

**MEETING MINUTES
FEBRUARY 28, 2023
9:00 A.M. – WORKSHOP MEETING – TED C. COLLINS LAW ENFORCEMENT CENTER
10:00 A.M. – MEETING – TED C. COLLINS LAW ENFORCEMENT CENTER**

MYRTLE BEACH CITY COUNCIL:

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

STAFF PRESENT:

JONATHAN “FOX” SIMONS, JR., CITY MANAGER
BRIAN TUCKER, ASSISTANT CITY MANAGER
WILLIAM BRYAN, CITY ATTORNEY
JENNIFER ADKINS, CITY CLERK

ABSENT:
MICHELLE SHUMPERT, CHIEF FINANCIAL OFFICER

CALL TO ORDER.....9:00 A.M. Workshop

Motion: To Enter Closed Session to 1) discuss proposed contractual negotiation concerning the Surf Park property 2) discuss negotiations concerning proposed purchase of property in the Downtown area 3) discuss negotiations concerning proposed contractual agreement with the beach services. **Moved by:** Philip N. Render **Seconded by:** Mike Lowder.

Vote: (summary Yes = 7) Yes: Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, John Krajc, Mike Lowder, Philip N. Render, Gregg Smith.

9:04 A.M.

Motion: To Exit Closed Session **Moved by:** John Krajc **Seconded by:** Jackie Hatley.

Vote: (summary Yes = 7) Yes: Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, John Krajc, Mike Lowder, Philip N. Render, Gregg Smith.

9:47 A.M.

INVOCATION.....Councilman Krajc

PLEDGE OF ALLEGIANCE.....Councilman Krajc

APPROVAL OF AGENDA.....

CONTINUED:

Motion M2022-19 to appoint/reappoint Assistant Municipal Judges for a four-year term and consider a salary adjustment.

Motion: To Approve Amended Agenda **Moved by:** Philip N. Render **Seconded by:** Mike Lowder.

Vote: (summary Yes = 6 No = 1) Yes: Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, Mike Lowder, Philip N. Render, Gregg Smith.

No: John Krajc

APPROVAL OF MINUTES.....February 14, 2023

Motion: To Approve **Moved by:** Michael Chestnut **Seconded by:** Mike Lowder.

Vote: (summary Yes = 7) Yes: Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, John Krajc, Mike Lowder, Philip N. Render, Gregg Smith.

PUBLIC REQUESTS, PRESENTATIONS, AWARDS, MEMORIALS:

1. Troy Marron gives an update of plans for upcoming weekend's marathon.
2. RIDE IV Update – Wayne Gray (meeting)
 - Mr. Gray gives an update of RIDE IV (Road Improvement Development Effort) including planned projects, why the road investments are so vital: population swells, economic development/tourism, safety/evacuation, and maintaining sustainable quality of life. Mr. Gray continues with how projects will be funded and funding options. (Full presentation available upon request).
3. Proclamation – Black History Month (meeting)
 - Mark Kruea presents proclamation. Some African American city staff was present to accept and thank council.
4. Public Information Update – PIO Staff
 - Meredith Denari reviews past, present, and future events and happenings.

NON-AGENDA ITEMS FROM PUBLIC.....30 Minute Time Limit

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, items remaining on the Consent Agenda will be briefly described by staff.*

CONSENT AGENDA

Motion M2023-13 authorizing the City Manager or his designee to: apply for a grant of \$305,581 from the Federal Emergency Management Administration (FEMA) Assistance to Firefighters Grant (AFG) Program; 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. Hospitality Tax funds in the amount of \$30,559 are hereby appropriated to meet the local match.

The objectives of the AFG program are to provide critical-need resources that equip and train emergency personnel to: achieve recognized national standards; enhance operational efficiencies; foster interoperability; and, support community resilience. A total of \$86,140 will be used to replace the department's aging stock of 86 fire nozzles. A total of \$250,000 will be used for purchase of a Fire-Rescue Boat and trailer.

Motion M2023-14 authorizing the City manager or his designee to apply for a grant of \$15,000 from the South Carolina Department of Parks, Recreation, and Tourism, Sports Tourism and Advertising and Recruitment Grant Program; 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. The required match of \$7,500 will come from the City of Myrtle Beach Accommodations Tax grant.

The purpose of the grant request is to enter into an agreement with Travelball Select National Championships to coordinate a youth baseball tournament. The Travelball Select National Championships is a highly competitive youth baseball event for teams competing in 9U, 10U, 11U, 12U, 13U and 14U. 9U and 10U teams are planned to compete June 14-18, 2023, and 11U, 12U, 13U, and 14U teams compete June 13-18, 2023. The tournament is projected to generate 21,600

visitors daily and a direct spending rate of over \$3.5 million. Most visitors will be first-time visitors to the Grand Strand and represent over 20 states throughout the country.

Motion M2023-15 to accept a grant from the United States Secret Service in the amount of \$2,000 on behalf of the Myrtle Beach Police Department to defray equipment costs associated with the department's joint efforts as part of the SPECTF (South Carolina Electronic Crimes Task Force).

To defray the cost of operation, which covers software licensing fees and equipment that were provided after receiving training from the US Secret Service. This year, the City has been allotted \$2,000.00 to cover the period of October 1, 2023 – September 30, 2024.

Motion M2023-16 authorizing the City Manager or his designee to apply for a grant of \$13,750 from the Arbor Day Foundation for the purpose of a tree giveaway at Myrtle's Market in Spring 2023, to record the appropriation of such grant funds in the amount approved, and to execute and deliver the grant agreement and such related documents as may be required to put the grant into effect. No match is required.

The Parks, Recreation, and Sports Tourism Department is seeking funding from the Arbor Day Foundation and a community sponsor to conduct a tree donation in the Spring of 2023. The event will take place at Myrtle's Market with the help of volunteers, Parks, Neighborhood Services, and Public Information. Tree planting promotes clean air, water filtration, and improved flood prevention within our coastal community. Refreshments, entertainment, and educational information about tree planting will be available as native trees are given away.

Motion M2023-17 authorizing the City Manager to accept a donation in the amount of \$2,921 from Thomas Lanava for the use of sidewalk improvements.

This funding will be used to improve sidewalks throughout the City. There is no specific area identified for improvements, but funding will go directly towards improvements to assist in the walkability, beautification, and safety of sidewalks.

Motion M2023-18 to authorize the City Manager or his designee to enter into a Memorandum of Agreement (MOA) with the City of Myrtle Beach and the Drug Enforcement Administration.

This is the renewal of the Cooperative State and Local Agreement between the Myrtle Beach Police Department and the Drug Enforcement Administration. MBPD currently has one full time task force officer who serves with the DEA. Through this relationship the Police and DEA and continue to establish cases that impact our community and surrounding areas. This federal partnership, works throughout the City to address ongoing drug trafficking and related investigations.

Motion: To Approve Consent Agenda Items **Moved by:** Mike Lowder **Seconded by:** Jackie Hatley.

Vote: (summary Yes = 7) Yes: Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, John Krajc, Mike Lowder, Philip N. Render, Gregg Smith.

ALL CONSENT AGENDA ITEMS APPROVED

REGULAR AGENDA

2nd Reading Ordinance 2022-56 to rezone ~1.5 acres at 1300 N Kings Hwy (PIN 42416030012) from HC-2 (Highway Commercial) to A (Amusement), and to rezone ~0.32 acres across Chester St (PIN 44401020048) from MUH (Mixed Use – High Density) to A (Amusement) in order to allow anticipated uses.

The properties are adjacent to N Kings Hwy, 14th Ave N, Chester St, and 13th Ave N. The properties are close to A (Amusement) zoned properties to the east and south. Directly adjacent properties are zoned C-8, MU-H, E, and HC-2. The applicant plans to preserve the former First Presbyterian Church building.

Mayor Bethune recused due to husband represents purchaser

Motion: To Approve **Moved by:** Mike Lowder **Seconded by:** John Krajc.

Vote: (summary Yes = 6 Recused: 1) Yes: Michael Chestnut, Jackie Hatley, John Krajc, Mike Lowder, Philip N. Render, Gregg Smith.

Recused: Mayor Brenda Bethune

ADOPTED

2nd Reading Ordinance 2023-2 approving the execution and delivery by the City of Myrtle Beach, South Carolina, of a lease between the city, as lessor, and, Liberty & New Life, LLC as lessee, with respect to building located at 708 North Kings Hwy in the City of Myrtle Beach.

The City is in the process of acquiring 708 N. Kings Hwy from the owner and operator of Liberty & New Life, LLC. A condition of the Purchase and Sale Agreement is to provide an eight-month lease to the current owner. The lease is \$2,500 / month.

Motion: To Approve **Moved by:** Mike Lowder **Seconded by:** Gregg Smith.

Vote: (summary Yes = 6 No = 1) Yes: Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, John Krajc, Philip N. Render, Gregg Smith.

No: Mike Lowder.

ADOPTED

2nd Reading Ordinance 2023-3 to amend the Market Common Master Plan to allow for the enclosure of currently open-air residential-level walkways along the exterior of 3346 Reed St and to allow for exterior changes at 1150 Farrow Pkwy.

The applicant would like to amend the plan in order to turn open aired walkways at 3346 Reed St into enclosed walkways. The applicant would also like to amend the plan in order to upgrade the exterior of 1150 Farrow Pkwy, which is currently facing issues with the material durability. Planning Commission: 2.7.23, voted unanimous 7/0 to recommend approval.

Motion: To Approve **Moved by:** Philip N. Render **Seconded by:** John Krajc.

Vote: (summary Yes = 7) Yes: Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, John Krajc, Mike Lowder, Philip N. Render, Gregg Smith.

ADOPTED

2nd Reading Ordinance 2023-4 to amend Sections 203 to define Electric Vehicle Charging Stations and 1502 to allow electric vehicle charging stations as accessory uses with conditions.

Due to an increase in popularity among consumers, there is a growing need for EV Charging Stations in Myrtle Beach. The ordinance defines three levels of charging stations:

- *EV Charging Station, Level 1: provides charging through a 120 volt (V), alternating-current (AC) plug. Level 1 is considered as slow charging. Level 1 charging equipment is standard on vehicles and therefore does not require the installation of charging equipment.*
- *EV Charging Station, Level 2: charging is through a 240V, AC plug and requires installation of home charging or public charging equipment. These units require a dedicated 40 amp circuit.*
- *EV Charging Station, Level 3/Direct Current Fast Charging (DCFC): • Level 3 or DCFC charging is through a 480V, direct-current (DC) plug.*

Level 1 and 2 EV Charging Stations can be an accessory use for all permitted uses/zoning districts and level 3 EV Charging Stations can be an accessory use for all permitted uses/zoning districts except for residential uses in the City.

Motion: To Approve **Moved by:** Michael Chestnut **Seconded by:** Mike Lowder.

Vote: (summary Yes = 7) Yes: Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, John Krajc, Mike Lowder, Philip N. Render, Gregg Smith.

ADOPTED

Motion M2022-19 to appoint/reappoint Assistant Municipal Judges for a four-year term and consider a salary adjustment.

City code requires that Council reappoint one or more assistant judge for a term not exceeding four years. The judges must be an attorney in good standing with similar trial experience. Once appointed the judges serve under the direction of the Chief Administrative Municipal Judge.

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

Motion: To Adjourn **Moved by:** Philip N. Render **Seconded by:** Michael Chestnut.

Vote: (summary Yes = 7) Yes: Mayor Brenda Bethune, Michael Chestnut, Jackie Hatley, John Krajc, Mike Lowder, Philip N. Render, Gregg Smith.

11:06 A.M.

BRENDA BETHUNE, MAYOR

ATTEST:

JENNIFER ADKINS, CITY CLERK