



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

January 22, 2019

9:00 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.....January 8, 2019

PUBLIC REQUESTS, PRESENTATIONS, AWARDS, MEMORIALS:

1. Proclamation recognizing Veteran Awareness Series.
2. Presentation of Lifesaving Award to Medic 62 crew.
3. Presentation from Technical Advisory Group – Jason Greene.
4. 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 2019-1 to approve a lease of 804 1/2 North Oak St to Richard W. Dickinson.

Mr. Dickinson is the former owner of the Encore Video property recently purchased by the DRC for the Theater project. He would like to stay in the proximity of his former business location on a temporary basis. Staff has identified that the City-owned building located at 804 ½ North Oak Street would be available & suitable for occupancy.

The term of the lease begins on 1/1/2019 and rent is charged at a rate of \$16.44/day. The lessee or lessor may terminate the lease upon 10 days' notice, and the tenant is responsible for utilities, taxes, and routine maintenance.

2ND Reading Ordinance 2019-2, an ordinance to amend Ordinance 2017-23, which enacted Appendix A, Zoning, by amending Article 18, Section 1806, that established the Ocean Boulevard Entertainment Overlay District (OBEOD), to correct a scrivener's error in nomenclature, and to provide severability.

This ordinance amends the overlay district and corrects a scrivener's error in the text.

2ND Reading Ordinance 2019-3 to invoke the pending ordinance doctrine so that no permit shall be issued that would be in conflict with the proposed zoning changes as set forth herein and to amend the zoning map and Zoning Code as it impacts uses so as to regulate the defined uses herein, to order the Planning Commission to study appropriate conditional uses for these uses, and to make recommendations pertaining thereto.

Per this proposed ordinance Council:

- *Finds that the number of vape shops, head shops, tobacco stores, and establishments selling CBD products, may have a negative impact on the local economy, public safety, and business diversity.*
- *Resolves to consider zoning text changes to rezone, overlay or otherwise limit the location of these establishments.*
- *Indicates Council's desire to study what other conditions, if any, should be placed on these uses.*

The proposed ordinance allows for the incidental or ancillary sale of conventional tobacco products such as, cigars, cigarettes or tobacco as long as the sale of these products take up no more than 2% of the stores gross floor area or 200 sf (whichever is less). The proposed ordinance effectively asks staff and Planning Commission to study this issue, and to return with a recommendation no later than 1/1/20.

1st Reading Ordinance 2019-4 to amend the municipal budget for the fiscal year beginning July 1, 2018, and ending June 30, 2019, by increasing the amount of building permit fees for the purpose of funding a workforce housing program.

City Council has stated Economic Development is a priority for this community, and that providing adequate workforce and affordable housing is a key component of an economic development strategy. To fund this proposal staff recommends an additional fee of .25% of any permit exceeding \$100,000 which would be used exclusively to pay the costs of the City's Workforce Housing Program, including any related administrative costs. To increase this fee, it is necessary to amend the 2018-19 Municipal Budget.

This item is directly related to Resolution R2019-5 which lays out City Council's policy with respect to workforce housing.

1st Reading Ordinance 2019-5 to enact in Chapter 15, Planning and Development, a new Article V, special property tax assessments for rehabilitated historic properties.

In order to be eligible for historic tax credits, a structure must be at least 50 years old and have been included on the national historic register. Each eligible structure must be approved individually, but the process is expedited if the district where that structure is located in a designated historic district. Inclusion in such a district does not restrict owners of other structures in the district from modifying or demolishing the structure as needed.

This proposal creates 5 geographic protection classifications including:

- Landmark - applied to 20+ year old structures, improvements or physical features which have historic, architectural, aesthetic, social or cultural significance.
- Landmark district - applied to an area surrounding a landmark in order to protect the landmark, or to an area which is considered of substantial importance.
- Architectural conservation district - applied to distinctive sections of the city defined by architectural features, distinctive character of the district or distinctive function.
- Historic commercial district - areas which constitute distinctive commercial sections.
- Protection areas - applied to areas which are less distinctively defined but which should be subject to urban design regulations.

The proposed ordinance also establishes a process to establish historic districts:

- Prior to designation of any area, the Review Committee (the Community Appearance Board) will submit a report & recommendation to Council on the district boundaries & location.
- To receive preliminary certification a property must meet the following conditions:
 - The property has received historic designation from Council.
 - The proposed rehab work is approved by the Review Committee.
- To receive final certification, a property must meet the following conditions:
 - The property has received preliminary certification.
 - The minimum expenditures for rehabilitation were paid.
 - The completed rehab is approved by the designated administrative officer as being consistent w/ the preliminary certification.

Resolution R2019-3 setting forth the policy of the City of Myrtle Beach regarding citizen requests for neighborhood infrastructure improvement projects including new sidewalk installation, stormwater system improvements and traffic calming devices.

This resolution establishes a policy for evaluating infrastructure requests brought forward by our citizens, and requires that each request be evaluated for the impact on all the nearby residents and businesses. In each case the process involves a petition demonstrating that the request has the support of at least 75% of the affected residents. The proposed policy also requires a review for technical compliance with accepted engineering principles and practices.

Resolution R2019-4 setting forth the City of Myrtle Beach's policy of open government, commitment to transparency and goal of proactive communication for members of the city staff and the City Council.

The City is committed to be an open, transparent organization, which welcomes public participation. To meet this goal, the policy proposes that the City commit to the following:

- Plan and schedule a new community-wide visioning process.
- Undertake a 3rd party survey of current public opinion on a wide range of topics.
- Host a quarterly “newcomers” meeting for new residents.
- Schedule monthly Council workshops to publicly discuss long-range issues and policies.
- Welcome inquiries from citizens and the media.
- Encourage more staff members to speak to the news media and the public.
- Continue to comply fully with requirements of the SC FOIA.
- Encourage greater use of video as a storytelling medium.
- Provide more accessible data & statistical information to the public.

This resolution also adopts guidelines to further encourage responsiveness and transparency in crisis communications, viral media events, and social media commentary.

Resolution R2019-5 setting forth the policy of the City of Myrtle Beach regarding the provision of Workforce Housing.

Workforce housing is generally understood to mean housing for households with incomes exceeding guidelines for Federal and State affordable housing programs. This proposed policy establishes this as an element of the City’s economic development strategy.

To examine best practices opportunities, a Workforce Housing Advisory Board (WHAB), is proposed to explore opportunities to enhance workforce housing opportunities. The Board would be tasked with making recommendations to Council no later than 1/31/20, and is specifically to examine the following:

- Study the status and quality of workforce housing & recommend actions to the City to improve the quantity and quality of Workforce Housing.
- Review “best practices” techniques and programs used in other communities.
- Recommend income and credit guidelines and any other regulations.
- Recommend organizational structures to perpetuate the Initiative.
- Recommendations an initial allocation of the Workforce Housing fund between workers who qualify for low-income housing programs, and those whose incomes are too high to qualify.

Resolution R2019-6 granting a special event permit to Ground Zero ministries, Inc. for the “2019 Dragon Boat Festival” on April 27, 2019, and affirming the city’s co-sponsorship.

Ground Zero’s Annual Dragon Boat Festival is the non-profit’s largest fundraising event of the year. For on 4/27/19, the proposed venue is Grand Park in Market Common. Practice days will be scheduled at the park on 4/22/19 – 4/26/19, from 3 p.m. to 9 p.m. The event is expected to include 50+ teams of 21 paddlers on each team, live entertainment, family fun zone, inflatables, food vendors, and sponsor tents.

In 2018 Ground Zero Ministries raised \$115,000 from the festival, which helped to sustain the non-profit’s numerous community outreach programs. This proposed resolution:

- Recognizes the “Dragon Boat Festival” as a community-wide festival event.
- Authorizes area businesses to display temporary welcome signs.
- Waives the park rental fees for the practice, move-in, and move-out days, which total \$1,750.
- Extends a warm invitation to all to enjoy the “2019 Dragon Boat Festival”.

Resolution R2019-7 authorizing the City Manager to extend hybrid parking space lease agreements for a 10-year period with one automatic five-year renewal at the option of the lease.

A “hybrid” parking space is one in which a portion of the property is privately owned, and a portion is within the public rights-of-way. In February 2004 Council approved a Hybrid Parking Plan to allow the City to lease the public portions of hybrid parking spaces to the contiguous property owner when there is no public need for that public property. This Plan has met the needs of many properties initially developed prior to the imposition of current regs (which now require private transient accommodations structures to provide adequate parking for their guests). There are currently approximately 60 such leases generating slightly more than \$95,000 in total.

The extension of the Plan supports Council’s economic development and downtown redevelopment policy goals and authorizes the City Manager to renew such leases for a 10-year period w/ an automatic 5-year extension. All other provisions of the Plan, including the current rental rates, remain in effect.

Motion M2019-6 to approve a Special Event Permit to Victor Shamah for “The Bowery’s 75th Anniversary Party” on February 23, 2019, between the hours of 7:00 p.m. and 3 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 event features a large VIP Tent erected on the 9th Avenue North Street-end. A media tent, restrooms, and catering tents will be located on the adjoining B&C Pavilion Place oceanfront lot.

Motion M2019-7 to approve a Special Event Permit to Mike Shank / Festival Promotions for the Myrtle Beach Irish Festival, March 16 - 17 2019 from 11:00 am to 7:00 pm at Grand Park. 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.

Two thousand participants and spectators are expected for this event. The “Games” include Irish music, food, beverages, and children’s activities.

Motion M2019-8 to accept a grant from the South Carolina Humanities Council in the amount of \$500 on behalf of Chapin Library to fund the LTAI (Let’s talk about it) project, Series Title. Hope Amidst Hardship.

“Let’s Talk About It” is a book discussion series. Each year has a different theme and the book selections reflect the topics. Traditional components of the series include scholar lectures and discussion. CCU professors present lectures and moderate the discussions. This year will also include showing the movie adaptations of the books. The Humanities Council awarded the \$500 grant which pays the honorariums for the professors.

Motion M2019-9 to accept a donation from the “Friends of the Chapin Memorial Library” in an amount of \$14,270 on behalf of Chapin Library for the 2018 Summer Reading Program. No local match required.

The City is indebted to the “Friends” for once again graciously contributing to the library’s summer reading program for our children.

Motion M2019-10 to appoint/reappoint one member to the Planning Commission.

Carl Sivertsen has resigned. This term expires January 10, 2020. We have received resumes from Ronald Spencer (City Resident), Ann Brittain LeMay (City Resident), John E. Bradley (City Resident), and John H. Suddreth, III (Non-Resident). All members of Planning Commission must be city residents.

Motion M2019-11 to appoint/reappoint two members to the Community Appearance Board.

The terms of Larry Bragg and Jeff Edens expired on December 31, 2018. Both wish for reappointment. We have received resumes from Jodi Sims, (City Resident) and Louis C. Kiessling, III, (City Resident).

Motion M2019-12 granting a special event permit for NS Promotions & Events “Coastal Highland Games” on March 9, 2019 on the Pavilion site from 8:00 a.m. to 5 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.

Six thousand participants and spectators are expected for this event. The “Games” include Scottish athletic competitions, music, food, beverage, and children’s activities.

Motion M2019-13 to approve a Memorandum of Understanding between Abbeville Police Dept., Berkeley County Sheriff’s Office, Cayce Police Department, Coastal Carolina University Police Department, Chester Police Department, Charleston County Sheriff’s Office, Chester Police Department, Clarendon County Sheriff’s Office, Clemson Police Department, Clover Police Department, Columbia Police Department, Conway Police Department, Darlington Police Department, Darlington Sheriff’s Office, Florence Police Department, Georgetown County Sheriff’s Office, Georgetown Police Department, Graham Police Department, Greenville Police Department, Greer Police Department, Horry County Police Department, Horry County Sheriff’s Office, Johnston Police Department, Lexington Police Department, Lee County Sheriff’s Office, Manning Police Department, Moultrie Police Department, Mount Pleasant Police Department, North Charleston, Orangeburg Department of Public Safety, Orangeburg County Sheriff’s Office, Pageland Police Department, Tega Cay Police Department, Wellford Police Department, West Columbia Police Department, Winthrop University Police Department, and the City of Myrtle Beach.

These are 36 mutual aid agreements that allow officers from these jurisdictions to assist the City of Myrtle Beach during times of high demand and activity, and also allow the City’s officers to reciprocate. State law requires that each jurisdiction enter into such agreements to facilitate this mutual support. Individual officers are precluded from assisting unless such agreements are in place.

Motion M2019-14 declaring February as National Missing Person Day.

Every day in this country, approximately 2,300 people are reported missing. According to the 2016 National Crime Information Center, there were 88,040 active missing person records. National Missing Persons Day focuses the attention of the country on recognizing and remembering our missing persons.

NON- AGENDA ITEMS FROM THE PUBLIC

COMMUNICATIONS FROM CITY BOARDS/COMMISSION MEMBERS

COMMUNICATIONS FROM CITY COUNCIL AND CITY MANAGER

1. Council Communications
 - Coyote Issue
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