

**CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA
NORTH MYRTLE BEACH CITY HALL
CITY COUNCIL MEETING
Monday, November 4, 2024, 6:00 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 legal briefing regarding a potential lawsuit between La’Nisha Hemingway and the City of North Myrtle Beach, a discussion of a potential contract between the City of North Myrtle Beach and Mercer Group, and a legal briefing regarding the Interim City Manager position. Chris Noury, City Attorney, asked that a discussion regarding a potential property acquisition be added to the Executive Session. The motion was made by Councilwoman Fontana and seconded by Councilman Collins. The motion passed 7-0. The Council returned to Chambers at 7:03 PM. The regular meeting started at 7:03 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, October 21, 2024, and the Special Called City Council Meeting of Tuesday, October 22, 2024, as presented, was made by Councilwoman Fontana and seconded by Councilman Thomas. The motion to approve passed 7-0.

3. COMMUNICATIONS:

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

4. ANNOUNCEMENTS BY MAYOR AND CITY COUNCIL:

Mayor Hatley shared that Rob Keeter had recently passed away. She added that he absolutely loved his City. He volunteered with Keep North Myrtle Beach Beautiful and many other groups on the city, state, and federal levels. She noted that Mr. Keeter helped with the City parades, was a member of the Tree Board, Planning Commission, and many others. She stated he gave much of his time to the City and would be greatly missed. Councilman Collins stated the Push In Ceremony of the new

fire truck at the Barefoot Fire Station was a very nice ceremony. Councilwoman Fontana stated the Taste of Fall was a nice event and encouraged everyone to attend next year.

5. **CONSENT:**

RESOLUTION: An Amendment to a Resolution authorizing the Mayor and City Council to execute an American Rescue Plan Act Stormwater Infrastructure Program Agreement between the City of North Myrtle Beach and the South Carolina Office of Resilience to fund a Stormwater Infrastructure Improvement Project that will mitigate the impact of future disasters. Mayor Hatley read the Resolution by title and called for a motion. The motion to approve was made by Councilman Collins and seconded by Councilwoman Fontana. Councilman Thomas thanked Kevin Blayton, Public Works Director, and his staff for the work put into this agreement which saved the City money by securing state funding.

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

6. **UNFINISHED BUSINESS:**

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 postpone was made by Councilwoman Fontana and seconded by Mayor Pro Tempore Baldwin.

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

7. **NEW BUSINESS:**

A. ORDINANCE/FIRST READING: Petition for Annexation and Zoning Designation for ±58.3 acres at the intersection of Highway 22 and Highway 31. Mayor Hatley read the ordinance by title and called for a motion. The motion to approve was made by Councilman Thomas and seconded by Councilman Coyne. Councilman Thomas stated this item had been before Council for several years and he was not in favor of annexing any more property outside the City limits. He added that the property was zoned CFA in the county and could be developed with the same process in the county. Councilman Thomas stated he felt stormwater was one of the biggest issues. Mayor Hatley agreed and stated she and Council had received a letter from the Barefoot Resort President with watershed and stormwater information. She felt there was a lot of misconception on those items. She asked for clarification from Director Blayton on those items and how they affected all parties.

Director Blayton shared a presentation and explained the 4 original basic drainage basins that were designed in the mid to late 1990's from the Stormwater Master Plan that were still holding true, even with the construction of properties, highways, and roads within Barefoot Resort and the surrounding area. Director Blayton explained the watersheds and drainage basins within Barefoot Resort. He stated the maps were updated in 2021 and updated again last week. He added that all the developments have met the drainage requirements based on the 25-year design, which future developments would be required to meet. Mayor Hatley asked Director Blayton if this property would have any effect on Outfall #2, if it were developed. Director Blayton stated if it were designed properly to meet the City's ordinance, it would have negligible effect on Outfall #2. Mayor Hatley asked if the development would be required to maintain their water on their property. Director Blayton confirmed that was what the current ordinance required.

Councilman Thomas asked if litigation was involved and what it was about. Director Blayton stated an action was taken by Harbour Cove naming multiple defendants. The case was mediated, and Outfall #2 was declared to be the sole maintenance responsibility of the Barefoot Resort HOA. Director Blayton added there was pending cross-litigation concerning Tuscan Sands which was on the other side of Outfall #2. Councilman Thomas asked if the litigation was more about maintenance and not drainage and Director Blayton confirmed that it was not a capacity problem but a maintenance and maintenance cost problem among several HOA's in Barefoot Resort. Mayor Hatley asked how many residents there were in the original plan. Suzanne Pritchard, Assistant Director of Planning and Development, stated 6500 residential dwelling units and 388,000 square feet of commercial property were in the original plan. Councilman Thomas asked where it was now. Assistant Director Pritchard stated presently there were 3912 residential dwelling units and 10,800 square feet of commercial property. Councilwoman Fontana stated that was under the planned number. Mayor Hatley stated the system was designed for 6500 homes and there were 3200 homes presently. She added the development would add 59 homes.

Councilman Coyne asked for clarification on the retention ponds and Outfall #2. Director Blayton explained that the final drainage plan would be required to meet SCDOT drainage calculations and determine the volume of water coming off the series of ponds and account for that in the design. Mayor Hatley asked Robert 'Shep' Guyton, representative for the Developer, if he had attained another engineer to do a study. Mr. Guyton stated he had not but the engineer for the project was acutely aware of the storm drainage issues for this basin and what would be required in order to comply. He added that the Developer had talked with the Planning Department and agreed to adopt the Horry County Stormwater ordinance which was more restrictive than the City's ordinance. It would require a 20% reduction in stormwater instead of staying level with pre-development. Councilwoman Fontana stated that with the current CFA zoning in the county, the property could allow 200 dwelling units or 2 per acre and 300 townhomes or 3 units per acre. Councilman Skidmore asked if accepting the development would create legal liability for the City due to having knowledge of the litigation. Mr. Noury stated that, as mentioned before, the water flow from the property into Outfall #2 would be minimal and the Developer would be required to manage the stormwater onsite. He added that any additional water flow from the development into Outfall #2 should not adversely impact the existing lawsuit. Councilman Thomas clarified again that the lawsuit was about who was responsible for maintenance and not the design. He added that it appeared to be working like it was supposed to.

Mayor Hatley asked Jim Wood, Director of Planning and Development, if annexation of this development would cause any complications and if it fit in the area. Director Wood stated the request was for large lot, single-family dwellings and was comparable to the homes and lot sizes in Leatherleaf. He added it was consistent from a land use standpoint and comparable to the development in the area. Director Wood stated staff had no issues as long as it was designed properly. He noted it appeared that the stormwater would be held to a higher standard than was required. Councilman Coyne asked how Horry County's post development standards compared to the City's. Director Blayton stated the county had a more stringent post-development standard than the City. He added the county updated their standards within the last 5 years and the City had not updated in approximately 15 years. He stated the county required a 20% deduction in post-development run-off but was at the same 25-year storm design. Director Blayton stated this might be something the City would want to look at in the future. Mayor Pro Tempore Baldwin stated he wanted to hear from the residents and that he was concerned about the density issue. He added there were other concerns with buffers, lot size, safety issues, and resident concerns about safety with the entrance proximity to the Highway 31 overpass. He

stated he had spoken against this property every time due to the residents' opposition but was concerned with what could be built on the site if it remained zoned CFA in the county. Mayor Hatley asked Mr. Guyton to address the concerns.

Mr. Guyton went over various concerns that had been raised during the previous meetings. He stated the environmental and drainage concerns had been addressed. He added the density of homes was due to clustering the homes in one area and the Developer had made a conscious effort to permanently maintain a buffer of trees in the area. He added R-1 was one of the recommended uses and it was compatible with the Comprehensive Plan. He stated one of the letters that was sent to Council referenced an 8-acre tract but explained that the 8-acres had been in the PDD since 1998. He added the proposed amendment would not be developed but used as an access road to the property. He stated that Barefoot was designed for 6500 homes and 400,000 square feet of retail property and the design well outweighed what was presently there. He added he did not feel 59 lots would contribute to quality-of-life issues. He stated the buffers of trees would enhance the quality of life for the residents. Mr. Guyton stated the proposal would not remove any vegetation and the access road would be smaller and further away from the residents. With this proposal, the vegetation would be increased. Mr. Guyton stated the lot size, the sprinkler requirement, and the home size defined this as a custom home neighborhood. Mr. Guyton stated, due to the Council's concerns with the density, the Developer was willing to drop to 49 units instead of 59 so that it would comply with the standard single-entry requirement. Mr. Guyton stated the reasons he felt the proposal should be approved was the uncertainty as to what would be built if it remained in the county. He added that the City could enforce their regulations which were more friendly to the residents than the county, the proposed lot size, density, and home size would maintain property values, and the uses were all compatible. Mr. Guyton referenced previous controversial decisions made by the Council that turned out to be great successes including the Aquatic and Fitness Center and the Sports Park. He stated that if not approved, the results could be less desirable than what was proposed. Councilman Skidmore asked if the access road was being pushed closer to the overpass. Mr. Guyton confirmed that it was closer to the overpass and was changed to a paved multi-purpose path at the Planning Commission's suggestion. He added that Director Blayton confirmed a flashing light would not be needed based on 49 homes.

Mayor Hatley asked Director Blayton about the impact 49 homes would have on the road. Director Blayton stated it would not make a lot of difference. He added the intersection design was never about traffic but was more about traffic safety and sight distance. Mayor Hatley stated the residents were concerned with the volume of traffic that 49 homes would create. Director Blayton stated it would not be a lot of traffic for that many homes.

Rick Rush, Tuscan Sands HOA President, 2109 Mirabel Court, North Myrtle Beach, stated he previously submitted a 64-page report that was part of a lawsuit to Council that stated the development drains into Outfall #2. He stated he also had an engineer report from Steven Moore that shows if roads were put in and trees were taken down, it would add 3265 gallons of water per minute with 9½ inches of steady rain. Mayor Hatley asked Director Blayton if the development would not have to contain their own drainage. Director Blayton stated he had not seen the Moore report but that was probably just a raw run-off number from an assumed level of development. Mr. Rush stated on September 9, 2020, 9½ inches of rain caused the water to rise 28 feet over a resident's patio and wash away the bank. He added there was damage on the Tuscan Sands side and the Harbour Cove side. He stated this had been repaired but there were still problems with Outfall #2 and more water could not be put into it.

John Karpovich, BRRRA Board of Directors, 5100 Stonegate Drive, North Myrtle Beach, stated he would like to clarify information that was given to Council by the former President stating

this development would be in the best interest of Barefoot Landing. He stated the residents of Barefoot Landing were never polled on this previously but had been polled recently. He presented a pie chart depicting 95% opposed, 4% in favor, and 1% indifferent. He stated the results were per door. Mayor Hatley asked how the question was written. Mr. Karpovich stated it was written by the Board, but he did not have that with him. Mayor Hatley stated poll questions could be slanted, and she had a hard time accepting the numbers without seeing the wording. Mr. Karpovich stated he would provide the information to Council after the meeting.

Bobbi Reaves, 5108 Windy Pines Drive, North Myrtle Beach, stated this was a one question survey and asked Mr. Karpovich how many residents responded. Mr. Karpovich stated 571 responded. She stated there were 3200 homes in Barefoot. She stated that most people were against the project, but she was for it. She added 49 homes would not impact Barefoot in a negative way, but the unknown development could. She stated she did not feel there was a reason not to approve the project. She stated her main concern was if the project was refused one more time, the owner of the property may sue Barefoot.

Alan Simeon, 5700 Seabird Court, North Myrtle Beach, stated this development affected him personally. Mayor Hatley asked how this affected him personally. He stated the proposed road would be directly behind his house and he asked how many years it would take to build the development. Mayor Hatley stated it was a small project with only 49 homes and would not take long. Mr. Simeon read two points from his statement:

The Association's understanding is that Council shall consider the following two factors in evaluating this application: Factor A: the relationship of the request to the Comprehensive Plan and whether the request violates or supports the plan. The future Land Use contained in the 2018 Comprehensive Plan recommends resource protection and conservation as a Land Use class for the subject area. The principle permitted use noted in the compliance index included formal parks, informal open spaces, and protecting land directly adjacent to marshes, estuaries, waterways from intense development. The recommended Primary Uses District is Conservation Protection. Single-Family R-1, R-1A and R-1B is secondary. Now, Factor B: the relationship of the request to the Comprehensive Plan, the Association would respectfully assert and cite the following: Chapter 5, The Way We Grow, of the 2018 Comprehensive Plan identifies the resource protection and conservation of future land use classifications as follows: Areas with this designation are intended to preserve and protect scenic and natural resources for future generations. This includes protecting land directly adjacent to marshes, estuaries, waterways from intense development. The areas also provide a network of open space and not-renewable resources. Formal parks and informal open spaces are included here. The proposed PDD zoning is inconsistent with the Resource Protection and Conservation Land Use classification found in the 2018 Comprehensive Plan. And again, we are under litigation. The study that was put up by an engineer as how the outfall was designed is practically causing the outfall to collapse right now.

Mayor Hatley stated that things had changed since 2018, and the Comprehensive Land Use Plan was a tool to use and follow but it also would not have the second uses if you had to stick strictly to what was on there. Mayor Hatley asked what the second use was. Director Wood stated the secondary recommended use included R-1 and the request was for R-1. He added any time you did a plan, it is a snapshot in time of the conditions that were in effect at the time, and it contemplated that there could be change. He added the Comprehensive Plan states reasons that the Planning Commission can cite when there is a change in the area and recommends the secondary use instead of the primary. Councilman Thomas asked for clarification on the map included on 7B concerning the trees behind Mr. Simeon's house and asked if his home would have a 125' buffer. Mr. Guyton confirmed it would.

Susan Platt, 942 South Ocean Boulevard, North Myrtle Beach, thanked Mayor Hatley for bringing up the Comprehensive Plan and noted there were 5 years of revisions to the plan. She

asked when the plan had been revised. Ryan Fabbri, Acting City Manager, stated staff had started the process of attaining engineers to help the City revise the Comprehensive Plan. Ms. Platt asked if it was required to be updated every 5 years. Manager Fabbri stated the intent was to revise the plan every 5 years, but many factors played into that timeline, such as Covid. Ms. Platt asked if that wasn't a state mandate. Manager Fabbri stated state law mandated updates every 10 years with an effort to update the plan every 5 years. Ms. Platt stated a reference had been made that Horry County allowed clear cutting but, due to complaints, the county had a new zoning that was preservation rezoning which called for a 300' buffer.

Gregory Snow, 5210 Windy Pines Drive, North Myrtle Beach read the following statement:

Thank you, Mayor and Council Members for allowing me to speak. I am here to express serious concerns regarding the proposed Barefoot Lakes development, which highlights significant issues in our city's compliance with its own standards and state law. This project is under consideration without the guidance of a current comprehensive plan—a foundational document that expired last year. Without it, we risk decisions that don't align with sustainable growth principles and place the City at odds with South Carolina Law. The need for an updated Comprehensive Plan is critical. Under South Carolina Law, municipalities must maintain an up to date plan to guide responsible growth. North Myrtle Beach's plan expired last year, and its absence places critical gaps in our oversight and accountability. Proceeding with major projects like Barefoot Lakes under an outdated plan could lead to impacts that aren't in the best interests of the community and reflects a serious lack of compliance. The Barefoot Lakes proposal itself shows a disconnect with City standards. Without an updated plan, we're already seeing this project's misalignment with our previous planning goals. For example, the environmental standard. Stormwater management concerns remain unresolved, especially with Tuscan Sands and Outfall #2. Traffic and Safety: Planned access through Marsh Glen Drive introduces congestion and safety risks without clear mitigations in place. Open Space Compliance: Converting a designated open space parcel into an access road compromises the integrity of our zoning framework and sets a troubling precedent. But we also have an opportunity for positive change. With the recent turnover of our City Manager, the Council has a unique opportunity to establish a culture of accountability and adherence to documented requirements. Denying the Barefoot Lakes proposal until a new Comprehensive Plan is in place would demonstrate North Myrtle Beach's commitment to responsible governance, transparency, and sustainable growth. In closing, I urge the Council to delay this project until we are in full compliance with state law and have an updated Comprehensive Plan to guide these important decisions. Thank you.

Neil Witkin, 3019 Winding River Drive, North Myrtle Beach, stated there were people in Barefoot Landing that supported the project and asked the Council to do what was right for Barefoot. He stated they felt the homes would be compatible with what the community was and what the developers originally envisioned, not parks and conservation areas, but homes. He added he felt a few more neighbors would be welcome in Barefoot. He stated last year when the Board sat down with the Developer and City staff and discussed the project, at that time the land was going to commit to the Barefoot PDD and Pulte had declarant rights to bring the property into the PDD so long as Silver Carolina did not veto it and they did not. A vote of the residents was not necessary. He stated the Board didn't take a poll, but they sat down with the residents of Cedar Creek to find out what they wanted and then negotiated with the Developer and received everything they asked for. Mr. Witkin stated he was in support of the project.

Dennis Stamey, 2910 Whooping Crane Drive, North Myrtle Beach, stated his home shared the property line with the proposed development. He stated he and his wife bought the home and were told the area on both sides of the property were conservation areas. He stated they chose the home because they thought there would never be anything around them. Mr. Stamey noted he could sit on his patio under the stars at night and hear owls and whippoorwills unmarred by headlights, honking horns, or traffic noise. Mr. Stamey stated all decisions have consequences

and poor decisions have devastating consequences and just because you can, doesn't mean you should. Poor decisions make life altering consequences, and he asked the Council to choose conservation over development. Mayor Hatley reminded everyone that the property was not in the City and if it was not annexed, the City couldn't choose anything.

Mark Porter, 5718 Herring Gull Circle, North Myrtle Beach, stated the back of his property was common with Track C that was being included in the PDD. He stated he was pro Barefoot Lakes. He stated he was also pro Blu Water, but the current BRRA created as much misinformation as they could and the project was not built. He stated that Barefoot lost over \$1.8 million in Developer fees and HOA dues of what would have been a subsequent 10 years without Barefoot having to pay a penny. He stated the money could have been spent to update 20-year-old amenities and brought Barefoot up to a more competitive market. The increased desirability of Barefoot homes was inevitable. 59 homes would increase homes by 1½% and for every 50 cars waiting at the swing bridge, the increase would not even be one car. He stated that he and others had been attacked by the current BRRA. Mr. Porter asked Council to please approve the project.

Mayor Hatley stated the Council had heard from both sides and it was always hard to make a decision when there was a difference of opinion. She added that Council had to vote for what was the best use for the land and if the City should annex the land instead of leaving it in the county for the unknown. Councilwoman Fontana asked for a roll call vote and Mayor Hatley agreed.

Mayor Hatley, yea; Mayor Pro Tempore Baldwin, nay; Councilman Thomas, yea. He stated that he wanted the public to know that he had heard their concerns, and he knew this was hard because he had experienced development around his home. He added this development had been going on for a number of years and had gone down from 100 homes to 49 homes and it was very low density. He stated he was relying on the City engineers concerning the drainage. He noted he had not seen a 125' buffer in 20-30 years being on Council. He stated he had heard that some of the residents did not want this, but he thought it was a good project. Councilwoman Fontana, yea. She stated she had heard this for years and the Council had a lot of information on it. She stated she had heard everything that everyone had said, and she knew the pros and the cons. She added that, as it stood right now, the land was in Horry County and the City had no control over it. She stated she voted yes because she would prefer to have control over the property than not. Councilman Collins, nay. He stated he felt this was a good project, but he had conversations with the residents of Barefoot and he felt it was not the people's will. Councilman Coyne, yea. He stated he had experienced developed around his home with only a 5' buffer. He added he understood both sides very well. He stated he felt the certainty of this property being in the City's control as opposed to the unknown in Horry County would be better. He stated it would be nice if some parcels could be left undeveloped but that was not the world we lived in. Councilman Skidmore, nay. He stated he agreed with Council on this project and that they could not ask for much more. The lots were 14,000 square foot lots, 3000 square feet under roof, and 2800 square feet heated space but he stated he was still concerned with the intersection that was now closer to the overpass. He added he would like to see a new safety study on the intersection. Councilman Skidmore stated this was more of a Barefoot Resort issue than a city-wide issue, and he stood with the Barefoot Residents.

Having no further comment from the Council or public, Mayor Hatley stated the motion to approve passed 4-3. Mayor Pro Tempore Baldwin, Councilman Collins, and Councilman Skidmore voted nay.

B. ORDINANCE/FIRST READING: Amendment to the Barefoot Resort Planned Development District (PDD) providing access to Barefoot Lakes. 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. Director Blayton stated this dealt with the installation of the roadway on the 7-acre tract that was already within the PDD, and the roadway construction was the only change on the land tract that would impact the development. Director Blayton stated his staff had reviewed the change and would continue to review the final design and the traffic engineering at the intersection. He added that his department had no issues. Councilwoman Fontana noted that the amendment stated 59 homes and should be changed to 49 homes. Mr. Guyton stated the 59-home cap was in the DA that had not come up yet and they would adjust it. Mr. Noury clarified that this was the amendment to the PDD regarding the access road from the property to be annexed to Marsh Glen Drive. If Council wished to allow the access road, they would have to amend the site plan because the current site plan did not allow it. Councilwoman Fontana asked if a crosswalk had been discussed. Director Blayton stated it had not and it was not noted on the site plan. He added that he thought there was a sidewalk on the other side of Marsh Glen Drive and, if so, they would connect the proposed multi-purpose path to the sidewalk with a striped cross walk.

Guy Scott, 6203 Catalina Drive, North Myrtle Beach recommended that Council and staff drive down Water Tower Road to Marsh Glen Drive and back. He stated the proposed intersection would be right past the bridge. He stated the flashing light on the stop sign at the bottom of Barefoot Bridge Road had improved safety. He asked Council to do an analysis because even with 49 houses, it could be a problem.

Having no further comment from the Council or public, Mayor Hatley called for a vote. The motion to approve passed 4-3. Mayor Pro Tempore Baldwin, Councilman Collins, and Councilman Skidmore voted nay.

C. SECOND PUBLIC HEARING: Regarding the Barefoot Lakes Development Agreement. Mayor Hatley asked Mr. Noury to comment on this item. Mr. Noury stated the Issue Paper stated 59 homes but would be changed to 49 homes. The DA also included a \$400 Park Enhancement Fee per resident, a \$1100 Beachfront Parking Fee per resident, and a \$4000 Public Safety Enhancement Fee per resident for a total of \$3245.00 due at the time the permit was issued. The proposed DA also included language for offsite improvements to Marsh Glen Drive. He added that staff had asked that language be added to increase the minimal rental term agreement to one year and be included in the deed of each property that was sold. He added that language was also added to provide the City with the option to purchase the property for a 6-month period from the date of approval of the DA for \$3 million. Mayor Hatley stated she felt the last paragraph should be removed because she had spoken with the Barefoot Board and informed them that they would have to raise the money and pay for part of the property. The President of the Barefoot Board stated they could not pay for part of the purchase of the property, at this time, but they would like to get a federal grant. She added that the City would have to apply for a federal grant for their part of the price. Mayor Hatley stated that she didn't feel Barefoot wanted to contribute money to the purchase and did not want a park there, even if it was a nature park because it would be open to the public. Mayor Pro Tempore Baldwin stated they had looked for grants, but none were available. Mr. Noury asked Council for confirmation that they wanted that section removed. Mayor Hatley and the Council confirmed they did. Councilman Coyne asked if the enhanced stormwater agreement needed to be noted in the DA and Mr. Noury confirmed that it was already noted in the DA.

Having no further comment from the Council or public, Mayor Hatley closed the public hearing.

- D. ORDINANCE/FIRST READING: Barefoot Lakes Development Agreement and to authorize the Acting City Manager to sign the document on behalf of the City. Mayor Hatley read the ordinance by title and called for a motion. The motion to approve was made by Councilman Thomas and seconded by Councilman Coyne. Mayor Hatley stated this item related to the discussion in Item 7C. Mayor Hatley stated the last paragraph needed to be removed and the number of homes changed from 59 to 49. Mr. Noury stated the changes would be made before second reading.

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

- E. ORDINANCE/FIRST READING: Amendment to the Parkway Group Planned Development District (PDD) creating phases Four and Five of the Palmetto Coast Industrial Park. Mayor Hatley read the ordinance by title and called for a motion. The motion to approve was made by Councilman Coyne and seconded by Mayor Pro Tempore Baldwin. Mayor Hatley stated she did not understand why this item was sent to Council as a denial because Council had planned for this to be an Industrial Park from the beginning. She added this was just extra land being added. She noted the Industrial Park had been wonderful for the community, had brought in a number of businesses, and created year-round jobs. Mayor Pro Tempore Baldwin agreed and noted the quantity and quality of the building was great. Mayor Hatley stated the architect did a great job.

Susan Platt, 942 South Ocean Boulevard, North Myrtle Beach, stated she was at the Planning Commission meeting when this item was denied and she thought the denial was due to the engineer not being able to answer where the water drainage would go. Mayor Hatley asked Director Blayton to address the issue. Director Blayton explained that this was a separate drainage basin that splits and part of it flows to the ICW and part flows to the Waccamaw River and did not flow through the Barefoot Community.

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

- F. SECOND PUBLIC HEARING: Regarding the Palmetto Coast Industrial Park Phases Four and Five Development Agreement. Mr. Noury discussed the provisions of the proposed amendment to the DA.

Having no comments from the Council or Public, Mayor Hatley, Mayor Hatley closed the public hearing.

- G. ORDINANCE/FIRST READING: Palmetto Coast Industrial Park Phases Four and Five Development Agreement and to authorize the Acting City Manager to sign the document on behalf of the City. 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 Hatley stated the architect did a great job on the design of these buildings. She stated she appreciated the architect listening to Council and designing the buildings more presentable. Councilwoman Fontana thanked them for not bringing a design for an all-metal building. Councilman Thomas asked for clarification on the building orientation. Mr. Guyton explained the two options and stated option 2 was the most preferred by tenants. Councilman Thomas stated he was concerned about drainage issues with the encroachment on Building 7. Mr. Guyton stated he had researched this and the right-of-way touches the drainage ditch so that the Fire Department and Public Works would have access to the ditch but the improvements in the right-of-way did not come near the drainage ditch. Councilman Thomas also suggested changing the species of trees. Councilman Thomas stated he did not see any landscaping except

for the 20' wetland buffer on Building 6. Mr. Guyton stated he would extend the landscaping and take Councilman Thomas' suggestions on tree species into consideration before second reading.

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:

Bob Hutton, 5308 Windy Pines Drive, North Myrtle Beach, gave a report on the Keep Water Tower Road Beautiful group. He stated the group finished their 3rd year of commitment. The last pickup had 15 participants, and they picked up 25 bags of litter. He added the litter count had gone down. Mr. Hutton thanked the Police Department for their presence. Mr. Hutton thanked the North Myrtle Beach High School Honor Students for their participation. He noted the next pickup would be in the Spring. Mayor Hatley thanked Mr. Hutton for his continued efforts.

Debbie Brown, 2314 Vero Way, North Myrtle Beach, stated she had just moved to North Myrtle Beach and had always been involved in her community. Ms. Brown stated her concern was that she paid City taxes, a 3% surcharge on her electric and gas bill, and had a North Myrtle Beach zip code but her address was listed as Longs, an unincorporated part of Horry County, instead of North Myrtle Beach. She stated this needed to be fixed. She stated she understood Congressman Fry was working on this, but she wanted to inquire as to the status. She stated Planning and Zoning made a mistake and assigned two streets with the same name and same address numbers. Ms. Brown stated this resulted in misdirected mail, packages, and deliveries. She added that when she called the City, she was told that Planning and Zoning could not fix this because they had already bought the street signs. Mayor Hatley asked who Ms. Brown called and she stated she called the Clerk's office. Allison Galbreath, City Clerk, stated she had talked to Ms. Brown several times. Ms. Galbreath stated she had talked with Dawn Snider, Planning and Development Planner, who advised that the Developer had already completed many things, including purchase of the signs, and would not be able to change the street name. Manager Fabbri stated his home was in the same area and he also did not have a North Myrtle Beach address. He stated this was a post office issue. Mayor Hatley stated she understood it was a post office issue and the City's Sports Complex had a Little River address but was within the City limits. Mayor Hatley stated the City had asked Congressman Fry for assistance. She suggested Ms. Brown write Congressman Fry and encourage him to see what he could do to help. Ms. Galbreath stated this had been presented to the Department of Consumer Affairs to get their opinion because the Postmaster General in Columbia was no longer in the position, therefore, everything the City had sent to him had not been evaluated. She added that the new Postmaster General was currently looking at the case and Congressman Fry's office had also presented it to Consumer Affairs. Ms. Galbreath stated the City was actively working on this. Congressman Skidmore stated his concern was if there was a problem with first responders. Billy Floyd, Fire Chief, stated this issue had come up but they were able to get the address confirmed within 30 seconds of the call. Chief Floyd stated the Fire Department had also made the concern known to Emergency 911. Manager Fabbri stated that he would meet with Ms. Brown and follow up. Assistant Director Pritchard explained that when developers submitted a list of street names, Planning and Development presents them to the county for approval. She added there had been problems with duplicate road names being approved by the county. Assistant Director Pritchard stated that the difficulty with renaming a road was that all residents on the road had to agree. She stated her department would investigate.

9. **ADJOURNMENT:**

Mayor Hatley thanked everyone for attending and called for a motion to adjourn. The motion to adjourn was made by Councilman Collins and seconded by Councilwoman Fontana. The motion passed 7-0. The meeting adjourned at 8:51 PM.

Respectfully submitted,

Allison K. Galbreath, City Clerk

MARILYN HATLEY, MAYOR

Minutes approved and adopted this 2nd day of December 2024