



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, JULY 28, 2020
9:00 A.M. – 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.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES... July 14, 2020

PUBLIC REQUESTS, PRESENTATIONS, AWARDS, MEMORIALS:

1. City Manager's Inspiration Award
2. Opioid Initiative Update – Kathy Jenkins
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 2020-034 to amend Chapter 11, Article II, Sections 34, 35 and 36 of the Code of Ordinances of the City of Myrtle Beach (Business License Ordinance) to allow for the temporary suspension of business licenses as a tool for addressing underlying unlawful or nuisance activity relating to certain businesses.

As it is currently written, the Business License Ordinance is almost exclusively a revenue generation tool. Revocations of the license are permanent and, as a result, staff historically have been very reluctant to propose suspensions/revocations to cure nuisances. The first proposed amendment allows the Business License official to work with more flexibility with business owners to restore suspended business licenses once the underlying issues have been resolved. It also allows the official to renew those licenses in a subsequent year.

Additionally, where time is of the essence, the proposal allows the City Manager to address unlawful activity and public nuisances more quickly by suspending the license (thus temporarily closing the business) to cure public nuisances without that action necessarily leading to a permanent license revocation. These suspensions may be lifted with or without conditions based on the businesses' submission of a plan to eliminate the underlying unlawful/nuisance behavior. In such cases, the businesses have 15 days to submit and receive approval of this plan, or to appeal the suspension. All appeal rights remain intact.

2nd Reading Ordinance 2020-035 to amend Appendix A Zoning of the Code Ordinances Sec. 1407.C permitted uses to allow Brewpubs in the E (Entertainment) Zoning District.

The applicant is developing a surf park on the corner of Grissom Parkway and Burroughs & Chapin Boulevard, behind the Myrtle Beach Sports Center. The business model includes a brewpub, which is currently not listed as a permitted use in the Entertainment (E) Zone.

The code defines a brewpub as, "a facility with on-site food service (not more than 50% of total sales), tap room and retail operations that brews or produces alcoholic and non-alcoholic beverages for sale and consumption on-site, as well as wholesale or off-site sales, consistent with State law (including separation from school, church and playground uses)." Brewpubs are currently permitted in the LM (Light Manufacturing) and WM (Wholesale/Manufacturing) districts.

2nd Reading Ordinance 2020-036 to amend the Code of Ordinances, Article VI, Sections 19-178 and 19-180 to identify certain extraordinary events and to provide additional management authority during such events.

Designation as an “Extraordinary Event” currently allows the City Manager to implement certain event management tools as needed to protect lives and property, including:

- *Hiring armed, registered private security officers.*
- *Requiring hoteliers and retail stores in designated areas to employ private security.*
- *Utilizing public or private property when public welfare is in jeopardy.*
- *Contracting for non-consensual towing of vehicles and motorcycles.*
- *Using temporary signage to enforce the temporary closure of retail sales businesses within event boundaries between 11 p.m. and 6 a.m. (unless circumstances compel).*
- *Temporarily closing or diverting pedestrian and vehicular traffic.*
- *Enforcing “no cruising” zones, and temporarily prohibiting cruising on designated streets.*

Upon recommendation of the Police Chief and in agreement of the City Manager, this proposal broadens the fifth bullet above by applying the authority to enforce temporary closures to businesses beyond retail stores (providing at least one previous attempt has been made to advise the businesses of the necessary corrective actions). In addition, as a last resort, the proposed ordinance allows the City Manager to control an Extraordinary Event by imposing a curfew in the affected area (currently authorized for Civil Emergencies, e.g. hurricanes). Both actions would require a written report to Council within 12 hours.

The existing code authorizes Council to: declare an Extraordinary Event, fix the boundaries and establish a timeline for such events. These declarations expire within 96 hours (unless modified by Council). Declaration does not prohibit the event, but it allows the manager to use five of the seven Extraordinary Event management tools.

As proposed, the following would be defined as “Extraordinary Events:”

- *Debates for political office (no change).*
- *The appearance of a state, national or international political or religious dignitary (automatically designates these as Extraordinary Events rather than just permitting this designation).*
- *Events with an anticipated or actual estimated attendance greater than 10,000 (currently only applies to performances).*
- *The motorcycle event that occurs before, during, and the day after Memorial Day (proposed for deletion).*
- *Memorial Day, July Fourth and Labor Day weekends (replaces and expands on the point above).*
- *Car and truck shows with a history of disruptive and unlawful behavior (addition to current code).*

Motion M2020-091 to accept a grant in the amount of \$500,000 from the South Carolina Department of Health and Human Services and to authorize the City Manager to enter into a contract with New Directions of Horry County for the purposes of developing a local opioid initiative pilot program for Horry and Georgetown Counties, and to manage such grant. Funding covers a two year program at approximately \$250,000 per year.

On July 15, 2020, the city received \$500,000 from the S.C. Department of Health and Human Services for the purpose of developing an opioid initiative pilot program. The city desires to enter into an agreement with New Directions to manage and develop a local continuum of substance abuse services throughout Horry and Georgetown Counties.

Terms of the agreement include:

- *Identify solutions to solve gaps and duplication of services.*
- *Ensure utilization of evidence-based practices and coordinate efforts associated with the opioid crisis.*
- *Develop programs and services.*
- *Establish associated policies and procedures, and draft local regulations.*
- *Develop public awareness through the local school system and media.*
- *Outline efforts to improve enforcement and mapping.*
- *Develop action steps to secure future funding.*

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

1. County Transportation Committee (CTC) Update – Janet Curry, Public Works Director

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