



# Council Agenda

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

**MYRTLE BEACH CITY COUNCIL AGENDA  
TUESDAY, MARCH 14, 2023  
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**

*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.*

*CITIZENS ARE INVITED TO ATTEND AND PARTICIPATE IN 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.*

## **CALL TO ORDER**

## **INVOCATION**

## **PLEDGE OF ALLEGIANCE**

## **APPROVAL OF AGENDA**

## **APPROVAL OF MINUTES...** February 28, 2023

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

1. Traffic Engineering and Safety Update (Workshop)
2. MBACC Quarterly Update – Karen Riordan (Workshop)
3. Futrell Park Improvement Presentation (Meeting)
4. Proclamation declaring the March as National Procurement Month (Meeting)

5. Proclamation declaring March as Women's History Month (Meeting)
6. 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.*

### **CONSENT AGENDA**

**Motion M2023-020 authorizing the City Manager to accept a donation in the amount of \$26,437.59 from Habitat for Humanity for the installation of fitness trail equipment along Futrell Park's walking path.**

*This funding is part of the ongoing park renovation plan and it will continue the neighborhood revitalization efforts. The Futrell Park fitness trail will be located along the current trail system and will include five separate workout stations to include the following: crunch/leg lift station, assisted row/push-up station, plyometric station, pull-up/dip station, and a stretch station.*

**Motion M2023-021 to accept funding from the United States Secret Service, Columbia Field Office, in the amount of \$12,617 on behalf of the Myrtle Beach Police Department for Fiscal Year 2022-23 to defray equipment and software costs associated with the department's joint efforts as part of the Cyber Crimes Task Force (formerly called South Carolina Electronic Crimes Task Force). No local match required.**

*These funds are identified as excess funds provided by the United States Secret Service on behalf of the Myrtle Beach Police Department for FY 2022-23. The funding assists with the department's efforts in completing the set-up of a crime lab.*

**Motion M2023-022 authorizing the Myrtle Beach Police to apply for the South Carolina Department of Public Safety Bullet Proof Vest Program in the amount of \$52,189 for reimbursement of purchase. No local match is required.**

*The Myrtle Beach Police Department applied for this reimbursement grant on March 1, 2023, from the SC Department of Public Safety in the amount of \$52,189. This amount is half of the total cost of the purchase. MBPD applied for the Patrick Leahy BVP grant, which the state indicates is an approved program to partner to cover the remaining funding from July 1, 2022, to December 31, 2023. No match is required and the city has made outlays for this purpose in excess of the amounts reimbursed by these grants.*

### **REGULAR AGENDA**

**1st Reading Ordinance 2023-005 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V of the Code of Ordinances of Myrtle Beach, to Austin Shelley doing business as Ajax Golf Cart Rentals located at 1307 Nature's Way, North Myrtle Beach, SC 29582, for a period of one year. The agreement includes 24 golf cart decals.**

*This company was approved for a franchise agreement covering 24 golf cart decals in 2022. For 2023, the applicant requests 24 decals.*

**1st Reading Ordinance 2023-006 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V of the Code of Ordinances of Myrtle Beach, to David Stone doing business as Go Fast Motorsports LLC, Go Fast Scooters, located at 609 South Kings Highway, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 95 golf cart decals and 20 moped decals.**

*This company was approved for a franchise agreement covering 95 golf cart decals and 20 moped decals in 2022. For 2023, the applicant requests the same total number of decals 115 (95 golf cart decals and 20 moped decals).*

**1st Reading Ordinance 2023-007 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V of the Code of Ordinances of Myrtle Beach, to Jack Zakhra doing business as Zeus MB LLC, Happy Scooter, located at 311 Third Avenue South, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 50 golf cart decals and 13 moped decals.**

*This company was approved for a franchise agreement covering 27 golf cart decals and 36 moped decals in 2022. For 2023, the applicant requests same total number of 63 decals, but would like exchange 23 moped decal for 23 golf cart decals; so, the company is requesting 50 golf cart decals and 13 moped decals.*

**1st Reading Ordinance 2023-008 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V of the Code of Ordinances of Myrtle Beach, to Derrick and Barbara Haynes doing business as Kickback Korner LLC, Kickback Korner Golf Carts, located at 506 Yaupon Drive, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 20 golf cart decals.**

*This company was approved for a franchise agreement covering 20 golf cart decals in 2022. For 2023, the applicant requests 20 golf cart decals.*

**1st Reading Ordinance 2023-009 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V of the Code of Ordinances of Myrtle Beach, to Mark Sichitano doing business as Myrtle Beach Golf Carts, located at 408 Third Avenue South, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 165 golf cart decals.**

*This company was approved for a franchise agreement covering 165 golf cart decals in 2022. For 2023, the applicant requests 20 additional golf cart decals (total of 185).*

*Staff does not recommend adding more conveyances to this franchise. While we sympathize with the applicant, we do not see how the city can justify additional decals for this franchisee without also considering requests for additional decals from other franchisees. The purpose of establishing the franchise system was to cap and limit the number of golf cart and moped conveyances on the street with the overall goal of reducing the total number of conveyances over time.*

**1st Reading Ordinance 2023-010 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V of the Code of Ordinances of Myrtle Beach, to Ben Robinson doing business as Rent Me Superstore, located at 106 North Kings Highway, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 30 golf cart decals and 10 moped decals.**

*This company was approved for a franchise agreement covering 30 golf cart decals and 10 moped decals in 2022. For 2023, the applicant requests the same total number of decals (30 golf cart decals and 10 moped decals).*

**1st Reading Ordinance 2023-011 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V of the Code of Ordinances of Myrtle Beach, to Ben Robinson doing business as Rent Me Superstore, located at 300 South Ocean Boulevard, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 114 golf cart decals and 83 moped decals.**

*This company was approved for a franchise agreement covering 114 golf cart decals and 83 moped decals in 2022. For 2023, the applicant requests the same number of decals (114 golf cart decals and 83 moped decals).*

**1st Reading Ordinance 2023-012 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V of the Code of Ordinances of Myrtle Beach, to Ben Robinson doing business as Rent Me Superstore, located at 1205 North Ocean Boulevard, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 46 golf cart decals and 37 moped decals.**

*This company was approved for a franchise agreement covering 46 golf cart decals and 37 moped decals in 2022. For 2023, the applicant requests the same number of decals (46 golf cart decals and 37 moped decals).*

**1st Reading Ordinance 2023-013 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V of the Code of Ordinances of Myrtle Beach, to David Stone doing business as Go Fast Motorsports/Savemart Scooters, located at 412 Sixth Avenue North, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 34 golf cart decals and 5 moped decals.**

*This company was approved for a franchise agreement covering 34 golf cart decals and 5 moped decals in 2022. For 2023, the applicant requests the same total number of decals, 39 (total of 34 golf cart decals and 5 moped decals).*

**1st Reading Ordinance 2023-014 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V of the Code of Ordinances of Myrtle Beach, to David Stone doing business as Go Fast**

**Motorsports/Sunshine Scooters, located at 713 North Ocean Boulevard, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 30 golf cart decals and 5 moped decals.**

*This company was approved for a franchise agreement covering 30 golf cart decals and 5 moped decals in 2022. For 2023, the applicant requests the same total number of decals, 35 (total of 30 golf cart decals and 5 moped decals).*

**1st Reading Ordinance 2023-015 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V of the Code of Ordinances of Myrtle Beach, to Bayliss Spivey doing business as KOA Campground located at 613 Fifth Avenue South, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 50 golf cart decals.**

*This company was approved for a franchise agreement covering 50 golf cart decals in 2022. For 2023, the applicant requests additional 50 golf cart decals, totaling 100 golf cart decals.*

*Staff does not recommend adding more conveyances to this franchise. While we sympathize with the applicant, we do not see how the city can justify additional decals for this franchisee without also considering requests for additional decals from other franchisees. The purpose of establishing the franchise system was to cap and limit the number of golf cart and moped conveyances on the street with the overall goal of reducing the total number of conveyances over time.*

**1st Reading Ordinance 2023-016 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V of the Code of Ordinances of Myrtle Beach, to Ron Simantov doing business as Blue Coral Surf LLC, Moped USA, located at 1301 South Kings Highway, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 20 golf cart decals.**

*This company was approved for a franchise agreement covering 20 golf cart decals in 2022. For 2023, the applicant again requests 20 golf cart decals.*

**1st Reading Ordinance 2023-017 granting a franchise agreement for operation of rental business of conveyances regulated by Chapter 12, Article V of the Code of Ordinances of Myrtle Beach, to Sarah Yakoel doing business as Gil Scooter/Evry LLC, located at 109 South Kings Highway, Myrtle Beach, SC 29577, for a period of one year. The agreement includes 20 golf carts.**

*This company was approved for a franchise agreement covering 20 golf cart rentals in 2022. For 2023, the applicant again requests 20 golf cart decals.*

**1st Reading Ordinance 2023-018 to authorize the City Manager to enter into amended franchises for water safety services and beach concessions.**

*This ordinance amends the current water safety and concession services franchise agreements.*

**Resolution R2023-008 a resolution of the City Council of the City of Myrtle Beach, South Carolina amending amount of the application to the South Carolina water quality revolving fund authority for a loan from the state water pollution control**

**revolving fund as approved by Resolution R2022-014; and, other matters related thereto.**

*City Council adopted Resolution R2022-014 dated April 12, 2022, for an amount not to exceed \$2,374,000. The escalating cost of construction and materials necessitates increasing the amount to be borrowed by about \$2,330,000 to total \$4,704,000.*

**Resolution R2023-009 to adopt the Myrtle Beach Housing and Community Development Annual Action Plan and Budget for Fiscal Year 2023-24.**

*In total, the city's Community Development Block Grant (CDBG) allocation is projected to be \$391,333. The funds are budgeted based on the federal fiscal year and must be spent to primarily benefit individuals with low and moderate incomes. The following is the proposed allocation covering the period of October 1, 2023-September 30, 2024:*

- *Affordable Housing Program – \$91,333*
- *Public Infrastructure – \$300,000*

**Motion M2023-023 to appoint/reappoint four members to the Seniors Advisory Committee.**

*The term of Tammy Lail expired on February 28, 2023, and the terms of Patty Sleem and Brenda Watkins Noel expired on March 8, 2023. Due to a resignation, the board has one additional vacancy with the expiration date of February 9, 2025. On file, the city has resumes for L. Keith Compton (city resident), Lauren Keith Hudson (city resident), Robert N. Saunders (city resident), Patricia Hampton (city resident), and Carolyn Milliron (city resident). All three seats expire March 8, 2026.*

**Motion M2022-019 to appoint/reappoint Assistant Municipal Judges for a four-year term and consider a salary adjustment.**

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

**Motion M2023-024 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 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.*

**NON-AGENDA ITEMS FROM PUBLIC** (30 Minute Time Limit)

**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 and/or Assistant City Manager (CM/ACM) Update

## **REPORTS AND INFORMATION PRESENTATIONS FROM CITY STAFF**

**EXECUTIVE SESSION** – Upon returning to Public 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; or, 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 of the reasons above. Council takes no votes or action in Executive Session. Council may take action on matters discussed in Executive Session which are deemed to be “emergency” concerns upon reconvening in open session.*

## **ADJOURNMENT**