



Council Agenda

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

**MYRTLE BEACH CITY COUNCIL MEETING
TUESDAY, JUNE 23, 2020
9:00 A.M. – WORKSHOP – COUNCIL CHAMBER
10:00 A.M. – PUBLIC HEARING/MEETING – COUNCIL CHAMBER
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.

A PUBLIC HEARING WILL BE HELD AT THE TED C. COLLINS LAW ENFORCEMENT CENTER PRIOR TO THE START OF THE REGULAR SCHEDULED MEETING: 10:00 A.M. PUBLIC HEARING ON THE MUNICIPAL BUDGET FOR 2019-20 FISCAL YEAR

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES... June 4, 2020

APPROVAL OF MINUTES... June 9, 2020

APPROVAL OF MINUTES... June 17, 2020

PUBLIC REQUESTS, PRESENTATIONS, AWARDS, MEMORIALS:

1. Leadership Grand Strand Class 40 – Withers Alley Project Presentation
2. PRIDE Myrtle Beach
3. Public Information Update – PIO Staff

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 actions through which City Council reinforces or makes policy not rising to the level of law. Motions are related to direction from City Council to city staff to take certain actions.*

NO ITEMS LISTED ON THE CONSENT AGENDA.

REGULAR AGENDA

2nd Reading Ordinance 2020-027 an ordinance to amend Appendix A, Zoning of the Code of Ordinances, Sec. 1407.C, permitted uses to allow restaurants with outdoor dining as a conditional use, and administrative service establishments as a permitted use in the LM (Light Manufacturing) Zoning District.

A total of five LM areas exist within the city. Uses in this zone have historically been limited to manufacturing, wholesaling and storage uses. Employees of the businesses in the LM District now must travel outside the district for administrative services (those having a business character and which supply general needs of an intangible nature to the public) or to go to restaurants.

The proposed ordinance adds two new uses to this zone:

- *Restaurant with Outdoor Dining (as a Conditional Use)*
- *Administrative Service Establishments (as a Permitted Use)*

As in the other cases where outdoor dining areas are allowed, the use is conditional, meaning when that area is adjacent to the property line, a buffer must be installed to provide a clear delineation between the properties, including any public rights-of-way.

2nd Reading Ordinance 2020-028 an ordinance to amend the Centre Pointe Planned Unit Development (PUD), Appendix D (uses), to add the conditional use “indoor storage” in the MU-2 Development Tract.

The applicant desires to build an indoor storage facility in the Centre Pointe PUD on Agnes Lane near Doctor’s Care and Anderson Brothers Bank. The PUD is primarily designed to facilitate commercial and multi-use areas. The construction plans require the approval of the Centre Pointe Architectural Review Board and the Community Appearance Board.

The proposed use would be conditioned on the following:

- Individual storage spaces will not exceed 300 square feet per unit.
- Direct access to individual storage units may not be visible from off-site.
- Use is limited to the MU-2 portions of the PUD only.
- Maximum height of an indoor storage facility is 45 feet (by comparison, the Tideland's Health building at Farrow and Crow is 66.5 feet).
- No outdoor storage allowed.

Parking in the PUD and around The Market Common is a perpetual issue. Most single family homes in the area have garages. However, many residents use their garages as storage. This amendment provides an opportunity for residents to store their belongings somewhere other than inside their garages.

2nd Reading Ordinance 2020-029 an ordinance to rezone approximately 0.51 acres on Swann Curve (PIN #443-06-01-0016) from RMM (Multifamily Medium Density) to MUM (Mixed use Medium Density) in order match the zoning of the adjacent parcel with which it is to be combined.

The rezoning applicant intends to construct townhomes along Highway 15, between Boundary Street and Fifth Avenue South. The applicant needs to combine two lots to make project work (one zoned MUM and one zoned RMM). In order to avoid a split-zoned property, staff requested the smaller RMM parcel be rezoned to match the larger MUM parcel before combining the lots (the number of units proposed is permitted under either zoning district).

The key difference between these zoning designations are:

- RMM is a multifamily district allowing a maximum 12 units/acre. MUM allows up to 20 units/acre, with a density bonus for increased open space.
- MUM is a mixed-use district. Mixed Use districts allow a number of commercial uses residential districts do not.
- MUM includes pedestrian-oriented design standards that RMM does not.

The townhome project built to the MUM design standards will result in much-needed pedestrian improvements to this section of Highway 15. In addition, the project would increase the stock of workforce housing in the city.

2nd Reading Ordinance 2020-030 an ordinance to authorize encroachments into City-Owned Pond P5 (PIN 1650001426) with portions of landscape beds, lighting, a wall and a concrete sidewalk in order to beautify a City property.

The Cape is a single family residential development within the Grande Dunes PUD. The developer intends to install a "mail pavilion" (landscaping, lighting, a wall and a sidewalk) on Cape Dutch Loop, adjacent to the city pond. A portion of the proposed pavilion encroaches onto a public stormwater pond parcel located at the corner of Grande Dunes Boulevard and Kings Highway.

The proposed improvement designs are in keeping with improvements made throughout the Grande Dunes PUD. Maintenance, insurance and hold harmless agreements are in place.

2nd Reading Ordinance 2020-031 an ordinance to levy taxes and establish a Municipal Budget for the fiscal year beginning July 1, 2020, and ending June 30, 2021, and a capital improvements program for fiscal years 2021-2025.

State law requires each unit of local government to approve a budget for the fiscal year detailing the community's operational and financial goals for the year. Normally, this document includes several proposals to change fee or rates and several recommendations for service level modifications. Due to the uncertainty regarding the recovery of the local economy, the budget proposed for Fiscal Year 2020-21 includes very little in the way of new service level requests and/or fee increases.

The highlights of this budget proposal are:

- *No proposed property tax increases. Property taxes remain at 78.9 cents per \$100 of assessed valuation (\$.729 for operations and \$.06 for debt service).*
- *The only service level increase is the addition of 10 police officers funded by a Department of Justice COPS grant (which cannot be used for other purposes).*
- *No lay-offs of full-time employees are included in this proposal. In order to accomplish this, however, all planned pay increases are suspended in this proposal. In addition, the annual Holiday Bonus (equivalent to one week's worth of pay for most employees) is suspended as well. This amounts to a 1.9% pay decrease for most employees.*

The total budget proposal for FY 2020-21 is \$193,700,009, with a 3.9% reduction from the current revised budget. This budget allows all city services to resume at the level that they are currently provided. This proposal reflects the realities of the COVID-19 pandemic and uncertainties about the economy. Because of these uncertainties, this budget must be regarded as a flexible document. Staff will review the budget throughout the year to see if services can be enhanced, or whether further cut-backs are necessary.

1st Reading Ordinance 2020-032 to amend Chapter 1, Section 1-9, of the Code of Ordinances of the City of Myrtle Beach entitled "General Penalty; Continuing Violations; Abatement of Prohibited Conditions," by adding provisions for abatement and restitution in Section 1-9 (d).

This proposed ordinance authorizes the city to abate City Code violations and places general penalty provisions provided for in other sections of the code into the appropriate code section. The ordinance authorizes the Municipal Judge to order up to \$7,500 (or the limit provided for in State Code) in restitution to recover costs to abate such nuisances. The city has historically absorbed the cost to abate nuisances and prohibited conditions without financial recovery. This change is proposed to relieve our taxpayers of this financial burden.

1st Reading Ordinance 2020-033 to amend Chapter 17 of the Code of Ordinances of the City of Myrtle Beach entitled "Solid Waste Management" to add definitions and more clearly describe collection and enforcement provisions and to amend Exhibit C entitled "Schedule of Solid Waste Fees and Charges" of the 2020-21 Budget Ordinance.

This ordinance adds definitions and clarifies collection and enforcement provisions of the Solid Waste Management Ordinance. The purpose of the changes is to improve the quality of life for our residents and improve the overall appearance of the community. This

ordinance will also amend the Schedule of Solid Waste Fees and Charges to include fees for enhanced service.

The city has historically absorbed the cost to collect and dispose of non-compliant material and illegally dumped material without financial recovery. This practice affects the community's appearance and unfairly burdens our tax payers.

This proposal provides:

- Fair allocations of the costs of solid waste collection services by defining standard service levels.
- A mechanism and fee structure for collection services over and above standard collections.
- Enforcement of compliant collection practices and illegal dumping corrective actions.
- A mechanism for financial recovery from violators.

Resolution R2020-028 to establish a Floodplain Management and Hazard Mitigation Planning Committee.

The city established a Floodplain Management and Hazard Mitigation Planning Committee in 1988 as part of the Floodplain Mitigation program. The committee includes private sector and public "at large" appointees and representatives from the Planning, Public Works, Emergency Management, Construction Services, Insurance and Risk Services and Police Departments. The committee is appointed and chaired by City's Flood Plain Coordinator.

The committee's role is to:

- Meet annually to report activities accomplished in preceding 12 months to reduce flooding, better protect property or improve response times after hurricanes, etc.
- Update the plan at least every five years.
- Recommend additional actions to reduce flood damage.
- Formulate action plans for Council's approval.
- Implement actions approved by Council.

FEMA has requested establishment of the committee be made through the proposed resolution. This resolution recognizes the Floodplain Management and Hazard Mitigation Planning Committee as the body responsible for identifying and evaluating hazard risks and for determining ways to mitigate the impacts of these risks.

FEMA's CRS (Community Rating System) recognizes 10 "classes" based on the city's floodplain management risks and mitigation efforts. The city's current rating is Class 5, requiring 2,501 CRS points. Approval of the proposed resolution increases CRS points and is a pre-requisite for this rating.

Resolution R2020-029 granting a Special Event Permit to Southern Entertainment Group, Inc. for the "Back to the Beach Concert Series" on August 1, 8, 15 and 22, 2020, and affirming the City's co-sponsorship.

The Concert Series is scheduled for August 1, 8, 15 and 22, from 5:00 p.m. to 11:00 p.m. at the Burroughs & Chapin Pavilion Place. Performers will include well-known country artists. These events will include food, beverage and merchandise vendors. Each is expected to attract up to 3,500 concert attendees per day.

The proposed site plan includes closing a portion of Eighth Avenue North for parking spaces along westbound lane from 6:00 a.m. on the day of each concert to 8:00 a.m. of the morning following each concert.

Per the proposed resolution, Council:

- Adopts site plan and authorizes the City Manager to make changes to site plan as necessary.
- Affirms event co-sponsorship and agrees to provide in-kind services, including the city stage, traffic control, road closures, barricades, litter control, heightened police presence and EMS services.
- Authorizes area businesses to display temporary welcome signs.
- Extends welcome to festival participants.

Resolution R2020-030 a resolution of the City of Myrtle Beach to adopt a five-year Capital Improvement Plan for Fiscal years 2021 through 2025.

The adoption by resolution is recommended as consistent with best practices in governmental budgeting and financial management, and supports the city's strong credit scores for financial management by rating agencies.

The Budget Ordinance appropriates funding for projects in the first year of the Capital Improvement Plan (CIP). This resolution establishes the remainder of the plan as a base line for capital investment in years two through five. The resolution does not provide any appropriation, but gives the plan life beyond the fiscal year until or unless it is replaced or revised.

Major projects included in this Capital Improvement Plan:

- General Pay as You Go Projects:
 - Renovation & Renewal Projects – \$ 9.0M
- Historic Oceanfront District Projects:
 - Ocean Blvd Lighting Bollards – \$ 100K
 - Boardwalk Shade Sails – \$ 600K
 - Boardwalk Revitalization & Extension – \$ 8.6M
- Other City Facilities Projects:
 - MB Convention Center Renewal & Replacement – \$ 1.3M
 - Baseball Stadium Renewal & Replacement – \$ 2.5M
- Storm Water Projects:
 - Storm Water Planning & System Maintenance – \$17.5M
 - Beach Renourishment – \$ 4.1M
 - Outfall & Outfall Maintenance – \$ 1.7M
- Water & Sewer System Projects:
 - Water & Sewer System Renewal & Replacement – \$45.1M
 - Advanced Metering Infrastructure – \$ 6.5M

Motion M2020-081 to appoint/reappoint two members to the Convention Center Hotel Board of Directors.

The terms of Stephen Greene and George DuRant expire on July 25, 2020, due to fulfilling terms of members who resigned. Both wish to be reappointed. On file, we have resumes from Henry Westendarp (non-city resident), Robert Day (non-city resident), Dan Wiener (city resident) and Cathy Koontz (non-city resident).

Motion M2020-082 authorizing the City Manager or his designee to apply for a grant of \$125,466 from the Institute of Libraries and Museums to: purchase a self-check-in kiosk with mobile app, Wi-Fi hotspots and lending computer devices, digital video equipment for developing virtual library programs and a remote pick-up/drop-off locker to aid in the prevention of COVID-19; record the appropriation of such grant funds in the amount that may be approved; and, execute and deliver the grant agreement and such related documents as may be required to put the grant into effect. No match required.

Chapin Library use technology to reduce face-to-face interactions between staff and patrons to minimize the risk of spreading COVID-19. Secure self-checkout utilizes a mobile app and kiosks will give patrons control while freeing up staff to help with the creation and support of digital library resources. Staff increased digital programs to encourage community connectivity. Creating original, professional content with updated recording and editing equipment is needed. COVID-19 has revealed internet access service gaps. Lending Wi-Fi and devices will extend access to support learning, employment seeking, healthcare access and isolated persons. Providing an off-site library pickup/drop-off location in the Law Enforcement Center breezeway allows un-interrupted service 24 hours a day, seven days a week.

Motion M2020-083 authorizing the City Manager or his designee to apply for a grant of \$9,875 from TD Bank Tree Days to: purchase trees and planting materials to be used to install trees at the Train Depot, along Broadway Street and to screen the substation at Ninth Ave North/Broadway Street; record the appropriation of such grant funds in the amount that may be approved; and, execute and deliver the grant agreement and such related documents as may be required to put the grant into effect. No match required.

As TD Bank's flagship volunteer and urban greening program, TD Tree Days provides TD employees, families, friends and the community the opportunity to volunteer and help build healthy, vibrant communities by caring for their local environment. TD Bank provides funding for trees and materials and their employees volunteer to help with the planting. The tree planting event is scheduled for mid-November. This would be the fifth grant the city has received from TD Bank, totaling more than \$100,000 in tree planting materials and volunteer time. Futrell Park, Bathsheba Bowens Park, Withers Swash Park and Myrtle's Market have benefited.

Motion M2020-084 to appoint/re-appoint two members of the Myrtle Beach Air Force Base Redevelopment Authority to serve as the City's appointees to the Authority.

The current city appointments to this nine-member board are Walt Whittier and Mike Snow. Both wish to be reappointed. We have no resumes on file.

NON-AGENDA ITEMS FROM THE PUBLIC

COMMUNICATIONS FROM CITY BOARDS/COMMISSION MEMBERS

COMMUNICATIONS FROM CITY COUNCIL AND CITY MANAGER

1. Council Communications
2. CFO (Chief Financial Officer) Update
3. CM/ACM (City Manager/Assistant City Manager) 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