



Council Agenda

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

**MYRTLE BEACH CITY COUNCIL AGENDA
TUESDAY, JANUARY 14, 2020**

**9:00 A.M. – OATH OF OFFICE CEREMONIES/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.*

**9:00 AM: THE OATH OF OFFICE WILL BE ADMINISTERED TO COUNCIL MEMBER
PHILIP RENDER AND COUNCIL MEMBER-ELECT JOHN KRAJC. RECEPTION TO
FOLLOW.**

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES... December 10, 2019

APPROVAL OF MINUTES... December 16, 2019

APPROVAL OF MINUTES... December 19, 2019

PUBLIC REQUESTS, PRESENTATIONS, AWARDS, MEMORIALS:

1. Proclamation declaring the week of January 13-17, 2020, as Volunteer Appreciation Week.
2. Carolina African American Heritage Foundation's MLK Commemoration – Bennie Swans
3. June 30, 2019 Audit Presentation
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) 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

2nd Reading Ordinance 2019-060 ordinance to amend Appendix A Zoning, Article 16 Area, Height and Dimensional Requirements, Section 1603 Dimensional Standards of the Code of Ordinances, to add setback requirements specific to property lines abutting an alley in the MU-H (Mixed Use High Density) District.

Currently, the MUH District setback requirements are, as follows:

- *Setback is 10 feet when a structure is less than 20 feet in height.*
- *Setback is 20 feet when a structure is between 20 and 120 feet in height.*
- *Setback is 30 feet for buildings in excess of 120 feet in height.*
- *In cases where the property adjoins an alleyway, the distance between the buildings is effectively increased by the width of the alley (usually 20 feet).*

The purpose of this ordinance is to allow for zero setback adjacent to the alleyways to increase the maximum developable property. This is particularly critical in areas

where the lots are already relatively narrow. This change accommodates renovations of the “Sun Rise,” a Mid-Century Modern hotel located at 2303 North Ocean Boulevard.

2nd Reading Ordinance 2019-061 to amend the municipal budget for the fiscal year beginning July 1, 2019, and ending June 30, 2020, by appropriating donations to the Mary C. Canty scholarship fund to promote development of life skills for local teenagers.

The Mary C. Canty Scholarship Fund was established to help provide opportunities to teens whose families fall significantly below the poverty line. The assistance pays for costs associated with the following: college application fees, prom, homecoming events, senior cap and gown events, driver education courses, group outings and traditional field trips.

The program also aims to challenge the stereotypical attitude toward law enforcement officers to help teens anticipate the results of alternative decisions. This promotes a greater awareness of the consequences of one’s actions, and enables the teens to be more receptive to constructive criticism and accountability. The program’s ultimate outcome is to promote and develop life skills that will help the teens attain their personal and professional goals.

This action does not appropriate city tax dollars for the fund’s purpose. The ordinance only allows the city to receive and administer the disbursement of related donations and grants.

2nd Reading Ordinance 2019-062 to amend the municipal budget for the fiscal year beginning July 1, 2019, and ending June 30, 2020, to appropriate funding for Downtown Redevelopment, to accept and appropriate grant funding for a school resource officer, to add the related positions to the table of authorized positions in the 2019-20 municipal budget; and, other matters relating thereto.

This ordinance accomplishes two primary objectives:

- 1. Appropriates a portion of parking revenue funds to pay the remaining expenses of downtown redevelopment administration, and adds two former DRC positions to the city’s table of allocated positions.*
- 2. Accepts a SC Department of Education grant to fund a designated School Resource Officer position at Myrtle Beach Middle School and adds that position to the table of authorized positions in the Myrtle Beach Police Department.*

2nd Reading Ordinance 2019-063 to extend the corporate limits of the City of Myrtle Beach by annexing 11 parcels totaling 2.5 acres between Cannon Rd. and Linen Dr. (PIN #443-03-01-0010, PIN #443-03-01-0012, PIN #443-03-01-0013,

PIN #443-03-01-0014, PIN #443-03-01-0024, PIN #443-03-01-0025, PIN #443-03-01-0026, PIN #443-03-01-0027, PIN #443-03-01-0028 and PIN #443-03-01-0029) and the adjacent portion of the right-of-way of Cannon Rd., and rezoning from Horry County LI (Limited Industrial) to Myrtle Beach LM (Light Manufacturing).

The area in question includes 11 parcels in the unincorporated part of Horry County. A portion of the parcels are developed and already receive city utility service (at non-city rates), while other parcels are vacant. The owner wishes to combine the properties to develop the entire site for warehouse purposes. This proposal requires additional city utility service, which led to this annexation request. The city's Comprehensive Plan calls for development along Cannon Road to be "General Commercial." This proposal is consistent with the city's long-standing goal of closing unincorporated "donut holes."

1st Reading Ordinance 2020-001 to amend Chapter 11, License and Miscellaneous Business Regulations, in the Code of Ordinances, to amend the business license expiration date and the business license due date.

For several years, the city has been cooperating with an effort led by the Municipal Association of South Carolina (MASC) to develop a standardized business license renewal process.

The effort includes:

- Standardized use of the North American Industry Classification System (NAICS).*
- Acceptance of a uniform business license application form.*
- Development of a portal to allow applicants to renew business licenses across multiple jurisdictions with one application.*
- Adoption of one uniform license year, with uniform due dates and delinquency dates.*

The city has already migrated to the North American Industry Classification System (NAICS), accepted the uniform business license application form and worked with MASC to develop the state-wide portal. This action is recommended as a way to accomplish the final objective outlined above. The only significant change embodied in this ordinance is license fee due dates would change from June 1 to April 30, with payments becoming delinquent on May 1. The ordinance delays that change for one year to allow time for public education.

1st Reading Ordinance 2020-002 authorizing the City of Myrtle Beach, South Carolina, to execute and deliver a lease-purchase agreement in an amount not exceeding \$1,080,000 between the City and the lessor thereof to defray the cost of acquiring certain items of heavy equipment for solid waste management; and, other matters relating thereto.

The proposed ordinance approves the city entering into a five-year Lease-Purchase Agreement in the amount of \$1,080,000 for the acquisition of four knuckleboom trucks (\$600,000) and two rear loaders (\$480,000). The matter was previously the subject of Resolution R2019-041 (adopted August 27, 2019), which established the city's intention to finance the equipment purchase. The approved R2019-041 also protected the tax-exempt status of the lease agreement in the event that expenditures are incurred prior to closing.

1st Reading Ordinance 2020-003 to amend Appendix A, Zoning, in Article 14, Zoning Districts and Map Table, in Section 1402 and Footnote Section 1402.B, to expand the area in which the Floating Zone (RDZ) can be applied.

City Council has indicated a desire to amend the current development incentives to make them more applicable to the redevelopment of smaller transient accommodations properties, especially the smaller motel/hotel properties located between Ocean Boulevard and Kings Highway (south of 29th Avenue North). Previously, this area had been defined as the "south Mixed Use area." This amendment expands the area in which the city's "Floating Zone" provisions may be applied.

1st Reading Ordinance 2020-004 to amend Chapter 15, Planning and Development, Redevelopment Target Areas and Incentives, to expand the area in which the City's redevelopment incentives may be applied, and to adjust the minimum investment requirements to encourage use of these incentives by smaller transient accommodations properties.

City Council has indicated a desire to amend the current development incentives to make them more applicable to the redevelopment of smaller transient accommodations properties, especially the smaller motel/hotel properties located between Ocean Boulevard and Kings Highway (south of 29th Avenue North). This amendment expands the area in which the incentives may be applied to include this area, and adjusts the minimum investment thresholds needed to qualify for the use of this incentive as a way to encourage redevelopment of these properties.

Resolution R2020-001 to accept the dedication of certain roadways, known as Kensington Lane (50' public right of way), Jester Lane (50' public right of way), Buckingham Avenue (50' public right of way) and Thornbury Drive (66' public right of way) within the Balmoral Phase 1 section of the Balmoral Subdivision.

Beazer Homes has constructed the streets identified above in the Balmoral Phase 1 Subdivision near The Market Common. The roads comply with the city's current standards and construction requirements. Consistent with long-standing policy and practice, the streets are now ready for acceptance into the city's street system. Upon approval, these streets will be publicly owned and the city will be responsible for maintenance going forward.

Resolution R2020-002 to accept the dedication of portions of certain roadways, known as Thornbury Drive (66' public right of way), Westminster Drive (50' public right of way) and Buckingham Avenue (50' public right of way) within the Balmoral Phase 2B of the Balmoral subdivision.

Beazer Homes has constructed the streets identified above in the Balmoral Phase 2B Subdivision near The Market Common. The roads comply with the city's current standards and construction requirements. Consistent with long-standing policy and practice, the streets are now ready for acceptance into the city's street system. Upon approval, these streets will be publicly owned and the city will be responsible for maintenance going forward.

Resolution R2020-003 to accept the dedication of certain roadways, known as Cheshire Court (50' public right of way) and a portion of Westminster Drive (50' public right of way) within the Balmoral Phase 2C Section of the Balmoral subdivision.

Beazer Homes has constructed the streets identified above in the Balmoral Phase 2C Subdivision near The Market Common. The roads comply with the city's current standards and construction requirements. Consistent with long-standing policy and practice, the streets are now ready for acceptance into the city's street system. Upon approval, these streets will be publicly owned and the city will be responsible for maintenance going forward.

Resolution R2020-004 to accept the dedication of the certain roadway known as Agnes Lane, which consists of four (4) segments: segment one (1) is 0.46 acres and owned by the Vinings at Market Common (60' public right of way); segment two (2) is 0.25 acres and owned by Hinson Properties and Kenan Family Holdings, LLC (60' public right of way); segment three (3) is 0.93 acres and owned by Hinson Properties and Kenan Family Holdings, LLC (60' public right of way); and, segment four (4) is 0.58 acres and owned by Hinson Properties and Kenan Family Holdings, LLC (public right-of-way varies).

The development team (the Vining's at Market Common, Hinson Properties II and Kenan Family Holdings, LLC) has constructed the streets identified above near the Market Common. The roads comply with the city's current standards and construction requirements. Consistent with long-standing policy and practice, the streets are now ready for acceptance into the city's street system. Upon approval, these streets will be publicly owned and the city will be responsible for maintenance going forward.

Resolution R2020-005 allowing horses to be ridden on the beach during the American Heart Association Beach Ride on October 31, 2020.

The American Heart Association has sponsored the Ride-A-Thon for 38 years. Specific Council approval is required for the event, since the code prohibits horses on the beach without a permit.

The proposed resolution approves a permit for October 31, 2020, with the following limitations:

- Beach access/departure must occur at specific points (as approved by Manager).*
- Riders must follow specific route (as approved by the Manager).*
- Riding on dunes is prohibited.*
- Groups cannot exceed six horses and riders.*
- All debris (including horse excrement) must be removed.*

Motion M2019-187 to appoint/reappoint one member to the Technology Advisory Group.

The term of Frank McClatchy, Susan Roe and Gina Trimarco have expired. Mr. McClatchy and Ms. Trimarco wish to be reappointed; Ms. Roe does not wish to be reappointed. The recommendation is that Lauren Riddei fill this vacancy.

On file, we have resumes from James P. Bar (city resident), Mark Mancini (non-city resident), Tanja Dimic (city resident), Dave Huddleston (non-city resident), Richard Miller (city resident), Michael Roberts (non-city resident), Keith Walters (non-city resident), Kelly Barr (non-city resident), Charles Keller (non-city resident), Bradley Kohr (non-city resident), Lowell Rhodes (city resident), Kevin McGrath (non-city resident) and Lucas Hazel (non-city resident).

Motion M2020-001 to appoint/reappoint two members to the Human Rights Commission.

The terms of Craig McGee and Janet Hobson are about to expire. Mr. McGee wishes to be reappointed. Mrs. Hobson does not wish to be reappointed at this time.

Motion M2020-002 to appoint/reappoint one member to the Ocean View Memorial Foundation.

The term of Julien Springs is about to expire. The recommendation is to select Mr. James Merritt, III (city resident).

Motion M2020-003 to appoint/reappoint two members to the Chapin Memorial Library Board.

The terms of Susan Hudgins and Samuel Bookhart will expire soon. They both wish to be reappointed. On file, we have resumes for Sherry Katzenberger (city resident) and Tamara Rike (city resident).

Motion M2020-004 to appoint/reappoint one member to the Planning Commission and amend one expiration date.

The term of Ann Brittain LeMay has expired. She wishes to be reappointed. Also, an amendment is requested for the expiration date of William Gravely's term. The correct expiration date should be 04/13/22 to maintain the three-member rotation with three-year terms. We have one resume on file at this time expressing interest: Thomas Robinson (city resident).

Motion M2020-005 to appoint/reappoint one member to the Community Appearance Board.

The term of James Hubbard has expired. He does wish to be reappointed. We a resume on file for Martin Bellamy (city resident).

Motion M2020-006 to accept a grant from the SC Humanities Council in the amount of \$500 to support the “Let’s Talk About It” book discussion series; and, to authorize the City Manager or his designee to execute and deliver the grant agreement.

Funded by the SC Humanities Council with assistance from the SC State Library, the “Let’s Talk About It” sessions are held weekly for six weeks. The program explores new books in the series, and local scholars present the books and facilitate group discussions. The \$500 is designated for the scholar sessions and materials. Matching requirement is an in-kind contribution of staff time, with planning and implementation of the program as well as copies of handouts.

Motion M2020-007 to authorize the City Manager or his designee, on behalf of Chapin Library’s Youth Services, to: apply for the LSTA (Library Services and Technology Act) Summer Reading Grant through the SC State Library in the amount of \$1,000; to authorize the City Manager or his designee to execute and deliver the grant agreement; and, to record the appropriation of any approved funds to extend for the life of the grant.

The grant is funded by the SC State Library to assist with the summer reading program at Chapin Library. No match requirement.

Motion M2020-008 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 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 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 M2020-009 to authorize the City Manager to execute a Memorandum of Understanding (MOU) between the City and the Myrtle Beach Regional Economic Development Corporation (MBEDC) formalizing the nature of the partnership between these agencies and outlining the Corporation's services and support of City Council's economic development goals.

Council has identified the following economic development opportunities for this community: Health Care, Advanced Technology, Experiential Retail and Workforce Housing Development.

Council has also expressed a desire to accelerate the pace of economic development by completing the following:

- Continue the excellent progress on Council's Downtown Master Plan.*
- Expand the scope of the city's economic development efforts.*
- Transition to a more proactive economic development outreach effort.*
- Identify disincentives and impediments to economic development.*
- Re-examine the use of economic development incentives.*
- Develop an Economic Development Plan in conjunction with various community partners.*
- Consider missed economic development opportunities.*

Through this Memorandum of Understanding, the Myrtle Beach Economic Development Corporation agrees to assist the city to attain the following objectives:

- Support Council's goals and lend expertise to city staff.*
- Continue industrial recruitment efforts in the ITAP, WM and LMI zones of the city.*
- Represent the city at related trade shows and professional events.*
- Provide technical assistance, mentoring and support to city staff.*
- Identify investors and businesses that further the city's economic development goals.*
- Utilize consultants and/or site selectors to meet and discuss the city's target industries.*
- Assist with implementation of Council's Downtown Master Plan.*
- Assist the transition to a more proactive economic development outreach.*
- Assist with development of a multi-year economic development plan.*
- Identify disincentives and impediments to economic development.*
- Re-examine the use of economic development incentives.*

Motion M2020-011 to authorize the City Manager to enter into a Memorandum of Understanding (MOU) with Horry County and Grande Dunes Golf Village Property Owners Association.

The Memorandum of Understanding provides the framework for paving approximately 1.15 unimproved miles (constitutes the entirety of Frontage Road, also known as "Henry Road") to serve as: an emergency access; an alternate or second means of ingress and egress to Grande Dunes Golf Village (the "Village") for emergency vehicles, property owners and their guests, and for commercial or other vehicles that are deemed too heavy and/or too hazardous to gain access to the Village by the only other means of ingress and egress to the Village (a bridge spanning the Intracoastal Waterway).

Motion M2020-012 to appoint a Mayor Pro-Tem.

The Council elects one member of Council as a Mayor Pro Tem for a two-year term. The Mayor Pro Tem acts as Mayor during his/her absence or disability and, if a vacancy occurs, acts as Mayor until a successor is elected.

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