

**MYRTLE BEACH CITY COUNCIL
TUESDAY, APRIL 23, 2019
9:00 A.M. – 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**

CITIZENS ARE INVITED TO ATTEND AND PARTICIPATE. THOSE WHO WISH TO ADDRESS COUNCIL ARE ASKED TO SIGN IN BEFORE 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 (843) 918-1004 AS SOON AS POSSIBLE, BUT NO LATER THAN 48 HOURS BEFORE THE SCHEDULED EVENT.

CALL TO ORDER: Mayor Brenda Bethune

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MEETING MINUTES:

APPROVAL OF SPECIAL MEETING MINUTES:

PUBLIC REQUESTS, PRESENTATIONS, AWARDS, MEMORIALS:

1. Proclamation declaring week of May 6-10 as National Corrections Officers Week.
2. Recognition of the graduating Class of the 37th Citizens Police Academy.
3. 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) and 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.

NO ITEMS ARE LISTED ON THE CONSENT AGENDA FOR THIS MEETING.

REGULAR AGENDA

1st Reading Ordinance 2019-28 to amend Appendix A, of the Zoning Ordinance to allow indoor urban micro farms as a permitted use in the LM (Light Manufacturing), WM

(Wholesale Manufacturing) Districts, and as a conditional use in the MU-M (Mixed Use Medium Density) District.

Indoor farms are defined as: a roofed and enclosed building or structure used for the cultivation of fruits, vegetables, plants, flowers, or herbs ... for the primary purpose of sale. Typical operations include greenhouses, vertical farming, hydroponic systems and aquaponic systems. Currently there is no provision in the Zoning Ordinance to allow for indoor farming.

Planning Commission recommends a two-year pilot program with conditions in the MU-M zone:

- All activities shall be conducted within completely enclosed buildings.*
- The indoor urban farming space shall be no more than 2,000 square feet.*
- The indoor urban farm shall have a retail component.*
- Delivery vehicles shall have a capacity no larger than one ton.*
- The facility and its operator shall hold all licenses required by the State.*
- Operating hours shall be consistent with those of surrounding businesses.*
- No use may generate any odor that reaches the odor threshold.*
- There shall be no exterior dumping or disposal of wastewater.*
- These uses cannot create electrical disturbances that adversely impact another person.*
- No use may generate noise that is audible by a panel of healthy listeners.*
- No use may generate any vibration perceptible to the sense of touch outside the walls.*

Motion M2019-60 to issue a Rule to Show Cause to require the owner(s) or parties in interest of property known as 1205 Rosehaven Drive, to show cause why they should not be ordered to bring the property into compliance with Chapter 10 of the Code of Ordinances of the City of Myrtle Beach.

If approved the RTSC order compels the property owner to either bring the structure (or property) back into compliance with City Code, or to demolish the structure. The order allows the City to mitigate the non-compliance issues if the property owner fails to do so, and to lien the property for the costs incurred.

Motion M2019-61 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 M2019-62 to approve a contractual agreement between Horry County Schools and City of Myrtle Beach Police Department for the School Resource Officer Program.

This motion extends the agreement between the City and the District in which the City provides School Resource Officers for both Myrtle Beach High and Middle Schools. Pursuant to this agreement the SRO:

- *Will be assigned to a full-time, 8-hour per day schedule during the regular school year.*
- *May be temporarily reassigned during law enforcement emergencies or may leave the school anytime it becomes necessary for public safety purposes.*
- *Will investigate criminal activity occurring on the school campus and in the surrounding community when school or student related.*
- *Is not the school disciplinarian. Disciplining students is the school's responsibility.*
- *Will maintain relationships with students, parents, and faculty which may include attending PTO meetings and staff meetings; and providing law-related education.*

The District agrees to:

- *Provide materials and facilities that are deemed necessary to perform the SRO's duties.*
- *Reimburse 50% of the local funding portion of the salary and fringe benefit costs for the SROs not to exceed \$71,670.*

Motion M2019-63 to approve a Special Event Permit to Chris Trout & PJ Bernacki / Native Sons Promotions & Events for the 2019 "Cinco de Myrtle Festival".

Native Sons Promotions & Events proposes to hold this event at the Burroughs and Chapin Pavilion Place (large lot only) on May 4, 2019, from 11 a.m. – 7 p.m. and May 5, 2019, from 12 p.m. – 6 p.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.

Motion M2019-65 to appoint/reappoint one member to the Planning Commission.

The term of Sharon Boyce (City Resident) expired on April 13, 2019. She wishes to be reappointed.

Motion M2019-67 to appoint/reappoint three members to the Accommodations Tax Advisory Committee.

The terms of Ms. Singleton and Ms. Mills expired on February 22, 2019. Ms. Mills does wish to be reappointed. Ms. Singleton does not wish to be reappointed. Also, Ms. Harwell has resigned. We have received resumes from Jeffrey Urso (City Resident), Julian DuRant (City Resident), and Jamie Broadhurst (City Resident).

Motion M2019-68 to allocate Accommodation Tax funding for 2019.

State law provides that State Accommodations taxes be allocated as follows:

- *The first \$25,000 to the General Fund.*
- *5% of the balance to the General Fund.*
- *30% of the balance to a special fund for advertising and promotion of tourism.*
- *65% of the balance to a special fund for tourism related expenditures.*

The purpose of this motion is to allocate the 65% portion of this fund (approximately \$6.88 million between City-related tourism uses and 29 applicants who applied for funding through the A-tax process.

Motion M2019-69 to appoint and approve a contract for the new City Attorney.

The City Attorney has announced his retirement effective June 30, 2019. This motion addresses the appointment of a new City Attorney and approves a contract detailing the conditions of such appointment.

Motion M2019-70 to approve a Mutual Aid Agreement between the City of Myrtle Beach and the Lexington County Sheriff's Office.

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 vote or action in Executive Session.

ADJOURNMENT