

**CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA
NORTH MYRTLE BEACH CITY HALL
CITY COUNCIL MEETING
Monday, March 17, 2025, 4:45 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, Absent
Fred Coyne
Nicole Fontana
Trey Skidmore
Hank Thomas, Absent for roll call only

A quorum was established.

1B. EXECUTIVE SESSION:

Mayor Hatley called for a motion to go into Executive Session for a legal briefing regarding Michael Moshoures (SkyBar) vs. the City of North Myrtle Beach, et al. Case No.4:22-cv-02123JD, a legal briefing regarding White Cap Beach House, LLC vs. the City of North Myrtle Beach, Case NO: 2023-CP-26-00387, a legal briefing regarding the City of North Myrtle Beach vs. Sun TRS Ocean Club LLC, et al. C/A No: 2021-CP-26-07489, a legal briefing regarding David J. Mason vs. The Town of Surfside Beach, SC, North Myrtle Beach, SC, and P2 of SC, LLC, d/b/a Pivot Parking, Appellate Case No. 2025-000102---SC Supreme Court, and a legal briefing regarding the terms of a contract for the future City Manager position. The motion was made by Councilwoman Fontana and seconded by Councilman Skidmore. Councilman Thomas was in attendance but not in the Chambers for roll call. The motion passed 5-0. Councilman Thomas joined the meeting during Executive Session. The Council returned to Chambers at 6:00 PM. Mayor Hatley announced that no votes were taken at the session and called for a motion to come out of Executive Session. The motion was made by Councilman Coyne and seconded by Councilwoman Fontana. The motion passed 6-0. The regular meeting started at 6:00 PM.

1C. CONTINUATION OF CALL TO ORDER:

Rev. Mark Orr, Ocean Drive Presbyterian Church, 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, March 3, 2025, and the Special Called City Council Meeting of Monday, March 10, 2025, as presented, was made by Councilwoman Fontana and seconded by Councilman Skidmore. The motion to approve passed 6-0.

3. **COMMUNICATIONS:**

- A. PROCLAMATION: National Safe Place Week, March 16-22, 2025. Mayor Hatley read and presented the proclamation to Jennique Myrie, Sea Haven Director of Young Adult Services. Mayor Hatley noted that Councilwoman Fontana was a Sea Haven Board Member. Ms. Myrie thanked Mayor Hatley and the Council for their support of Safe Haven.
- B. RECOGNITION: Fire Chief honors citizens for their courageous actions. Billy Floyd, Fire Chief, presented the Citizen's Award of Valor to Nick Hughes, Zach Walker, Shannon Walker, and Councilman Trey Skidmore for their brave efforts during a fire in their neighborhood.
- C. Mayor Hatley stated the department monthly reports for February 2025 were available online.

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

Mayor Hatley commended and thanked Parks and Recreation, Public Works, the Fire and Police Departments for a fantastic St Patrick's Day Festival and parade. Mayor Pro Tempore Baldwin agreed and stated he also appreciated the Police Chief and Fire Chief's efforts to keep the children safe during the parade.

5. **CONSENT:**

- A. MOTION TO APPROVE: Myrtle Beach Tours Beach Games May 29-June 25, 2025. Mayor Hatley read the item by title and called for a motion to approve. The motion was made by Mayor Pro Tempore Baldwin and seconded by Councilman Skidmore.

Having no comment from the Council or public, Mayor Hatley called for a vote. The motion to approve passed 6-0.

- B. MOTION TO APPOINT: Appointments to the Accommodations Tax Committee. Mayor Hatley read the item by title and asked Ryan Fabbri, Interim City Manager, to state the appointments. Interim City Manager Fabbri stated that Harry Oehler would be appointed and Tina Carmichael, Tim Duncan, and Peggy Hilton would be reappointed. Mayor Hatley called for a motion to approve. The motion was made by Mayor Pro Tempore Baldwin and seconded by Councilman Skidmore.

Having no comment from the Council or public, Mayor Hatley called for a vote. The motion to approve passed 6-0.

6. **UNFINISHED BUSINESS:**

- A. ORDINANCE/SECOND READING: Amendment to the Parkway Group Planned Development District (PDD) revising The Preserve. Mayor Hatley read the ordinance by title and stated that staff had requested to postpone and called for a motion to postpone. The motion was made by Councilman Coyne and seconded by Mayor Pro Tempore Baldwin. Mayor Pro Tempore Baldwin asked that there be more discussion to prevent the Applicant from having to come back and the item be postponed again. Councilman Coyne stated he was unable to find any exterior renderings or elevations. Suzanne Pritchard, Planning and Development Assistant Director, stated that information was included in the packet, but that there was not much information on the rear elevations. Mayor Hatley stated that if Council approved this, it had to be built exactly as submitted, and wanted to know what the back looked like. Assistant Director Pritchard stated that Planning and Development had asked for information for the February 17, 2025, meeting and the Applicant provided it, but it had disappeared from this version. She added that there was no information on the landscaping, no renderings of the backs, and no information

on the green spaces. She stated it was incomplete to move forward to the subdivision stage. Assistant Director Pritchard stated this was the version that would be recorded if approved tonight and that was the reason staff had requested it be postponed. Mayor Hatley asked if the Applicant had been given a list of what was expected and Assistant Director Pritchard confirmed that he had. Mayor Hatley asked why Planning and Development wanted the postponement. Assistant Director Pritchard stated that the landscaping was missing and there was ambiguity in the drawings. She stated they asked the Applicant to coordinate the pavement with Public Works concerning the 25-foot right-of-way and added that the City did not have any other 25-foot pavement widths in any other approved street sections. She stated that it might be warranted for this development, but Public Works should weigh in on it. Mayor Pro Tempore Baldwin stated the Applicant was willing to make the right-of-way 20 or 25 feet, and he was willing to go with the standard of 22 feet. Councilman Skidmore stated he was in agreement. Mayor Hatley stated she agreed, but there was a motion to postpone on the floor. Councilman Skidmore stated that the package was incomplete and should not move forward as is.

Mayor Hatley stated it was time for Council to make a decision. She asked the Developer to address the list of changes from staff before the next Council meeting. Mayor Hatley added that Mr. Hughes had completed every request from Council so far. Assistant Director Pritchard stated that Mr. Hughes had made all the requested changes but the detail was not present in this version. Councilman Coyne stated a complete package was needed at this point. Mayor Pro Tempore Baldwin stated there had been a huge reduction in density in the beginning and another reduction in density with the changes Council requested. Mayor Hatley stated Mr. Hughes had reduced density from 800 to 597 units. Councilwoman Fontana stated 16 units had been removed since the last Council meeting. Assistant Director Pritchard stated it would only take a few tweaks to get this to a recordable form. Mayor Hatley stated the discussion had gone on long enough and stated the postponement would give staff time to review the requested revisions before the next meeting.

Having no further comment from the Council or public, Mayor Hatley called for a vote. The motion to postpone passed 6-0.

- B. ORDINANCE/SECOND READING: First Amendment to the Separate and Independent Amendment to the Parkway Group Planned Development District (PDD) Master Development Agreement revising The Preserve and to authorize the Interim City Manager to sign the documents on behalf of the City. Mayor Hatley read the ordinance by title and stated that staff had requested to postpone and called for a motion to postpone. The motion was made by Councilman Thomas 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 6-0.

- C. ORDINANCE/SECOND READING: Amendment to Chapter 11, Fire Prevention, of the Code of Ordinances of North Myrtle Beach, South Carolina, addressing the adoption of the most current edition of The International Fire Code. Mayor Hatley read the ordinance by title and called for a motion to approve. The motion 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 approve passed 6-0.

- D. ORDINANCE/SECOND READING: To approve the Fifth Amendment to the Commercial Lease Agreement between the City and Midcon Cable.
- E. ORDINANCE/SECOND READING: To extend by one month the time that the business identified as Rapid Weight Loss and Esthetics Center may occupy the building located at 1006 6th Avenue South, which was recently acquired by the City
- F. ORDINANCE/SECOND READING: Petition for Annexation and Zoning Designation for ±0.86 acres on Riverside Drive.

Mayor Hatley stated she would take items 6D, 6E and 6F together. She read the ordinances by title and called for a motion. The motion to approve was made by Councilwoman Fontana and seconded by Mayor Pro Tempore Baldwin.

Having no comment from the Council or public, Mayor Hatley called for a vote. The motion to approve Items 6D, 6E, and 6F passed 6-0.

7. **NEW BUSINESS:**

- A. ORDINANCE/FIRST READING: Amendment to the Bahama Island Planned Development District (PDD) revising Phase Two. 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 Thomas. Mayor Hatley stated she had looked at the drawings and they were good. Robert “Shep” Guyton, representative for the Developer, stated Council had not seen the two-story products and that they were designed for the waterway piano lots. He added the homes needed more square footage, and this was the best option. Mr. Guyton stated the project was originally approved for 1400 units, but the Developer added 25 acres to it and reduced the density by 90 percent. Mayor Hatley stated there were now 137 detached homes, and the lots were 7,500 to 10,000 square feet. She added that the homes were from 2,200 to 6,000 square feet. Mr. Guyton stated this was a challenging site with the wetlands and the waterline easement but he felt the result would be a development that everyone would be proud of. Councilman Skidmore stated he felt it would have been nice to see 20,000 square foot lots by the waterway instead of 10,000 square foot lots. Mr. Guyton stated that due to the economics of reducing from an RV park to a single-family project, the Developer was not able to reduce the density any further.

Mayor Hatley asked Kevin Blayton, Director of Public Works, if he had reviewed the project and he stated he had and was very familiar with the new plan. He added that his department felt they were at a good point with the ingress/egress endpoint. He noted there was one off-site access improvement that the City would not control, and Horry County may install a gate on that road. He added that, other than that item, Public Works did not have any problems. Mayor Hatley inquired about street lighting. Mr. Guyton stated that the Developer would bear the expense for all the street lighting. Mayor Hatley asked how much open space there would be. Mr. Guyton stated the open space was double the minimum requirement. Councilman Skidmore asked what the trigger for the amenity center was. Mr. Guyton stated the amenity center had to begin at the completion of 60 units and be completed by the completion of 75 units.

Having no further comment from the Council or public, Mayor Hatley called for a vote. The motion to approve passed 6-0.

- B. SECOND PUBLIC HEARING: Regarding the Amended and Restated Development Agreement associated with Bahama Island Phase Two. Chris Noury, City Attorney, stated the public hearing was in reference to the agreement associated with Bahama Island Phase Two project. Mr. Noury noted the key points of the Development Agreement: the number of units

was limited to no more than 137 units, a Park Enhancement fee of \$400, a Beach Parking Enhancement fee of \$1,100, and a Public Safety Enhancement fee of \$3,600 per unit. He added that the fees would be subject to an annual increase per the formula contained in the Agreement and would be paid at the time of application for a building permit for a residential unit. Mr. Noury stated that the Developer would be obligated to make off-site improvements, including improvements to widen the inbound and outbound lanes onto Old Crane Road and three separate entrances to the project from Bowline Boulevard. These improvements must be completed by the time the Developer applied for the 40th building permit for a residential unit. The Developer would also be required to improve the portion of C Versie Road within the City boundaries from Bowline Boulevard northwestward to the boundary of the City limits.

Mayor Hatley opened the floor for public comment. Having no public comment, Mayor Hatley closed the floor.

- C. **ORDINANCE/FIRST READING:** Amended and Restated Development Agreement associated with Bahama Island Phase Two and to authorize the Interim 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 Skidmore.

Having no comment from the Council or public, Mayor Hatley called for a vote. The motion to approve passed 6-0.

- D. **ORDINANCE/FIRST READING:** Amendments to Chapter 23, Zoning, of the Code of Ordinances of North Myrtle Beach, South Carolina, addressing maximum standards for parking. Mayor Hatley read the ordinance by title and called for a motion. The motion to approve was made by Councilwoman Fontana and seconded by Mayor Pro Tempore Baldwin. Mayor Hatley asked for clarification concerning 2 spaces per unit for a 1-5 bedroom single-family residence. Jim Wood, Planning and Development Director, stated that was the existing standard in the Code. He added this amendment addressed the addition of the parking maximum that was added to the Code approximately 10 years previously. This change was made to have control over parking and not allow every inch of the property to be paved but this change increased Board of Zoning Appeals (BZA) variance requests. This amendment would remove the maximum requirement and added that any parking spaces over the minimum had to be previous.

Having no comment from the Council or public, Mayor Hatley called for a vote. The motion to approve passed 6-0.

8. PUBLIC COMMENT:

Dana Brown, 2314 Vera Way, Longs, SC, stated she was back before Council to talk about her zip code situation due to new developments. Ms. Brown stated it had taken 3 attempts to receive her voter registration card, and when she did receive it, it stated she voted at the Dunes #1 precinct in Myrtle Beach, and her neighbor across the street voted at Carolina Forest. She added that she did not feel the precincts were set up correctly. Ms. Brown added that her neighbor's daughter was recently selected for jury duty in Myrtle Beach. She asked if she had served on the jury would that have been reason for a mistrial or appeal because she was in the wrong jurisdiction. Ms. Brown stated she had another concern relating to her FEMA flood insurance policy, which stated she lived in rural Horry County instead of the City of North Myrtle Beach. She added she was also concerned about her homeowner's insurance for the same reason. Ms. Brown asked the Council to put more pressure on Councilman Fry's office to get her address changed or remove her development from the City. Mayor Hatley stated that it took time for the government to catch up with new

developments. Mayor Hatley stated the City would continue to work on the situation. Ms. Brown stated she was worried about hurricane season, and she felt the solution might be to un-annex her area.

Mayor Hatley stated that Angela Westmoreland, Assistant City Clerk, worked in the Horry County Election Office before coming to the City, and asked her to assist Ms. Brown with her voting questions. Ms. Westmoreland stated she had already set up a time to meet with Ms. Brown in the coming week. Mayor Hatley assured Ms. Brown that Ms. Westmoreland would make sure that the City's residents were able to vote and receive the correct ballot.

Interim City Manager Fabbri stated that prior to annexation, Vera Way was in the Horry County Flood Map. He added that it would be added to the North Myrtle Beach Flood Map, but it was FEMA's responsibility to update the flood maps.

9. **ADJOURNMENT:**

Mayor Hatley called for a motion to adjourn. The motion to adjourn was made by Councilwoman Fontana and seconded by Mayor Pro Tempore Baldwin. The motion passed 6-0. The meeting adjourned at 5:52 PM.

Respectfully submitted,

Angela C. Westmoreland, Assistant City Clerk

MARILYN HATLEY, MAYOR

Minutes approved and adopted this 7th day of April 2025