



# 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, JANUARY 12, 2021  
9:00 A.M. – WORKSHOP – COUNCIL CHAMBER  
10:00 A.M. – 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.*

## **CALL TO ORDER**

## **INVOCATION**

## **PLEDGE OF ALLEGIANCE**

## **APPROVAL OF AGENDA**

**APPROVAL OF MINUTES...** December 8, 2020

**APPROVAL OF MINUTES...** December 11, 2020

**APPROVAL OF MINUTES...** December 12, 2020

**APPROVAL OF MINUTES...** December 12, 2020

**APPROVAL OF MINUTES...** December 17, 2020

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

1. Myrtle Beach Area Chamber of Commerce 2021 Marketing Plan – Karen Riordan
2. Bicycle and Pedestrian Committee Downtown Report – Mike Snow
3. Public Information Update – PIO Staff

**CONSENT AGENDA** – *The Consent Agenda covers items anticipated to be routine in nature. Any Council member 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 2020-047 an ordinance of the City of Myrtle Beach, South Carolina providing for the creation of a parking system; and other matters related thereto.**

*Parking facilities previously were managed by the Downtown Redevelopment Corporation (DRC). Parking revenues have paid for parking facilities operations and have leveraged the \$10 million loan pool the city has used to spur redevelopment in target areas since 2015.*

*Recently, the city has absorbed many of the redevelopment functions of the DRC, which is being reconstituted to function as Managing Partner of city-owned properties being redeveloped with historic tax credits. The creation of a parking system allows for the use of parking revenues to pay operating expenses of the system and to pledge net revenues for debt repayment. With the amendment of the Oceanfront Redevelopment Area to include the Arts & Innovation District and other strategic redevelopment areas, the parking system allows the loan pool to continue to provide interim financing for transitional properties and other public improvements under the amended Oceanfront Redevelopment Plan.*

*Net system revenues will be used to pay interest on amounts outstanding in the loan pool. The pool will have a senior lien on these net revenues, a structure that is similar to that of the existing loan pool. Creation of the parking system segregates parking activities in a separate enterprise fund to facilitate the accounting and review of parking system financials for the city's use as well as that of lenders in the pool.*

**2nd Reading Ordinance 2020-053 providing for the issuance by the City of Myrtle Beach, South Carolina, of a revenue note, in the principle amount of not exceeding \$10,000,000; prescribing the form and details of such note; and, other matters relating thereto.**

*This arrangement reconstitutes the revolving loan pool that has been in effect since March 2015. The pool has been, and will be, used as a source of temporary financing for construction of projects included in the Downtown Master Plan and the Oceanfront Redevelopment Plan (as amended in proposed Ordinance 2020-046). The pool also allows for strategic property acquisitions and demolition/disposition resulting from code enforcement actions.*

*The Master Bond Ordinance providing for the issuance of obligations of the Oceanfront Tax Increment District (as amended in proposed Ordinance 2020-052) allows for the issuance of obligations secured by the incremental revenues of the district. This note will be the first obligation authorized under the proposed amended Bond Ordinance (2020-052) for the Oceanfront Tax Increment District. The note will be secured by a senior lien of net parking revenues from the parking facility and by a junior lien of incremental tax revenues from the Oceanfront Redevelopment District.*

**2nd Reading Ordinance 2020-056 to extend the corporate limits of the City of Myrtle Beach by annexing 1.08 acres located at 1373 Cannon Road (PIN #443-03-01-0032) and rezoning from Horry County LI (Limited Industrial) to Myrtle Beach LM (Light Manufacturing).**

*The property is currently outside of the city and is zoned Horry County LI. The applicant has requested similar zoning from the city (LM). This proposal is consistent with the city's long-standing policy of closing "donut holes" (unincorporated areas surrounded by property within the City of Myrtle Beach).*

**2nd Reading Ordinance 2020-057 approving the execution and delivery by the City of Myrtle Beach, South Carolina, of a ground lease between the city, as lessor, and 9th Avenue Owner, LLC, as lessee, with respect to historic buildings located at 505, 507 and 509 Ninth Avenue North in the City of Myrtle Beach, together with a sub-lease between 9th Avenue Owner, LLC, as lessor, and the City of Myrtle Beach, as lessee, with respect to the historic buildings; and, other matters relating thereto.**

*The city purchased these properties from DRC last year and engaged the Rogers & Lewis Law Firm to assist in finding tax credit investors. The investors will form a limited liability corporation to use tax credits to finance a portion of the redevelopment costs of the properties. As a tax-exempt entity, the city cannot use tax credits directly. In order to realize the value of these credits for the city, it is necessary to lease the property to the 9th Avenue Owners, LLC, which will consist of a Federal Tax Credit Investor (96% member), a State Tax Credit Investor (3%) and a managing member, 9th Avenue Manager, LLC (1%). DRC is the sole member of this Manager LLC.*

*The Owners LLC achieves ownership status by virtue of a long-term ground lease. The private tax credit investors contribute capital to the project in return for the tax credits. A proposed lender has been identified for the upfront infrastructure improvement and construction costs. Most of this short-term loan will be retired as the tax credit's investors contribute funds. The remaining costs will be amortized or retired with proceeds from lease of the properties.*

*While this structure is complex, it is necessary in order for the city to realize the benefits of the historic and abandoned building tax credits. The savings to the city arising from the use*

of these tax credits is approximately \$775,000 of the total project costs of approximately \$1.9 million.

**Resolution R2021-001 declaring the 2021 Myrtle Beach Marathon and related events as a significant sports tourism event to be held on March 6, 2021, and to confirm the city's co-sponsorship of the event.**

*The marathon has been significant winter sports tourism event since February 1997. Due to COVID-19 protocols, the 24th event will look different. For 2021, no fitness expo will take place on the Friday before the race; no Family Fun Run will take place, either. These two events will be held virtually in 2021.*

*On Saturday, March 6, a 5K, full marathon and half marathon should attract about 5,000 athletes. Direct visitor event spending is projected to be an estimated \$1.7 million, with city taxes and business license fees totaling around \$31,000. In addition, the city will receive a \$5 fee per full marathon and half marathon runner (projected to total \$15,000 to \$20,000). City event expenses are estimated to total \$105,000.*

**Resolution R2021-002 to recognize the Pee Dee Street Rodders Annual "Run to the Sun" as a community-wide event and confirming the city's co-sponsorship of the event on March 18-21, 2021.**

*The Pee Dee Street Rodders' "Run to the Sun" annual car and truck show has been described as the "largest independent car and truck show on the East Coast." This event is proposed to be held again on the old Myrtle Square Mall site on March 18-21, 2021. The event includes kick-off party, swap meet and various giveaways.*

*This event is held primarily to benefit worthy regional charities. In 2019, the club donated \$100,000 to the Children's Miracle Network at McLeod Children's Hospital, Grand Strand Miracle League and Multiple Sclerosis Society of the Carolinas. The club has also donated more than \$1,900,000 to deserving charities since their creation in 1987. The event was postponed in 2020 due to COVID-19.*

*The proposed resolution:*

- *Recognizes the show's 32nd anniversary as a community-wide festival event.*
- *Authorizes businesses to display temporary signs to welcome participants.*
- *Approves the city's co-sponsorship to include equipment set-up/removal (\$2,000) and traffic control (\$7,500), for an estimated total of \$9,500.*
- *Authorizes temporary use of parking in nearby vacant lots, businesses and churches (with related signs), and temporary signs for businesses that wish to reserve parking for normal use.*
- *Extends a warm invitation to all participants and spectators.*

**Resolution R2021-003 allowing horses on the beach during the 40th American Heart Association Beach Ride on November 6, 2021.**

*The American Heart Association has sponsored the Ride-A-Thon for 39 years, but specific City Council approval is required since city code prohibits this activity without a permit. The proposed resolution approves a permit for November 6, 2021, with the following limitations:*

- *Beach access/departure only 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 M2021-002 authorizing the City Manager or his designee to: accept a grant in the amount of \$78,000 from the South Carolina Law Enforcement Division – 2020 State Homeland Security Program to support the Pee Dee Regional WMD Hazmat Team/Myrtle Beach Fire Department for Collapse Search and Rescue; record the appropriation of such grant funds in the amount approved; and, execute and deliver the grant agreement and such related documents as may be required to put the grant into effect. No local match is required.**

*The Myrtle Beach Fire Department hosts the Pee Dee Regional Collapse Search and Rescue Team, which is part of a statewide program that provides technical search and rescue response to complex or large scale incidents. Maintaining these resources and trained personnel affords the Fire Department the capability to efficiently and effectively mitigate challenging technical search and rescue incidents within the city and surrounding areas.*

**Motion M2021-003 authorizing the City Manager or his designee to accept a grant in the amount of \$65,000 from the South Carolina Law Enforcement Division – 2020 State Homeland Security Program to: support the Pee Dee Regional WMD Hazmat Team/Myrtle Beach Fire Department for Hazardous Materials; record the appropriation of such grant funds in the amount approved; and, execute and deliver the grant agreement and such related documents as may be required to put the grant into effect. No local match is required.**

*The Myrtle Beach Fire Department hosts the Pee Dee Regional WMD Hazmat Team, which is part of a statewide program that provides hazardous materials weapons of mass destruction response to incidents. Maintaining these resources and trained personnel affords the Fire Department capability to efficiently and effectively mitigate challenging hazmat incidents within the city and surrounding areas.*

**Motion M2021-004 authorizing the City Manager or his designee to: accept a grant in the amount of \$33,600 from the South Carolina Law Enforcement Division – 2020 State Homeland Security Program to support the Pee Dee Regional WMD Hazmat Team/Myrtle Beach Fire Department for Incident Management; record the appropriation of such grant funds in the amount approved; and, execute and deliver the grant agreement and such related documents as may be required to put the grant into effect. No local match is required.**

*The Myrtle Beach Fire Department hosts the Pee Dee Regional Incident Management Team, which is part of a statewide program that provides command and control response to large scale man-made and natural disaster incidents. Maintaining these resources and trained personnel affords the Fire Department the capability to efficiently and effectively mitigate challenging large scale incidents within the city and surrounding areas.*

**Motion M2021-005 authorizing the City Manager or his designee to apply for a grant of \$20,000 from TD Bank Green Spaces to: purchase trees and benches for Lyons Cove**

**Park, Futrell Park and Bathsheba Bowens Park and fencing for the playground in Chapin Park; 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.**

*TD Green Space Grants support green infrastructure development, tree planting, forestry stewardship and community green space expansion as a way to advance environmental and economic benefits toward a low-carbon economy. Through the program, municipalities in the United States and Canada are eligible to receive \$20,000 grants in support of local forestry projects in areas of great need within a community. The theme for the 2021 program is, "Building Resilience: Green Infrastructure Solutions for Communities Disproportionally Impacted by COVID-19." If selected, this would be the sixth grant the city has received from TD Bank. Grants total more than \$110,000 in tree planting materials, park amenities and volunteer time, and benefitted Futrell Park, Bathsheba Bowens Park, Withers Swash Park, Myrtle's Market and the Train Depot.*

**Motion M2021-006 to accept a donation in the amount of \$2,000 from Bradley Housing Developers on behalf of Neighborhood Services for outreach programs.**

*This donation is designated to fund the outreach programs implemented by the city's Neighborhood Services Department.*

**Motion M2021-007 to accept a donation in the amount of \$2,000 from Tuscan Properties on behalf of Neighborhood Services for outreach programs.**

*This donation is designated to fund the outreach programs implemented by the city's Neighborhood Services Department.*

**Motion M2021-008 to authorize the City Manager to enter into a Memorandum of Agreement (MOA) with the South Carolina Fire Academy (SCFA) and the City of Myrtle Beach Fire Department (MBFD).**

*This Memorandum of Agreement (MOA) will authorize the Myrtle Beach Fire Department to provide a designated work space at the MBFD Fire Training Academy located at 2108 South Kings Hwy to the South Carolina Fire Academy (SCFA) Regional Training Coordinator.*

**Motion M2021-009 to authorize the City Manager to enter into a Mutual Aid Agreement with the Horry County Police Department and the City of Myrtle Beach Police Department.**

*This 10-year Mutual Aid Agreement with Horry County authorizes law enforcement agencies (Myrtle Beach Police and Horry County Police Departments) to enter into a mutual aid agreement for the proper and prudent exercise of public safety functions across jurisdictional lines.*

**Motion M2021-010 to name the newly-renovated law enforcement center annex building at 3340 Mustang Avenue as, "Warren S. Gall Police Annex."**

*Retired Police Chief Warren S. Gall faithfully served in the City of Myrtle Beach Police Department for more than 37 years. Chief Gall joined the police force on March 12, 1980, after serving in the United States Air Force, and was appointed Chief of Police on April 2,*

1997. He served in that role for more than 20 years until his retirement on November 16, 2017.

**Motion M2021-011 to name the newly renovated solid waste transfer station and convenience center at 3221 Mr. Joe White Avenue as, “Jake Abraham Transfer Station” upon completion.**

*Mr. Jake Abraham served in the City of Myrtle Beach Public Works Department as Solid Waste Collection Operator from January 1, 1941, until his retirement in 1980, completing 39 years of dedicated service to the citizens of Myrtle Beach. “Mr. Jake,” as he was known, was a treasured member of the community and served as a great role model for young people. Mr. Abraham passed away June 12, 2012, at the age of 91.*

**Motion M2021-012 authorizing the City Manager or his designee to: accept a grant of \$1,500 from the Walmart Community Grant Program for the purpose of funding short-term lodging for domestic violence victims and to provide information on domestic violence for officers and the community; 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 is required.**

*Our officers and employees work daily with victims and their families to provide a safe environment while a case is under investigation. This can sometimes be a struggle. The Myrtle Beach Police Department works locally with organizations, but this is not always enough due to time and availability.*

*The funding request would allow for short-term stays for victims of domestic violence at local lodging facilities to help facilitate needs quickly and allow resources for officers to do so efficiently. In addition, funding will be used to provide training internally for officers to continue to increase their effectiveness. Also, the funding will be used externally in our community regarding domestic violence and mental health awareness in order to facilitate: information sharing; locations where community members and their families can get help; and, information with law enforcement and aiding agencies.*

**Motion M2021-013 approve a Special Event Permit to NS Promotions for the “Myrtle Beach Arts and Music Festival,” a celebration of the arts on January 30, 2021, between the hours of 12:00 p.m. and 5:00 p.m. on the Grand Park lawn near Farrow Parkway and Hackler Street. 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 celebrates the arts and includes food trucks, retail arts and craft vendors, beer, wine, live music and local artists. At the promoter’s expense, off-duty police and EMTs will be hired. The motion includes no in-kind service requests or road closure requests. The promoter expects approximately 1,000 participants for the third annual event.*

**Motion M2021-014 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 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 M2021-015 to appoint/reappoint three members to the Community Appearance Board.**

*The terms of Susan White, Sherri Gray and Darlene Jennings expired on December 31, 2020. Ms. White does wish to be reappointed; Ms. Gray and Ms. Jennings do not wish to be reappointed. On file are the resumes of Julie Booth (city resident), Yosi Benezra (city resident), Josh Kay (non-city resident), Jan Gore Conrad (city resident), Jessica Gregory (city resident), Michael McPeake (non-city resident), Trevor Greene (city resident) and G. Andrew Wilson (city resident). The terms expire December 31, 2023.*

**Motion M2021-016 to designate the Myrtle Beach Area Chamber of Commerce as the organization to manage and direct the expenditure of tourism and promotion funds for the 2020-21 fiscal year per SC Code §6-4-10(3), Accommodations Tax Revenues.**

*Per state statute, the funds received by a municipality or a county in areas collecting more than fifty thousand dollars must be allocated in the following manner:*

- (1) The first \$25,000 must be allocated to the general fund.*
- (2) A total of 5% of the balance (after the \$25,000 is subtracted) must be allocated to the general fund.*
- (3) A total of 30% of the balance is to be used for advertising and promotion of tourism to develop and increase tourist attendance through the generation of publicity. To manage and direct the expenditure of these tourism promotion funds, the municipality or county shall select one or more organizations, such as a chamber of commerce, visitor and convention bureau or regional tourism commission, which has an existing, on-going tourist promotion program.*
- (4) A total of 65% is to be used by the city for tourism-related expenses.*

*Recognizing the unique nature of this city's tourism demands, the Legislature has also approved a budgetary proviso that allows half of the money that would ordinarily go to the Myrtle Beach Area Chamber of Commerce to be retained by the city and used to meet public safety expenses related to tourism. After these deductions, the amount available for advertising and promotion by the MBACC in Fiscal Year 2020-21 is an estimated \$1,271,250.*

**NON-AGENDA ITEMS FROM THE PUBLIC**

**COMMUNICATIONS FROM CITY BOARDS/COMMISSION MEMBERS**

**COMMUNICATIONS FROM CITY COUNCIL AND CITY MANAGER**

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