

**CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA
NORTH MYRTLE BEACH CITY HALL
CITY COUNCIL MEETING
Monday, October 7, 2024, 6:30 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.

1B. EXECUTIVE SESSION:

Mayor Hatley called for a motion to go into Executive Session for a discussion regarding a potential land acquisition. Chris Noury, City Attorney, asked the Council to include a legal briefing regarding the documents for the Bahama Island PDD Development Agreement and the Bahama Island PDD documents. The motion was made by Councilman Collins and seconded by Councilwoman Fontana. The motion passed 7-0. The Council returned to Chambers at 7:10 PM. Mayor Hatley announced that no votes were taken at the session and called for a motion to adjourn the Executive Session. The motion was made by Councilwoman Fontana and seconded by Councilman Thomas. The motion passed 7-0. The regular meeting started at 7:10 PM.

1C. CONTINUATION OF CALL TO ORDER:

Jay Ortiz, Public Safety Chaplain, delivered the invocation.

Mayor Hatley led the Pledge of Allegiance.

2. MINUTES:

The motion to approve the minutes for the City Council Meeting of Monday, September 16, 2024, and the Special Called City Council Meeting of Thursday, September 19, 2024, as presented, was made by Mayor Pro Tempore Baldwin and seconded by Councilwoman Fontana. The motion to approve passed 7-0.

3. COMMUNICATIONS:

Mayor Hatley read a Proclamation designating October 20-26, 2024, as GFWC North Myrtle Beach Women's Club Advocates for Children Week. Mayor Hatley commended the members for their dedication and work in the City and the community.

Mayor Hatley stated the Department Monthly Reports for August 2024 were available online.

4. **ANNOUNCEMENTS BY MAYOR AND CITY COUNCIL:**

Mayor Hatley shared that the Irish-Italian Festival over the weekend was awesome and she thanked the Parks and Recreation, Public Safety, and Public Works Departments for their part in making this event successful. She asked how many attended the event. Matt Gibbons, Parks and Recreation Director, stated they estimated between 20,000-25,000.

Mayor Pro Tempore Baldwin commended Billy Floyd, Fire Chief, and the First Responders for taking time away from their families to volunteer their help to the upstate hurricane damaged areas. Councilman Collins agreed and also thanked the teams that participated.

5. **CONSENT:**

None

6. **UNFINISHED BUSINESS:**

A. **ORDINANCE/SECOND READING:** Amendment to the Parkway Group Planned Development District (PDD) revising neighborhood three (Wax Myrtle) at Waterside. Mayor Hatley read the ordinance by title and called for a motion. The motion to approve was made by Mayor Pro Tempore Baldwin and seconded by Councilman Collins. Mayor Hatley stated the changes Council requested at the last meeting were not made and she asked Robert “Shep” Guyton, representative for the Developer, to respond. Mr. Guyton stated there were 3 neighborhoods originally approved and one was revised from townhomes to single-family. He stated the Developer now proposed to revise the single-family neighborhood to allow for an ECO-SPAN bridge rather than 2 box culverts. He added there had been previous drainage issues and an ECO-SPAN bridge was a better option and would not impede the water flow through the area. He stated Council was of the impression that the ECO-SPAN bridge was less expensive but it was actually approximately \$75,000 more than box culverts. Mr. Guyton stated the Developer asked to increase the density by 9 units to offset the cost. He also stated he understood staff’s position on not increasing density but he wanted to point out that the original approval allowed 538 units and if this was approved, the total units would be 467, including the additional 9 units, which would offset the cost for the ECO-SPAN bridge.

Councilman Thomas asked if the culverts were a design flaw in the beginning from an engineering standpoint. Mr. Guyton stated since there had been problems with outfall in the area, the Developer felt the ECO-SPAN bridge made better sense, was more aesthetically appealing, and there would be no wetland impact. Mayor Pro Tempore Baldwin added his concern was the removal of the retention ponds. He added he felt the houses would be more valuable backing up to a lake and that could help offset costs for the Developer. Mr. Guyton stated the Developer had also increased the stormwater above the project which abuts the outfall in an effort to preserve the two strands of trees on both sides of the outfall. Mayor Hatley asked if all the trees in the area could be preserved if an ECO-SPAN bridge was built. Mr. Guyton stated the trees on the opposite side could be preserved in the area where a second road was proposed. Mayor Hatley asked if the trees would be cut down if the culverts were installed and Mr. Guyton confirmed that was correct. Councilman Coyne asked what the advantage was and Mr. Guyton stated 2 lots would not be cleared and the trees would stay. Councilwoman Fontana asked where the extra 9 lots would be. Mr. Guyton explained space was added with the removal of old bridges over the outfall and the lots would be spread throughout the whole project. Councilwoman Fontana stated she was not in favor of increasing the density. Councilman Thomas stated he felt the existing plan was better with lots on the lake. Mayor Hatley stated she didn’t see where the changes helped anyone other than the Developer. Mayor Pro Tempore Baldwin questioned if the trees were saved on both plans and Mayor Hatley confirmed they were. Councilman Skidmore and Mayor Pro Tempore Baldwin asked what City staff

recommended from an engineering standpoint. Kevin Blayton, Public Works Director, stated his department did not have a preference at this point because they had not seen detailed sizing and design for the culverts. He added either plan would be approvable subject to engineering details. Mayor Pro Tempore Baldwin stated he would like to save the trees and would also like to see the lakes remain. He asked if adding 2-3 lots would not balance the \$75,000 cost for the bridge. Mr. Guyton stated it was not on the current plan. Mayor Pro Tempore Baldwin added that one lot should be worth \$75,000. Hearing Council's concerns, Mr. Guyton offered to research this further and come back with a different plan. Mayor Hatley agreed and asked Mayor Pro Tempore Baldwin if he would be willing to amend his original motion and table the decision until the next meeting.

Mayor Pro Tempore Baldwin amended his original motion of approval to a motion to table until the October 21, 2024, City Council meeting allowing the Developer to respond to Council's concerns. Councilman Collins seconded the amended motion.

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

- B. ORDINANCE/SECOND READING: Amendments to Chapter 20, Land Development Regulations, of the Code of Ordinances of North Myrtle Beach, South Carolina, addressing building permits for illegal subdivisions. Mayor Hatley read the ordinance by title and called for a motion to approve. The motion to approve was made by Councilwoman Fontana and seconded by Councilman Coyne. Mayor Hatley asked the reason for the amendment. Jim Wood, Planning and Development Director, explained a project on Sea Mountain Highway instigated the need. He stated new owners were unable to attain building permits for properties that had been illegally subdivided by previous owners, therefore, they were unable to maintain and bring the buildings up to code.

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

- C. ORDINANCE/SECOND READING: Amendment to Bahama Island Development Agreement (PDD) revising access and offsite improvements. Mayor Hatley read the ordinance by title and called for a motion to approve. The motion to approve was made by Councilwoman Fontana and seconded by Councilman Skidmore. Mayor Hatley stated all Department Heads had signed off on this and the Planning Commission recommended approval. She added that she felt the Developer had done all they could do because the county would not work with them on the road and they had added \$713,000 to the City for additional off-site roadway improvements. Mayor Hatley stated the only other change was increasing the maximum rental term beyond 90 days.

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

- D. ORDINANCE/SECOND READING: First Amendment to the Bahama Island Phase II Master Development Agreement and to authorize the Acting City Manager to sign the document on behalf of the City. Mayor Hatley asked Acting City Manager Fabbri to read the ordinance by title and called for a motion to approve. The motion to approve was made by Councilwoman Fontana and seconded by Councilman Collins.

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

7. **NEW BUSINESS:**

- A. **ORDINANCE/FIRST READING:** Petition for Annexation and Zoning Designation for ±1.04 acres on Riverside Drive. Mayor Hatley asked Acting City Manager Fabbri to read the ordinance by title and called for a motion to approve. The motion to approve was made by Councilwoman Fontana and seconded by Mayor Pro Tempore Baldwin. Mayor Pro Tempore Baldwin stated this was to fill another doughnut hole in the city.

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

- B. **ORDINANCE/FIRST READING:** Petition for Annexation and Zoning Designation for ±0.86 acres on Riverside Drive. Mayor Hatley asked Acting City Manager Fabbri to read the ordinance by title and called for a motion to approve. The motion was made by Mayor Pro Tempore Baldwin and seconded by Councilwoman Fontana. Mayor Hatley stated this was the same as the previous item. She added they were already receiving City police and fire services and should be paying City taxes.

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

- C. **ORDINANCE/FIRST READING:** To reconvey to Meritage Homes of the Carolinas the streets and drainage system identified as Copper Creek Loop and Dunes Point Way in Waterside neighborhood. Mayor Hatley read the ordinance by title and called for a motion to approve. The motion to approve was made by Councilwoman Fontana and seconded by Councilman Thomas. Mayor Hatley asked if this was to correct a mistake by the Developer. Chris Noury, City Attorney, confirmed it was. He stated Meritage Homes incorrectly deeded the streets to the City as public streets but the Planning Commission approved the streets as private streets and the recorded plat shows them as private streets. The City will deed the streets back to the Developer by quitclaim deed to correct the problem. Councilman Collins asked if the Developer would cover the cost and Mayor Hatley confirmed they would.

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

- D. **ORDINANCE/FIRST READING:** To amend the Intergovernmental Agreement between North Myrtle Beach and Horry County regarding the Joint County and Industrial Park to include additional property. Mayor Hatley asked Acting City Manager Fabbri to read the ordinance by title and called for a motion to approve. The motion to approve was made by Councilwoman Fontana and seconded by Councilman Collins. Mayor Hatley stated Council could see the area being annexed on the map and this would not prevent the Council from having input on the look of the buildings and roads and it would have no effect on what Council was able to do in the future.

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

8. **PUBLIC COMMENT:**

Damien Triouleyre, 901 Perrin Drive, North Myrtle Beach, stated he found Council's discussion encouraging. He added that type of discussion would not have happened 5-6 years ago. He thanked the Council for preserving as much land and trees as possible. Mr. Triouleyre stated he felt the City was going in the right direction. He added that he felt the Police Department was becoming more community oriented and he credited Chief Crowell for that.

Jim Wood, Planning and Development Director, introduced his friend, Michael Cheyne, from Boston, Lincolnshire, England, who was attending the meeting to get insight on how the American form of council government worked. Mayor Hatley welcomed Mr. Cheyne.

9. **ADJOURNMENT:**

Mayor Hatley called for a motion to adjourn. The motion to adjourn was made by Councilwoman Fontana and seconded by Councilman Collins. The motion passed 7-0. Mayor Hatley thanked everyone for attending and the meeting was adjourned at 7:51 PM.

Respectfully submitted,

Allison K. Galbreath, City Clerk

MARILYN HATLEY, MAYOR

Minutes approved and adopted this 21st day of October 2024