CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA
NORTH MYRTLE BEACH CITY HALL
CITY COUNCIL MEETING
Monday, February 19, 2024, 6:15 PM

Minutes

1. ROLL CALL:

Mayor Hatley called the meeting to order and asked the Clerk to call the roll.

Marilyn Hatley
JO Baldwin
Bubba Collins
Fred Coyne
Nicole Fontana
Trey Skidmore
Hank Thomas

A quorum was established.

1B. EXECUTIVE SESSION:

Mayor Hatley called for a motion to go into Executive Session for a discussion of an appointment to the Planning Commission, a legal briefing regarding local parking passes, and a legal briefing regarding White Cap Beach House LLC vs. the City of North Myrtle Beach, Case No: 2023-CP-26-00387. The motion was made by Councilwoman Fontana and seconded by Mayor Pro Tempore Baldwin. The motion passed 7-0. The Council returned to Chambers at 7:03 PM. Mayor Hatley announced that no votes were taken at the session. Mayor Hatley called for a motion to adjourn the Executive Session. The motion was made by Councilwoman Fontana and seconded by Mayor Pro Tempore Baldwin. The motion passed 7-0.

1C. CONTINUATION OF CALL TO ORDER:

Mayor Hatley asked Manager Mike Mahaney to deliver the invocation.

Mayor Hatley led the Pledge of Allegiance.

2. MINUTES:

The motion to approve the minutes for the City Council Meeting of Monday, January 8, 2024, and the City Council Executive Session of Wednesday, January 24, 2024, as presented, was made by Councilwoman Fontana and seconded by Councilman Thomas. Councilman Collins requested an amendment to the minutes of Monday, January 8, 2024, to reflect he abstained from voting on item 7D due to insufficient information to make a decision. The motion to approve the amended minutes for January 8, 2024, and the minutes of January 24, 2024, as presented, passed 7-0.

3. COMMUNICATIONS:

A. Update from President Marilyn Murphy Fore on Horry Georgetown Technical College. Due to President Murphy Fore not being able to attend, Dr. Jennifer Wilbanks, Executive Vice President for Academic and Workforce Development, shared a presentation with updates on the college. Dr. Wilbanks shared that Horry Georgetown Technical College was the fourth largest technical college in South Carolina and prided itself on a 95 percent job placement rate and added that 90 percent of graduates stayed in Horry and Georgetown Counties. Dr. Wilbanks noted that the college's Dual Enrollment Program rated third in the state and North Myrtle Beach High School was one of their most popular sites. In addition to academics, the college hosts a number of

outreach programs and most recently approved Meals on Wheels to be hosted at the Conway Campus. Councilman Collins shared that at the recent Beach Advocate Conference, the Governor commended the college and stated what an asset Horry Georgetown Technical College was with recruiting new industries and businesses to the state. Mayor Hatley added a special thanks to the college for stepping up and offering Meals on Wheels a place to operate in their time of need. She added that Meals on Wheels was a great organization and was much needed in the area.

B. Presentation by the Knights of Columbus to the NMB Police Department. Steven Macejka, representing the Knights of Columbus, shared that since 2019, Our Lady Star of the Sea Knights of Columbus had donated new, unused teddy bears to the North Myrtle Beach Police Department every year. He explained these bears were used as a tool to comfort children who were in a variety of circumstances ranging from a vehicle accident to a domestic violence situation. Mr. Macejka presented the North Myrtle Beach Police Department with 100 teddy bears and thanked the officers for their tireless dedication and commitment to protecting the residents and community of North Myrtle Beach. Mayor Hatley thanked Mr. Macejka and the Knights of Columbus and commended their contribution. Chief Dana Crowell also offered her thanks for the contribution.

C. Mayor Hatley stated that the Departmental Monthly Reports for December 2023, were available online. Mayor Hatley thanked the Department Heads and commented they did an awesome job.

4. <u>ANNOUNCEMENTS BY MAYOR AND CITY COUNCIL</u>:

Mayor Hatley shared that the City of North Myrtle Beach had been voted the #1 Coastal City in the United States. One of the elements of the award was that the City ranked the highest in safety at 92% of the 25 named cities.

Councilwoman Fontana invited everyone to attend Macaroni Mania hosted by the Humane Society on Saturday, February 24, 2024, 11:00 AM – 4:00 PM at the Sports Complex.

5. <u>CONSENT AGENDA</u>:

A. MOTION TO APPOINT: Appointments to the Accommodations Tax Committee
B. MOTION TO APPOINT: A reappointment to the Planning Commission
C. MOTION TO APPOINT: A reappointment to the Board of Zoning Appeals
D. MOTION TO APPROVE: SOS Parade on April 27, 2024
E. MOTION TO APPROVE: Music on Main Concert Series 2024
F. MOTION TO APPROVE: 40th Anniversary of the Shag Dance being designated as the State Dance of South Carolina Concert
G. MOTION TO APPROVE: Pink Ribbon Run on September 28, 2024

Mayor Hatley asked the Council to consider Items A-G together. The Council agreed and Mayor Hatley read each item by title. Mayor Hatley called for a motion. The motion to approve was made by Councilman Collins and seconded by Councilwoman Fontana.

Having no comment from the Council or the public, Mayor Hatley called for a vote. The motion to approve passed 7-0.

6. <u>UNFINISHED BUSINESS</u>:

A. ORDINANCE/SECOND READING: Petition for Annexation and Zoning Designation for ±46.48 acres on Long Bay Road. Mayor Hatley asked Manager Mahaney to read the ordinance by title and Mayor Hatley called for a motion. The motion to approve was made by Mayor Pro Tempore Baldwin and seconded by Councilman Skidmore. Mayor Hatley stated this was property that the City bought many years ago and would now be used for Public Safety.

Having no further comment from Council or public, Mayor Hatley called for a vote. The motion to approve passed 7-0.

B. ORDINANCE/SECOND READING: Amendment to Chapter 5, Beaches and Waterways, of the Code of Ordinances of North Myrtle Beach, South Carolina regarding recreational fishing regulations. Mayor Hatley read the ordinance by title and called for a motion. The motion to approve was made by Councilwoman Fontana and seconded by Councilman Coyne. Councilman Collins asked if the State required a license. Manager Mahaney confirmed the state did require a license and this was to clarify that fishing was prohibited on City property, specifically McLean Park where issues had been noted.

   Having no further comment from Council or public, Mayor Hatley called for a vote. The motion to approve passed 7-0.

C. ORDINANCE/SECOND READING: Amendment to Chapter 12, Health and Sanitation, of the Code of Ordinances of North Myrtle Beach, South Carolina regarding false alarms. Mayor Hatley read the ordinance by title and called for a motion. The motion to approve was made by Councilman Collins and seconded by Councilman Thomas. Councilman Collins asked if there was a fine amount. Manager Mahaney confirmed after two warnings the fine was $200.

   Having no further comment from Council or public, Mayor Hatley called for a vote. The motion to approve passed 7-0.

D. ORDINANCE/SECOND READING: Amendment to Chapter 21, Traffic, of the Code of Ordinances of North Myrtle Beach, South Carolina regarding increasing the total availability of vehicle parking exemptions for Horry County residents. Mayor Hatley asked Manager Mahaney to read the ordinance by title and Mayor Hatley called for a motion. The motion to approve was made by Councilwoman Fontana and seconded by Councilman Coyne. Mayor Hatley stated there would be an increase from 200 to 250 parking passes for Horry County Residents with this amendment. Councilman Collins added it would be first come, first serve.

   Having no further comment from Council or public, Mayor Hatley called for a vote. The motion to approve passed 7-0.

7. <u>NEW BUSINESS</u>:

A. ORDINANCE/FIRST READING: Petition for Annexation and Zoning Designation for ±0.19 acres on Little River Neck Road. Mayor Hatley read the ordinance by title and called for a motion. The motion to approve was made by Councilwoman Fontana and seconded by Councilman Thomas. Mayor Hatley inquired if the lot was 10,000 square feet. Jim Wood, Director of Planning and Development, confirmed the lot was not quite 10,000 square feet but was an existing lot of record and R-1 zoning had been given to others on Little River Neck Road. Mayor Hatley asked if the property was not large enough for R-1 zoning, how could it be annexed. Director Wood explained this had been done previously with other lots and subdivisions. He added the property would be brought into the City as a legal, non-conforming lot.

   Having no further comment from Council or public, Mayor Hatley called for a vote. The motion to approve passed 7-0.

B. ORDINANCE/FIRST READING: Convey to First Baptist Church of North Myrtle Beach the City's portion of the closed right-of-way known as Ashland Avenue. Mayor Hatley read the ordinance by title and called for a motion. The motion to approve was made by Councilman Collins and seconded by Councilwoman Fontana. Mayor Pro Tempore Baldwin stated this was a piece of property that the City owned but could not use and the church could.

   Mayor Hatley opened the floor for public comment.

Pastor Greg Hyler, 200 Highway 17 South, North Myrtle Beach, thanked the City on behalf of First Baptist Church and congratulated the City on being voted #1. Mayor Hatley thanked Pastor Hyler and First Baptist Church for being a good neighbor to the City.

Having no further comment from Council or public, Mayor Hatley called for a vote. The motion to approve passed 7-0.

C. ORDINANCE/FIRST READING: To authorize the City Manager, in conjunction with the Parks and Recreation staff, to establish rules for the City's parks and recreational areas and facilities. Mayor Hatley read the ordinance by title and called for a motion. The motion to approve was made by Councilwoman Fontana and seconded by Councilman Thomas. Mayor Pro Tempore Baldwin asked what these rules entailed and why this had come up. Manager Mahaney explained the change was necessary to control what was allowed in the City's parks and to avoid unwanted activities.

Having no further comment from Council or public, Mayor Hatley called for a vote. The motion to approve passed 7-0.

D. ORDINANCE/FIRST READING: Parking fee adjustment in city-owned public parking lots and rights-of-way. Mayor Hatley read the ordinance by title and called for a motion. The motion to approve was made by Councilwoman Fontana and seconded by Councilman Thomas. Councilman Collins stated the option of a maximum amount was discussed at the last meeting and asked why that was not included. Manager Mahaney explained the Parking Manager advised against that option but it could be added. Mayor Hatley stated she did not have a problem with a day pass but did have a problem with it being $10 to $15. She added the City was spending millions of dollars on purchasing land for parking and spending hundreds of thousands of dollars preparing the property. Charging for parking has helped with purchasing these properties. She stated if a day pass was to be offered, it would need to be $25 to $35. Manager Mahaney stated if a day pass was offered, he suggested offering them for side streets only due to the cost of buying ocean front property. Mayor Pro Tempore Baldwin stated he felt it was worth researching since other coastal cities were offering a day pass. Mayor Hatley explained this was a first reading and felt the Council should pass the ordinance and attain more information on day passes for the next meeting. Councilman Thomas added that compared to other states, $4 an hour was more than reasonable and there would not be any parking without the City's efforts. Councilwoman Fontana asked what the cost was for the restroom facilities. Manager Mahaney stated the cost for restroom facilities at Hog's Inlet and McLean Park was $750,000. Director Blayton confirmed the cost for two small restrooms was almost $800,000. Mayor Hatley added that facilities and ocean front property were very expensive and the majority of the cost was covered by revenue from paid parking. She asked for the possibility of day passes still be researched before the next meeting.

Having no further comment from Council or public, Mayor Hatley called for a vote. The motion to approve passed 7-0.

E. ORDINANCE/FIRST READING: Amendment to the lease agreement between the City of North Myrtle Beach and Apex Water Park, LLC. Mayor Hatley read the ordinance by title and called for a motion. The motion to approve was made by Councilwoman Fontana and seconded by Councilman Skidmore. After a discussion regarding the ordinance, Matt Gibbons, Director of Parks and Recreation, stated that the City had the ability to audit the books and explained that $112,000 was generated last year from Apex Water Park. The other vendors at the park paid 8 percent and he felt keeping the same standard for all vendors was advisable. Councilman Collins asked if the minimum would be $22,000 but the City would get 8 percent whichever was greater and last year it was $112,000. Director Gibbons confirmed that was correct.

Having no further comment from Council or public, Mayor Hatley called for a vote. The motion to approve passed 7-0.

8. PUBLIC COMMENT:

Mayor Hatley opened the floor for public comment.

Barbara MacKinnon, 323 59th Avenue North, North Myrtle Beach, stated she was looking forward to the workshop on Wednesday, February 21, 2024, to hear the Council's thoughts. Ms. MacKinnon shared that California was reversing their approval of 2.25 mil bags because although the bags say they were reusable, they were not being reused. The weight of plastic bags discarded per person had gone up 44 percent. Ms. MacKinnon added that Charleston had already closed the 2.25 mil loophole, as had several other South Carolina communities and she urged the Council to do the same. She asked the City to learn from California's experiment and reverse the 2.25 mil decision. She added it took California ten years but North Myrtle Beach could make the change in a year and a half. Ms. MacKinnon explained she had done research on sea turtle feeding behavior and found no reference to sea turtles differentiating between different weights of plastic film but there was evidence that marine life ate all types of plastics with plastic bags being one of the major problems. Ms. MacKinnon stated her understanding was that the ordinance allowing 2.25 mil bags was temporary and asked the Council to finish the good thing they started. She added the real answer was for everyone to bring their own bag. Mayor Hatley thanked Ms. MacKinnon for her input.

Cindy Parker, 315 60th Avenue North, North Myrtle Beach, read her statement:

> I'm Cindy Parker. I live in Cherry Grove Beach. I come before you today with a heartfelt plea. Our marine environment is at a critical point, and we need to take action. My husband and I pick up trash whenever we walk the beach and when kayaking in the marsh and inlet. The vast majority of the trash is plastic. Even one plastic bag tossed to the wind is one too many when it jeopardizes our ecosystems and our wildlife. Some businesses aren't complying with the plastic bag regulations. They've made excuses about the supply chain. At the very least, these businesses could provide no bag or charge a small fee. There were businesses in the city doing that before the plastic bag regulations. As a conscientious consumer, I've chosen to no longer shop in establishments that don't prioritize the plastic bag policy. Maybe these businesses don't realize that they're missing out on my business, but I must draw the line in the sand somewhere. I suggest the implementation of a complete ban on plastic shopping bags, irrespective of thickness. The safest options for our environment and our wildlife are paper bags, real reusable shopping bags, or no bag at all. By transitioning to eco-friendly alternatives, businesses not only align themselves with the values of our community but also appeal to the growing market of environmentally conscious visitors. I served on the bag committee, conducted thorough research, and compiled the information, which I shared with the committee. The data indicates that cities with the greatest success eliminated plastic bag usage. Businesses in successful cities charge or provide free environmentally safe bags, yet our City Council decision-makers opted to ban thin plastic bags while permitting thicker ones. As a retired South Carolina public school and university educator, I'm willing to assist in planning and delivering an educational program on the transition from plastic to safer alternatives for businesses, residents, and visitors. North Myrtle Beach can and should lead the way by letting our visitors know that we care by practicing environmental stewardship, ensuring that our seaside town becomes a beacon of sustainability and natural beauty for years to come. I'll see you here for the plastic bag workshop on Wednesday at 1 :30. Thank you.

James Stroupe, 2400 Fern Street, North Myrtle Beach, stated he lived next to the Hill Street Park Village project which was almost ready to be built. He thanked Councilman Thomas for coming out last week to talk with him and his neighbors about their flooding issues. Mr. Stroupe asked the Council to help him because he did not want to sue. He stated the company filled in a natural wetland which put him in the lowest spot and he had experienced water up to three feet deep at times in his back yard. Mr. Stroupe stated he had contacted the City Engineers but his phone calls were not returned. He pleaded for the Council's assistance. Mr. Stroupe stated he wanted to go on record that the Council should be ashamed for approving 31 houses on 5 acres.

Mayor Hatley asked if the homes were townhouses and if they were small. Director Wood stated they were single-family in common and were small but not tiny homes. Mayor Hatley stated Mr. Stroupe had a problem and the City needed to address it, see where the problem was, and how to address it. Manager Mahaney agreed that it would be checked into. Mr. Stroupe asked if someone would contact him and let

him know what went on because he had not gotten a call back in the past. Mayor Hatley assured Mr. Stroupe that the staff would look into his problem and thanked him.

Ronnie Leonhardt, 2410 Fern Street, North Myrtle Beach, thanked Councilman Thomas and the Assistant City Manager, Ryan Fabbri, for meeting with three property owners in his neighborhood. Mr. Leonhardt reminded the Mayor and Council that townhomes were turned down previously. He stated the land was zoned R-3 and there would have been 23, with a maximum of 25 single-family homes but Hill Street access was denied. Mayor Hatley stated the Council could not entertain hearsay. Mr. Leonhardt stated he just wanted to clarify that 23-25 homes were turned down earlier and thanked the Council and Mayor for their time.

Damien Triouleyre, 902 Perrin Drive, North Myrtle Beach. Mr. Triouleyre stated he had been working with the City for 6-7 years and this was a good example of how the City was willing to listen like they did with Ingram Dunes. He further commended the City for hosting the SC Beach Advocates Conference and for attending every day. Mr. Triouleyre noted he was representing Preserve Waites Island and he thanked the City for working with the state and the family owners on making this a state park that would be preserved in its natural state. Mr. Triouleyre noted that Manager Mahaney hired good people and thanked the staff for their hard work. Mayor Hatley thanked Mr. Triouleyre for sharing.

Councilman Thomas added to the earlier discussion on Hill Street. He questioned if the 15-inch drainage pipe would be a problem if the Developer split the drainage and what could be done to accelerate the state to fix the issue. Director Blayton replied that Hill Street was a state road and there wasn't much the City could do to speed up their maintenance operation. He added it was very difficult to get the state to come in on secondary roadways within City limits, but his department had already asked and was awaiting a response. Councilman Thomas asked if a secondary fix was a possibility considering the project had already been approved and the state may take 2-3 years. Director Blayton stated there were already downstream issues in the same drainage space, but the City could not increase the pipe size and dump water on property owners without potential repercussions.

Ronnie Leonhardt, 2410 Fern Street, North Myrtle Beach, asked if he could thank Dana Hamilton for working with him for over 15 years and added he knew the City would fix the problem.

9. <u>ADJOURNMENT</u>:

Mayor Hatley thanked everyone for attending and called for a motion to adjourn. The motion was made by Councilman Collins and seconded by Councilman Thomas. The motion passed 7-0. The meeting adjourned at 8:03 PM.

Respectfully submitted,

Allison K. Galbreath, City Clerk

_____

MARILYN HATLEY, MAYOR

Minutes approved and adopted this 4th day of March, 2024