
PHILIP N. RENDER
GREGG SMITH

**MYRTLE BEACH CITY COUNCIL MEETING
TUESDAY, SEPTEMBER 22, 2020**

**9:00 A.M. – PUBLIC HEARING/WORKSHOP – TED C. COLLINS LAW ENFORCEMENT
CENTER**

**10:00 A.M. – MEETING – TED C. COLLINS LAW ENFORCEMENT CENTER
1101 NORTH OAK STREET, MYRTLE BEACH, SC 29577**

*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.*

**A PUBLIC HEARING WILL BE HELD AT 9:00 A.M., TUESDAY, SEPTEMBER 22, 2020, AT
THE TED C. COLLINS LAW ENFORCEMENT CENTER, TO DISCUSS THE FOLLOWING
ITEM, AT WHICH TIME THE PUBLIC IS INVITED TO COMMENT: APPLICATION FOR THE
EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) FORMULA
PROGRAM IN THE AMOUNT OF \$35,374 FROM THE U.S. DEPARTMENT OF JUSTICE
GRANT IN COMPLIANCE WITH THE REQUIREMENTS SET FORTH BY THE US
DEPARTMENT OF JUSTICE. THE CITY OF MYRTLE BEACH WILL HOLD A PUBLIC
HEARING ON THE PROPOSED DISTRIBUTION OF THE FEDERAL GRANT FUNDS.**

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES... September 3, 2020

APPROVAL OF MINUTES... September 8, 2020

PUBLIC REQUESTS, PRESENTATIONS, AWARDS, MEMORIALS:

1. Proclamation declaring Monday, October 12, 2020, as Indigenous People's Day.
2. Myrtle Beach Area Chamber of Commerce's Quarterly Report – Karen Riordan
3. Public Information Update – PIO Staff

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) 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.*

NO ITEMS LISTED ON THE CONSENT AGENDA.

REGULAR AGENDA

2nd Reading Ordinance 2020-041 to amend the Code of the City of Myrtle Beach to add the definition of “Cart Path” as a pathway that may be used by bicycles, pedestrians and golf carts, and to designate such a pathway within the corporate limits of the city.

A portion of the golf cart path, located in the Kings Highway right-of-way between the Dunes Club and Dunes Cove neighborhoods, is designated as the temporary East Coast Greenway connection between North Myrtle Beach and Myrtle Beach. This temporary designation ends upon the completion of the permanent connection between the Horry County Bike and Run Park and Barefoot Resort.

Some confusion has occurred regarding the allowable uses of other paths, sidewalks and trails. This ordinance clarifies the rules of four additional types of paved off-road travel corridors:

- *Cart Paths – Marked paths with little interruption in travel serve golf carts and other transportation modes, including pedestrians and human-powered wheeled vehicles (e.g. bikes and skateboards). The path described above is defined as cart paths.*
- *Bike and Walk Paths – Marked paths with little interruption in travel. Bike and Walk Paths generally cross driveways and intersections, and may or may not be located in a street right-of-way. Bike and Walk Paths serve pedestrians, powered chair/wheelchair users and human-powered wheeled vehicles (e.g. bikes and skateboards), but not motorized vehicles. Unless otherwise designated, all paved paths greater than eight feet wide are defined as bike and walk paths.*

- *Sidewalks – Located along a street in the rights-of-way, sidewalks generally cross driveways and intersections, and are separated from the roadway by a raised curb and/or a planting strip. Sidewalks serve pedestrians and powered chair/wheelchair users, and are the principal component of a pedestrian network. Bikes may be used on sidewalks only when necessary for the safety of the rider. All paved ways less than eight feet wide are defined as sidewalks.*
- *Mountain Bike Trails – Unpaved travel corridors that provide a marked path with little interruption in travel as known as mountain bike trails. Surfaces may consist of gravel, crushed limestone, dirt and/or other semi-pervious material. Motorized vehicles are not permitted, as these trails are intended to serve bicyclists only. Walking on mountain bike trails can be perilous and should be done with extreme caution. The A-10 Mountain Bike Trail and all trails at the Andre S. Pope Mountain Bike Skills Park are known as mountain bike trails.*

2nd Reading Ordinance 2020-042 to amend Ordinance No. 2020-031, the Municipal Budget Ordinance for the fiscal year beginning July 1, 2020, and ending June 30, 2021, to appropriate funding to implement elements of the Downtown Master Plan.

On March 12, 2019, Council approved Resolution R2019-020 designating the “Downtown Master Plan” as a general blueprint for redevelopment of the city’s traditional downtown areas. On September 3, 2020, City Council also adopted the Advanced Downtown Master Plan.

Projects proposed in this budget amendment (totaling \$7,086,515) included in the Advanced Plan are, as follows:

- *Professional Fees & Building Contingency – \$500,000*
- *Performing Arts Theater Demolition – \$100,000*
- *Ninth Avenue North Buildings & Co-Work Space Renovations – \$1,750,040*
- *Nance Plaza Corridor & Backlot Parking – \$1,626,525*
- *Underground Utility Conversion – \$2,300,000*
- *Library Professional Fees – \$87,275*
- *Phase I Infrastructure Professional Fees – \$722,675*

The proposed funding sources (also totaling \$7,086,515) are, as follows:

- *Santee Cooper Franchise Funds – \$2,300,000*
- *HTC Grant Funding – \$125,000*
- *Downtown Development Fund – \$300,000*
- *Tax Increment Financing Bonds – \$4,361,515*

2nd Reading Ordinance 2020-044 to amend the Clemson Tract PUD to add a Sign Master Plan for Parcel 4 (commercial tract).

The applicant wishes to establish unique sign regulations for a new commercial tract near the southeast corner of Coventry Boulevard and Highway 17. The Planning Commission was originally concerned about the size of some of the signs. Staff presented other area signs for comparison, and the Planning Commission approved the dimensions as indicated above.

The proposed signage is, as follows:

- *Two main pylon signs (maximum 25’ tall)*

- Two secondary monument signs (maximum 15' tall)
- Three outparcel monument signs (maximum 8' tall)
- One outparcel monument sign/gas station canopy
- Two main multifamily monument signs (maximum 10' tall)
- One directional sign (maximum 4' tall)

Resolution R2020-041 to acknowledge completion of the 30-day governing body review process for the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Fiscal Year 2020 Edward Byrne Memorial Justice Assistance Grant, Pedestrian and Special Event Anti-Vehicle Assault Protection, and other matters relating thereto.

The Police Department has applied for a \$35,374 grant to purchase portable vehicle mitigation barriers and a drop trailer for use during special events. By Motion M2020-096, Council opened the 30-day Governing Body Review on August 11, 2020, as required by the Grantor. Council also held a public hearing on September 22, 2020, as required by the Grantor. In accordance with the terms of the grant application, this resolution confirms the completion of the Governing Body Review requirement.

Resolution R2020-042 to approve the allocation of \$3,750 to meet the 15% matching requirement for the Municipal Association of South Carolina's Hometown Economic Development Grant of \$25,000, and other matters relating thereto.

The Technology Advisory Group will be using the building at 509 and 511 Ninth Avenue North as an Innovation Center and Co-Work Space. The purpose of this facility is to drive innovation to the downtown area to support technology entrepreneurs while addressing barriers to accessibility, resource sharing and collaboration. An important element of the project is communication to potential businesses, angel investors and entrepreneurs. If approved, the \$25,000 MASC Hometown Economic Development Grant and \$3,750 in local match funding will be used for marketing, branding and promoting programs of the Innovation Center and Co-Work Space. Through this proposed resolution, Council attests to the availability of 15% matching funds to be immediately available from the 2020-2021 appropriation to the Technology Advisory Group.

Motion M2020-0120 to appoint/reappoint one member to the Community Appearance Board.

Mr. Larry Bragg has resigned. Resumes on file include Trevor Greene (city resident), George Wilson (city resident), Julie Booth (city resident), Mike McPeake (city resident), Ronald Spencer (city resident), Gail Ledford Enslin (city resident), Jan Conrad (city resident) and Joshua Kay (non-city resident). This term will expire on December 21, 2022.

Motion M2020-0125 to approve a Special Event Permit to Chris Honeycutt/Forward Church for "Forward Church Launch Day" on September 27, 2020, from 10:00 a.m. to 1:00 p.m. to celebrate the opening of a new church in the Ground Zero building. 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 event would take place on Chester Street in front of Ground Zero and would require closing Chester Street to allow for parking food trucks. The applicant expects an event

attendance total of more than 300 people during the event. The applicant has applied for state exemption to the COVID-19 restrictions limiting such gatherings to a maximum of 250 people.

Motion M2020-0126 authorizing the City Manager or his designee to apply for a grant of \$5,000 from the Coastal Carolinas Association of REALTORS® on behalf of the Downtown Development Office for the purpose of: landscaping and lighting installation in the alleyway connecting Nance Plaza to the interior parking lot; 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 local match is required.

In keeping with the Downtown Master Plan's Arts and Innovation District improvements, this grant will help pay for landscaping and lighting installation in the alleyway connecting Nance Plaza with the interior parking lot. The Coastal Carolinas Association of Realtors (CCAR) Young Professionals Network and Community Outreach Committee plan to help with the installation of landscaping and lighting features. No match required.

Motion M2020-0127 authorizing the City Manager or his designee to accept a donation of \$78,067 from the Estate of Susan O. Stevens on behalf of Chapin Memorial Library for the purpose of: purchasing an adult book collection; 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 local match is required.

Susan O. Stevens was a longtime volunteer of the library and served on both the Library Advisory Board as well as the Friends of Chapin Memorial Library Board. She was a retired school librarian from Socastee High School and a great library and literacy champion in our community. She is greatly missed, but we find comfort knowing that her legacy will live on and continue to touch our residents through stories and books that bring them joy.

Motion M2020-0128 authorizing the City Manager or his designee to apply for a grant of \$1,684 from FM Global Fire Prevention Grant Program for the purpose of: purchasing multi-media equipment to be used to develop fire prevention and preparedness public education messages, videos, etc.; 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.

FM Global offers financial support to organizations working to combat fire. Through the Fire Prevention Grant Program, fire departments and brigades, as well as national, state, regional, local and community organizations, can apply for funding to support a wide array of fire prevention, preparedness and control efforts. This includes pre-incident planning, fire prevention education/training and arson prevention/fire investigation. No match is required.

NON-AGENDA ITEMS FROM THE PUBLIC

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/Assistant City Manager (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 vote or action in Executive Session.

ADJOURNMENT