



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

March 12, 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.....March 7, 2019
- APPROVAL OF MINUTES.....February 26, 2019
- APPROVAL OF SPECIAL MEETING MINUTES.....March 7, 2019

PUBLIC REQUESTS, PRESENTATIONS, AWARDS, MEMORIALS:

1. Proclamation recognizing the Grand Strand Chapter of American Guild of Organists.
2. 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 2019-4 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.

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 the construction value of any permit (after the first \$100,000 of value) 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.

2nd Reading Ordinance 2019-20 to extend the corporate limits of the City of Myrtle Beach by annexing 0.54 acres located at 9307 Cove Dr. (Horry County TMS # 166-01-06-004), and rezone said property from Horry County SF 10 (Single Family Residential) to City of Myrtle Beach R15 (Single Family Residential).

The applicant wishes to build a single family home on vacant property located in an unincorporated "doughnut hole" off Cove Drive, and is required to submit an annexation petition as required to receive utility services.

2nd Reading Ordinance 2019-21 to amend Chapter 2, Division 2, Article VI, the Purchasing Code, to add a provision for small purchases.

This proposed ordinance recognizes that, while the City seeks to maintain competitive purchasing procedures, sometimes the need for price comparison & competition must be balanced against staff productivity & effectiveness, and relaxes the competitive bidding requirement under certain conditions for purchases of \$2,500 or less. The proposed procedures are similar to those found in the State procurement code.

Whenever practical, the purchaser must solicit a quote from a firm other than the previous supplier before placing a repeat order. When the waiver is used, the purchaser shall annotate the purchase requisition "price is fair and reasonable". The department director's signature is required to certify that certifies the purchaser has complied with this section, and that funds are available for the purchase. Financial Services staff will review samples of Small Purchases from time to time and, when appropriate, advise the department director in order to improve results with respect to future purchases of similar items.

1st Reading Ordinance 2019-25 granting a Boardwalk Vendor Franchise Agreement for the 6th Ave N. portion of the public boardwalk of the City of Myrtle Beach for the period of three years beginning May 11, 2019.

There are 4 existing Boardwalk franchise locations at 3rd N, 4th N, 5th N & 6th N. Irie Café (owned by Keisha Moyd) has held the franchise in good standing for 6th N since 2016 & wishes to renew her franchise for another 3-year term.

Key provisions of the agreement include:

- An annual franchise fee paid to the City of \$1,000/year.
- Requires vendor to insure the City.
- Prohibits vending at other locations.
- Limits operational hours to 6 AM – 11 PM.
- Requires off-site storage of carts.
- Requires proper litter receptacles & clean-up materials.
- Prohibits verbal solicitations, and amplified sounds.
- Requires vendor to provide pedestrian boardwalk passage.

1st Reading Ordinance 2019-26 granting a Boardwalk Vendor Franchise Agreement for the 3rd Ave N. portion of the public boardwalk of the City of Myrtle Beach for a period of three years beginning May 11, 2019.

This item provides for a boardwalk vendor franchise agreement (as described above) for the location at 3rd North. After advertisement, two new proposals were received, Mellow Ice Cream (operated by Ethan Brown) and D & D Pretzel n Franks (operated by Denise Chestnut). Both proposers have been invited to make a presentation at the City Council Meeting.

1st Reading Ordinance 2019-27 providing for the issuance and sale of not exceeding \$7,000,000 general obligation bonds, series 2019, of the City of Myrtle Beach, South Carolina; fixing the form and details of the bonds; authorizing the City Manager to determine certain matters relating to the bonds; providing for the payment of the bonds and the disposition of the proceeds thereof; and other matters relating thereto.

City staff has spent the last several months investigating proposals for the purchase and installation of an Enterprise Resource Planning System to replace the current system which was implemented 23 years ago. The selection phase of this process should be completed in a few weeks, followed by a contract award to the selected bidder. The ERP System will be implemented over the next 12 - 18 months, first with financial systems then peripheral systems to follow.

We expect that this new system will be much more user-friendly to provide greater a greater amount of public information. The new ERP system will be far more current in terms of generally accepted accounting principles, and will more easily facilitate compliance with the many requirements of the Securities and Exchange Commission and other agencies to whom the city provides information.

Resolution R2019-19 to adopt the flood warning and response annex for the City of Myrtle Beach.

The National Flood Insurance Program's (NFIP) Community Rating System (CRS) provides credit to communities that focus on the life safety aspect of the community's floodplain management program. This Plan is intended to increase CRS points, which historically saves flood insurance policyholders in Myrtle Beach over \$1,000,000 annually. The annex provides information for the safety of the residents, visitors, and business owner's in the event adverse weather conditions create a flooding event. Special emphasis is placed on the use of the flood stages and evacuation to increase public safety.

Resolution R2019-20 adopting the Downtown Master Plan including Phase 1 of the Downtown Master Plan Implementation Plan.

This resolution adopts the Downtown Master Plan and Phase 1 implementation Plan. The concept is that this document would provide a guideline for development of the City's downtown over time. Frequent amendments of this plan are expected as circumstances dictate and opportunities arise.

Motion M2019-33 to declare certain vehicles abandoned or derelict pursuant to the authority of Article 41 of Title 56 South Carolina Code of Laws 2001.

This 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 M2019-34 to appoint/reappoint two members to the Beach Advisory Committee.

The terms of Thomas M. Hudgins (City Resident) and Pete Pearce (City Resident) expired on February 22, 2019. We have received two resumes. Mark Donevant (City Resident) and Dietrich Jehle (City Resident).

Motion M2019-35 to express the openness and desire of the City Council of Myrtle Beach to enter into negotiations regarding the necessary funds needed, regardless of source, including but not limited to hospitality and accommodation taxes collections in all jurisdictions, in order to establish a local government revenue stream for the construction of I - 73, and to request that the municipalities of Horry County and Horry County entertain similar legislative acts of approval evidencing their willingness to cooperate and participate in said negotiations, and to consider executing agreements to memorialize same.

This motion is intended to demonstrate City Council's on-going support for the construction of I-73 and to indicate Council's desire in participating in an intergovernmental agreement designed to formalize an agreement to this end with all of the jurisdictions that would directly benefit from the construction of that interstate highway.

Motion M2019-36 to declare City Council's on-going support for the construction of I-73 and to provide for public consideration one example of how intergovernmental cooperation by participating local governments in Horry County could assure support in a shared commitment.

In conjunction with the previous motion this item demonstrates an option that could serve as the beginning point for discussing an intergovernmental cost-sharing agreement for the construction of I-73.

Motion M2019-37 to authorize the City Manager to enter into an agreement with the firm of Nexsen Pruet, LLC for the purpose of providing technical advice and support on matters involving the Opportunity Zone tax incentives.

This agreement provides expert assistance by the firm in matters related to the use of the Opportunity Zones tax incentives.

Motion M2019-38 to authorize the City Manager to enter into a Memorandum of Understanding regarding the housing of arrestees by the Town of Surfside Beach in the City of Myrtle Beach Police Department Detention facilities.

This motion would allow the City of Myrtle Beach to provide detention services to the Town of Surfside Beach at a rate of \$25 per day per inmate. Certain other expenses, such as prisoner medical expenses would continue to be the Town's responsibility.

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