



# 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 July 23, 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.....June 9, 2019

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

1. Recognition of the Purchasing Division of the Financial Services Department for the third consecutive perfect physical inventory audit.
2. Recognition for Eagle Scout candidate, Cody King.
3. Proclamation declaring July as Recreation & Parks Month.
4. Jazz Festival Update – Mickey James
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 (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.**

## **CONSENT AGENDA**

### **REGULAR AGENDA**

**2<sup>nd</sup> Reading Ordinance 2019-33 to amend Chapter 12, Motor Vehicles and Traffic, Article III, Stopping, Standing and Parking, Division 1, generally to add public utilities to the list of exemptions from metered payment.**

*This ordinance adds public utilities to the list of exemptions from metered parking which now includes:*

- *Commercial trucks while loading and unloading.*
- *Vehicles bearing license plates or hang tags, or other publicly placed permit indicating the operator is a disabled veteran, Purple Heart/Medal of Honor recipient or disabled person.*
- *Jurors and witnesses involved in criminal cases in any court, while in attendance at court.*
- *Public employees in the performance of their duty.*
- *Vehicles bearing a properly issued city resident decal.*
- *Vehicles actively being used in media or news coverage, and displaying a press parking placard.*

*“Public utilities” are publicly owned utilities or private corporations subject to oversight by the SC Public Service Commission, and engaged in providing essential services to the public, such as electricity, natural gas, water, sewer, telephone, transportation, cable and data delivery. Access to unmetered parking allows these providers to respond more quickly to maintenance issues.*

**2<sup>nd</sup> Reading Ordinance 2019-34 Ordinance to find that the lot known as “Washington Park Parke Area and Play Ground”, located between 23<sup>RD</sup> Avenue North and 24<sup>th</sup> Avenue North, and between Kings Highway and Withers Drive, and adjoining Lot 9 Block 1-W, Washington Park Section of Myrtle Beach to the Southeast, identified as Horry County PIN 424-10-03-0003 and TMS # 181-04-06-005, has no immediate or foreseeable value to the City, to declare that property surplus, and to authorize the sale of that property to Blvd Group, LLC at a price of \$160,000, which represents the appraised value.**

*Washington Park is an unimproved parcel located off a service alleyway running behind the buildings on the east side of Kings Highway between 24<sup>th</sup> and 23<sup>rd</sup> Avenues North. Due to the condition of the service alley, access to the property is limited. The property has never been developed for any public purpose, and no future public use has been identified. The owner of the adjacent hotel located off 24<sup>th</sup> North would like to acquire the property for parking purposes.*

*The proposed ordinance finds that:*

- *The parcel has no current or foreseeable public use, and is, therefore, surplus.*
- *That it serves the public interest to dispose of the property by accepting the offer to purchase at the appraised value from the adjacent property owner.*

*The proposed ordinance authorizes the City Manager to execute the proposed offer to purchase the property. The property is listed at an estimated tax value of \$148,000. Estimated City taxes on that property once it is in private ownership would be about \$740/year.*

**1<sup>st</sup> Reading Ordinance 2019-35 to rezone 2.16 acres between Ocean Blvd. and Chester St. (PIN# 42415040199, 42415040200, 42415040201, 4440201431) and the adjacent rights-of-way of Ocean Blvd and Withers Dr. from MU-H (Mixed-Use High Density) to a (Amusement) in order to accommodate a mix of family-centric uses and to amend Sections 14 and 14 of Appendix A Zoning to restrict amusements near a public library.**

*The subject property is in the Downtown Master Planning Area and an Opportunity Zone. The applicant proposes to develop an amusement on the 2<sup>nd</sup> row property, and six eight-bedroom vacation rental homes, and a 350 space 4 story parking garage on the 3<sup>rd</sup> row. The rezoning is recommended to take advantage of the reduced set-backs in the A zone to facilitate development of the 3<sup>rd</sup> row improvements. The proposed ordinance also states that no portion of the ride, at maximum extension, shall be closer than 220', from any public library, school, or church.*

*Opportunity Funds must be invested before 2020 in order to maximize tax benefits. The 3<sup>rd</sup>-row property is across Chester from Chapin Library and Chapin Park. The Master Plan suggests moving the library & repurposing the building. Current parking spaces on these lots are not required for any nearby businesses. Once a property is rezoned any permitted use in that zone may be built, and the applicant cannot be held to the original plans.*

**1<sup>st</sup> Reading Ordinance 2019-36 to extend the corporate limits of the City of Myrtle Beach by annexing 0.632 acres located at 4105 and 4107 Little River Rd. (Horry County TMS# 174-09-01-030 and 174-09-01-035), and rezone said property from Horry County SF 6 (Single Family Residential) to City of Myrtle Beach RMM (Multi-Family Residential).**

*The applicant owns property along Little River Road currently in the County and zoned SF 6 (Single Family, 6,000 sq. ft. per unit). Applicant wishes to combine the 2 lots and to construct townhouses. The proposed zoning allows a maximum 12 units/acre. It does not allow mobile homes. The applicant is required to annex as a condition of receiving City utilities to service the proposed townhomes.*

*The adjacent in-city property to the north is zoned Longleaf PUD (Residential) & is developed with townhouses. The zoning across Little River Road is zoned R-10 (Single Family, Minimum 10,000 sf lot). The property currently contains mobile homes, although that is not a permitted use in the proposed zone. If approved these mobile homes would be grandfathered in as legal non-conforming uses.*

**1<sup>st</sup> Reading Ordinance 2019-37 to amend Ordinance No. 2019-023 to ensure consistency in the amounts of penalty charges between the local hospitality tax and local accommodations tax.**

*Ordinance 2019-22, adopted on 3/7/19, amended the Accommodations Tax with no changes to the penalty provisions section. Ordinance 2019-23, also adopted on 3/7/19, authorized the City to levy a Hospitality Tax, which included penalties that differed from those for the Accommodations Tax.*

*The current A-Tax penalty is 2% per month on the amount of taxes which remain unpaid. The current Hospitality Tax penalty is 25%. The proposed ordinance would standardize on the current A-Tax penalty.*

**Motion M2019-96 to appoint eight members of the Workforce Housing Advisory Board.**

*The Workforce Housing Advisory Board was created implement City's Council's Workforce Housing Policy adopted as R2019-05 on January 22, 2019. As set forward the Board is to consist of 14 members, six of whom are set by the authoring resolution: The Planning Director (Kenneth May), the Executive Director of the Downtown Redevelopment Authority (Lauren Clever), the Neighborhood Services Director*

(Cookie Goings), the Housing Authority's appointment (Teresa Dean), Habitat for Humanity's appointment (Carla Schuessler), and New Directions' appointee (Kathy Jenkins).

*In addition, eight seats are to be Council-appointed but are also occupation or organization restricted. Because of these restrictions, we have been unable to get enough applicants through the normal advertising process. As a result, we have recruited applicants from these categories. The positions to be designated by Council and the proposed appointments in each category are members from: the financial/banking industry (Tonya Slavin), the Homebuilders Association (Lawrence Langdale), a licensed realtor (NAME), the Hospitality Industry (Stephen Greene), City or School District employee (Amber Campbell), the Chamber of Commerce (Karen Riordan), the health care industry (Emily Lloyd), and the local clergy (NAME).*

**Motion M2019-97 to authorize the City Manager to enter into an agreement for architectural services with the firm of LS3P related to the public spaces and venues in the proposed Arts and Innovation District.**

*As required by State law, LS3P was initially selected through a public Request for Qualification process. Based on that process, in June Council gave the Manager authority to negotiate a specific contract with this firm. LS3P's resulting proposal is an innovative one designed to take advantage of the economies of scale inherent in packaging together the design of these public improvements.*

*The proposal recognizes that some of the design work is relatively simple (the public plaza and non-habitable structures), some is of medium complexity (multi-family residential, and retail) and some is very complicated (performing arts center). The proposal also further recognizes that the size and cost of the structure is negatively correlated to the appropriate charge for architectural services (expressed as a percentage of construction costs). As a result, the proposal reflects that the percentage charged for architectural fees will go down as the construction price of the structure goes up.*

*In addition to these percentage charges, the proposal includes a flat fee of \$100,000 for "Advanced Planning" efforts. These efforts include documenting existing building edges, floor plans, size, and massing; as well as facilitating a number of public input sessions. Funds were provided in the current budget for these expenses.*

**Motion M2019-98 to approve a Special Event Permit to Philip Jackson and Chalmers Lester of Surf City Surf Shop to host a surfing contest in association with the Surf Dreams Foundation. Surf Dreams Foundation is proposing to hold this event on the beach at 66<sup>th</sup> Ave. North on August 10th, 2019 from 7:30 AM to 4:30 PM. 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 is a one-day surfing contest and clinic to be held on the beach just north of the beach access at 66<sup>th</sup> North. 50-60 participants are expected.*

**Motion M2019-99 to approve the acceptance a \$12,500 Opportunity Zone Grant Award from the South Carolina Department of Commerce to assist with Opportunity Zone Investment Program.**

*This recognizes the City's receipt of a \$12,500 grant from the South Carolina Department of Commerce to assist with the City's Opportunity Zone efforts.*

**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**