

**CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA
NORTH MYRTLE BEACH CITY HALL
SPECIAL CALLED CITY COUNCIL MEETING
Thursday, September 19, 2024, 1:30 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.

2. EXECUTIVE SESSION:

Mayor Hatley called for a motion to go into Executive Session for a discussion pertaining to a legal briefing regarding §5-13-70 of the South Carolina Code of Laws. The motion was made by Mayor Pro Tempore Baldwin and seconded by Councilman Skidmore. The motion passed 7-0. The Council returned to Chambers at 2:08 PM. The Mayor announced that no votes were taken and called for a motion to come out of Executive Session. The motion was made by Mayor Pro Tempore Baldwin and seconded by Councilman Collins. The motion passed 7-0.

3. BUSINESS:

- A. A Resolution of the City Council for the City of North Myrtle Beach, South Carolina to approve the Notice of Removal of the City Manager in accordance with the South Carolina Code of Laws §5-13-70 and to approve the document entitled, "Notice of Removal Statement of Specific Reason(s)."
- B. A Resolution of the City Council for the City of North Myrtle Beach, South Carolina to place the City Manager on administrative leave with pay pending a final decision of the City Council to remove the City Manager pursuant to the requirements of §5-13-70 of the South Carolina Code of Laws and to name Assistant City Manager, Ryan Fabbri, as the Acting City Manager during the administrative leave time frame.

Mayor Hatley read the Resolutions by title and gave Chris Noury, City Attorney, the floor. Mr. Noury read the first Resolution in its entirety, including the Notice of Removal Statement of Specific Reason(s) which stated, "City Manager Mike Mahaney did not pursue the hiring of a Grants Coordinator despite being urged to do so by multiple members of City Council on or about February 21, 2024, and February 22, 2024."

Mayor Hatley called for a motion to approve the Resolution, as presented. The motion was made by Mayor Pro Tempore Baldwin and seconded by Councilman Skidmore. Mr. Noury stated the vote of the Council would be taken by poll beginning with the Mayor Pro Tempore and ending with the Mayor. Allison Galbreath, City Clerk, individually polled the Council. The motion to approve passed 5-2. Councilman Coyne and Councilwoman Fontana voted nay.

Mrs. Galbreath presented the Resolution to the Council for their signatures. Then provided the City Manager, Mike Mahaney, with a copy of the signed Resolution, the Notice of Removal for Specific Reason(s), and Code Section §5-13-70. Mr. Noury asked that the record show the City Manager received a copy of the signed Resolution, the Notice of Removal for Specific Reason(s), and the Code Section §5-13-70. Mr. Noury stated the City Manager would have five (5) days from today's date to request, in writing, a hearing regarding the specific reason for removal which would be September 24, 2024, by 5:00 PM, close of business.

Mr. Noury read the second Resolution in its entirety. Mayor Hatley called for a motion to approve the Resolution, as presented. The motion was made by Mayor Pro Tempore Baldwin and seconded by Councilman Skidmore. Mr. Noury stated the vote of the Council would be taken by poll beginning with the Mayor Pro Tempore and ending with the Mayor. Mrs. Galbreath individually polled the Council. The motion to approve passed 5-2. Councilman Coyne and Councilwoman Fontana voted nay.

Mrs. Galbreath presented the Resolution to the Council for their signatures. Mr. Noury stated this concluded the business items on the agenda and there would not be any public comment.

Mayor Hatley called for a motion to adjourn. The motion was made by Mayor Pro Tempore Baldwin and seconded by Councilman Thomas. The motion passed 7-0. The meeting adjourned at 2:27 PM.

Respectfully submitted,

Allison K. Galbreath, City Clerk

MARILYN HATLEY, MAYOR

Minutes approved and adopted this 7th day of October 2024