

**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**

**July 10, 2018**

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

**2:00 P.M. – MEETING – TED C. COLLINS LAW ENFORCEMENT CENTER**

CALL TO ORDER.....Mayor Brenda Bethune  
INVOCATION.....  
PLEDGE OF ALLEGIANCE.....  
APPROVAL OF AGENDA.....  
APPROVAL OF WORKSHOP MINUTES.....June 26, 2018  
APPROVAL OF MINUTES.....June 26, 2018

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

1. John Hobson – Chapin Memorial Library Board library card fee recommendation. (ws)
2. Proclamation recognizing Horry County Schools for implementing curriculum on the dangers of opioids. (mtg)
3. Public Information Update – PIO Staff/Police (mtg)

**CONSENT AGENDA – *The Consent Agenda covers items that are 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 (1<sup>st</sup> Reading), & then approved (2<sup>nd</sup> 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.**

**1<sup>st</sup> Reading Ordinance 2018-41 of two parts, Part One: to repeal in its entirety Division 2, Purchasing in Chapter 2, Administration, Article VI Finance. Part Two: to enact Chapter 2, Administration, Article VI Finance, Division 2, Purchasing to adjust limits for requiring formal procurement solicitation and contract procedures; to clarify the competitive bidding requirement; to amend the local preference sub-section to comport with these amendments; and to add procedures for filing and resolving disputes and protests.**

*The Purchasing Code was amended in 2007 to change the limits of purchases requiring competitive bids to \$2,500 for "local purchase orders" and written bids to \$5,000. This proposed amendment:*

- Changes the term "local purchase order" to "limited purchase order (LPO)."*
- Requires competitive procedures for all purchases, including competitive quotes for purchases made by LPO.*
- Names the department head as the acting purchasing agent when using LPOs and requires the consistent documentation for all purchase processes.*
- Allows LPO use up to \$7,500, allows oral quotes up to \$25k, but requires written procedures for purchases exceeding \$25k (consistent with those of similarly sized cities).*
- Allows for publication by means other than newspaper. Provides public notice and listing requirements for agencies acting as City's listing or sales agents.*
- Establishes a formal protest & appeals process to handle disputes.*

*The proposed appeal process includes:*

- An informal protest process upon notification within five days of the bid award.*
- If this is unsuccessful, the aggrieved party may initiate a formal protest:*
  - Written notice to the Purchasing Agent within five days of informal notice.*
  - Payment of 5% admin fee.*
  - During the pendency of the protest, the disputed contract will not be awarded unless the Purchasing Agent finds that it is necessary.*
  - Purchasing Agent may hold a hearing and/or conduct an investigation.*
  - Purchasing Agent to render decision within 10 days of the notice.*

**1<sup>st</sup> Reading Ordinance 2018-44 to extend the corporate limits of the City of Myrtle Beach by annexing 1.37 acres located at Lot 44 Cove Dr. (Horry County PIN #39403040032), and rezone said property from Horry County SF 10 (Single Family Residential) to City of Myrtle Beach R15 (Single Family Residential).**

*With annexation of this parcel there will be 14 parcels left in the Dunes Cove neighborhood that are not in the City.*

**Motion M2018-111 to consider additional Accommodations Tax funding for the Carolina Master Chorale in the amount of \$10,000 based on the recommendation of the City's Local Accommodations Tax Committee, and contingent upon the City Manager's approval of a plan to incorporate performances of this group into the City's efforts to activate outdoor spaces.**

*The City has \$40k left from its initial A-Tax allocation to the Country Music Festival. This action would allocate \$10k of that funding to the Master Chorale contingent on that group's performances at certain outdoor venues in the City.*

**Motion M2012-112 to accept a Justice Assistance Grant (JAG) from the United States Department of Justice, Bureau of Justice Assistance, in the amount of \$36,413 for the**

**purchase of protective gear adequate for responding to and handling critical incidents such as riots, unruly and disruptive mass crowds, and other potentially hazardous situations. No local match required.**

*Normal grant acceptance.*

**REGULAR AGENDA The Regular Agenda includes items that are not 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.**

**1<sup>st</sup> Reading Ordinance 2018-43 to amend the Grande Dunes Planned Unit Development to add an additional 32.4 acres of land.**

*This PUD now includes the Member's Club, Bal Harbour, Siena Park, Seville, Castillo del Mar, Calais, Vista del Mar, & Cipriana neighborhoods as well as certain areas on the west side of the Waterway. Developing neighborhoods include Living Dunes and the Marina Parkway Tract. The owner requests adding 32.4 acres to the PUD, (bringing the total to 2,256 acres). The additional property is bounded by Grissom Parkway to the north and Wild Iris Drive to the south and is zoned MUH (Mixed-Use High Density).*

*The Grande Dunes PUD and current MUM are mixed-use districts allowing similar uses. Although CAB approval is required in both zoning districts, the Grande Dunes PUD requires additional approval by their Board of Architectural Review. The maximum Equivalent Residential Units (ERU) allowed in the Marina Village Tract is 22,000. Although the proposed amendment adds an additional 32.4 acres to the Marina Village Tract, the amendment does not include an increase in maximum ERUs allowed, thus decreasing the maximum density in this tract.*

**1<sup>st</sup> Reading Ordinance 2018-45 to amend Section 1407.C of the zoning ordinance to add hatchet throwing and axe throwing as a conditional use in the A (Amusement) zone, and to amend Section 1501 to create a new section 1501.QQ with conditions for said games.**

*Axe throwing is now a popular recreational activity/competitive sport, but the City currently does not allow it in any zoning district. The applicant wishes to open an outdoor axe throwing establishment at 8<sup>th</sup> N and Chester Street with the following conditions:*

- *The throwing environment must be fully enclosed on all sides.*
- *Cages must be at least 10' high and have a cover.*
- *Waiting customers must have a separate waiting area from the throwing area.*
- *No customers under 18 years of age may participate.*
- *No alcohol may be sold or consumed on site.*
- *The operator must have an approved safety plan that includes:*
  - *Customers must wear closed-toe shoes.*
  - *Insurance must be carried for landlord & operator.*
  - *Operator must have liability waiver for participants.*
  - *Customers and participants must be supervised by a trained professional.*
  - *At least one staff member certified in administering first aid shall be on site.*
  - *Operators must refuse customers too impaired to participate safely.*

*The City Manager supports the Planning Commission recommendation for denial for these reasons:*

- *The City is working hard to maintain a reputation as a "family beach."*
- *Traditionally hatchets are thrown as weapons. We are working with our merchants to remove weapons from window displays. An outdoor hatchet-throwing facility sets a contrary precedent.*
- *Most of the conditions proposed are unenforceable.*

**1<sup>st</sup> Reading Ordinance 2018-46 to amend Section 1407.C of the zoning ordinance to allow indoor kennels as a permitted use in the MP (Medical/Professional) district.**

*The applicant owns the Vet Clinic of Myrtle Beach at 708 21<sup>st</sup> N and would like to offer additional services on an adjacent lot. Both properties are zoned MP which does not allow kennels (they are allowed in the HC1 and HC2, WM, and LM zones).*

*There are seven locations where an MP district abuts a residential district (the applicant's location does not). Planning Commission recommends adding indoor kennels as a permitted use in the MP Zones (8-0). The City Manager supports the amendment as a conditional use with the condition being that the property does not abut a residential neighborhood.*

**1<sup>st</sup> Reading Ordinance 2018-47 to create a redevelopment district zone known as the Gateway Galleria Redevelopment District Zone.**

*This proposed district is located along 7<sup>th</sup> N, N. Ocean Blvd., and Chester St. The applicant requests rezoning to a "floating zone" to allow a mixed-use commercial/accommodation/residential development. This is the second review under the new "floating zone", which requires a RDZ designation by Council.*

**1<sup>st</sup> Reading Ordinance 2018-48 to approve the 7<sup>th</sup> Avenue North Redevelopment agreement between the City of Myrtle Beach and Laniado Development, LLC (Developer)**

*The developer is planning to construct a commercial & residential/accommodation mixed use ocean-front development at 7<sup>th</sup> N and Ocean Boulevard. The project is the second request to utilize the Floating Zone and Redevelopment Financial Incentives adopted by City Council in 2015 and 2016. Qualifying projects must address conditions which suppress economic and social development of commercial, residential, or mixed-use, and the parties must enter into a development agreement to qualify for financial incentives. To be eligible for the financial incentive the developer must obtain a building permit within six months and must complete the project within two years of the date of the building permit.*

*The proposed development agreement includes:*

- Vesting certain property rights by protecting the developer from subsequently enacted legislation.*
- The developer pays normal impact fees (may be refunded thru the incentive policy).*
- A two-year term of the agreement, with automatic renewal unless one party notifies the other at least one year before the expiration date.*
- Either party may terminate for a breach if the other doesn't cure within 30 days.*

**1<sup>st</sup> Reading Ordinance 2018-49 concurring in amendments to the Redevelopment and Financing Plan of the Myrtle Beach Air Force Base Redevelopment Authority, as amended; and other matters relating thereto.**

*The Redevelopment Authority has amended the Redevelopment Plan to modify the project list and distribute surplus funds to the County, School District, and the City. Projects deleted or funds reduced due to inactivity or feasibility change include the Natatorium, Boat Landing, Community School, Grand Park Phase V, and Linear Park Extension. The amendment also includes the following new projects:*

- Renewal, reconstruction, repair and remodeling of Redevelopment Projects, including streets, parking, storm water, & park facilities, CCTV cameras.*
- Public infrastructure serving proposed development of two remaining Market Common parcels.*
- Extension of taxiway from Shine Avenue to new airport hangar site.*
- Extension of Howard Avenue. to Emory Road.*
- Grand Park, improvements to Phases I-IV.*
- Playground expansion/safety measures for Grand Park alternative recreation facilities.*
- Police and Fire Station expansion and renovation to sites in the district.*

*By adopting proposed ordinance, City formally concurs with proposed amendment. Approval of amendment to Plan is prerequisite to issuance of TIF Bonds to finance project expenses.*

**Resolution R2018-28 updating the policy of the City Council concerning the issue of homelessness, and to support certain programs in furtherance of this policy.**

*In 2011, the City adopted a homelessness policy which led to establishing an umbrella organization, New Directions of Horry County, to manage homeless services. NDHC has been incredibly successful in satisfying their goal of supporting individuals actively trying to break their cycle of homelessness. Despite this success, as the region grows so does the homeless population, and many of the region's homeless population are now considered chronically homeless.*

*Earlier this year an informal task force including board members of ECHO and New Directions met to examine the 2011 policy and determine its effectiveness. This group believes it is time to encourage these organizations to work cooperatively with other governmental entities, and supportive organizations to expand their services to help all homeless, including those who are considered chronically homeless.*

*As an expression of Council's policy, proposed resolution suggests that City:*

- Encourage those agencies assisting the homeless to work together to provide support and help, regardless of the individual's reasons for homelessness.*
- Encourage coordinated and collaborative relationships with City, County, State, and Federal agencies, along with other charitable agencies and the private sector so that all available resources are applied to transitioning the homeless to sustainable living arrangements.*
- Support activities and programs designed to assist the homeless persons in our community.*
- Support long-term housing options for our residents who are or become homeless.*
- Support affordable housing options as a tool for reducing the future incidence of homelessness.*
- Act to mitigate the negative effects of homelessness on our community and economy.*

**Resolution R2018-29 granting a special event permit to the Five Points Business Association for "The Mistletoe Market" and affirming the city's co-sponsorship.**

*The event goal is to promote Broadway Street and the 5 Points Merchant's Association. As proposed:*

- Broadway would be closed between 3<sup>rd</sup> North and 6<sup>th</sup> North from 6:00 a.m. to midnight on 12/8/18.*
- Activities will feature local restaurants, local arts & crafts vendors, food trucks, food vendors, car show, kid zone, and musical entertainment with stage.*
- Event will be gated and open to the public with no admission charge.*
- Off-site parking is proposed at the City owned vacant lot next to City Services.*
- Participants will be shuttled between the two locations via trolley.*
- Alcohol (beer and wine only) will be served at this event as approved by the MBPD.*
- The City agrees to co-sponsor the event and provide the following in-kind services:*
  - Delivery of water barricades, bicycle racks, and trash barrels.*
  - Delivery, pick-up and disposal of one roll-off container.*
  - Provide the event with four Police Officers and two EMT's.*

**Resolution R2018-30 to amending R2018-27 granting a special event permit to Palmetto Event Productions, Inc. for the "2018 Myrtle Beach Boardwalk Bonanza" to extend the closing time from 9 PM to 11 PM.**

*During the first week of this event the heat proved to be too great in the late afternoon, and the crowds began to show up around 6:30 p.m. The applicants have requested the flexibility to adjust their schedule accordingly.*

**Motion M2018-107 to approve a Special Event Permit to Mike Shank / Festival Promotions for the “10<sup>th</sup> Annual Myrtle Beach Oktoberfest”, a celebration of German Food & Beer, at Grand Park on October 12 - 13, 2018, between the hours of 4:00 p.m. and 9:00 p.m., and 11:00 a.m. – 7:00 p.m. on Saturday, take down is estimated to be completed by 9:00 p.m. that evening. 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.**

*2,000 event participants are expected at this event. The applicant does not request City co-sponsorship, and no road closures are necessary.*

**Motion M2018-108 to approve a Special Event Permit to Mike Shank / Festival Promotions for the “2018 Arts and Music Festival”, a celebration of the Arts, at Grand Park on September 8, 2018, between the hours of 1:00 p.m. and 8:00 p.m., take down will be completed by 9:00 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.**

*1,000 event participants are expected at this event. The applicant does not request City co-sponsorship, and no road closures are necessary.*

## **NON - AGENDA ITEMS FROM THE PUBLIC**

## **COMMUNICATIONS FROM CITY BOARDS/COMMISSION MEMBERS**

## **COMMUNICATIONS FROM CITY COUNCIL AND CITY MANAGER**

1. Council Communications
  - State Budget Update
  - Liberalization of state tax monies
  - Abandoned building bill
  - Business license restructuring
  - City Lobbyist services
  - Designating certain commercial corridors for intensive code enforcement efforts.
  - Combining City Council Workshop and Regular Meetings
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**