

**CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA  
NORTH MYRTLE BEACH CITY HALL  
CITY COUNCIL MEETING  
Monday, October 6, 2025, 5:00 PM  
Minutes**

**1A. 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, Absent  
Trey Skidmore  
Hank Thomas, Absent for roll call only

A quorum was established

**1B. EXECUTIVE SESSION:**

Mayor Hatley called for a motion to enter into the Executive Session for 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 Councilman Collins and seconded by Mayor Pro Tempore Baldwin. The motion passed 5-0. The Council returned to Chambers at 6:00 PM. Mayor Hatley 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 to approve passed 6-0.

**1C. CONTINUATION OF CALL TO ORDER: 6:00 PM**

Pastor Richard Wilson, Living Faith and Hope Ministries, delivered the invocation.

Mayor Hatley asked the BSA 877 to lead the Pledge of Allegiance.

**2. MINUTES:**

The motion to approve the minutes for the City Council Meeting of Monday, September 15, 2025, and the Emergency Called City Council Meeting of Friday, September 26, 2025, was made by Councilman Coyne and seconded by Mayor Pro Tempore Baldwin. The motion to approve the minutes, as presented, passed 6-0.

**3. COMMUNICATIONS:**

Mayor Hatley presented a Proclamation to the North Myrtle Beach Women's Club declaring October 19-October 25, 2025, as Advocacy for Children Week. She thanked the group for all they did for the community.

Mayor Hatley presented another Proclamation to the North Myrtle Beach Women's Club declaring October 2025 as Domestic Violence Awareness Month. A member shared information on the "Walk a Mile, Make a Difference" event to be held on Saturday, October 18, 2025, at the North Myrtle Beach Sports Park. She stated all the money raised would stay in the community and benefit 28 local charities.

Mayor Hatley presented a Proclamation to Andrew West, Deputy Fire Marshal, declaring October 5-October 11, 2025, as Fire Prevention Week.

Ryan Fabbri, City Manager, recognized Roxanne M. Felan for 10 years of service, Michael D. Matter for 15 years of service, Edith L. Phillips, John Davis, and Curry L. Wilson for 20 years of service, and Crystal L. McGhee for 25 years of service.

Mayor Hatley stated that Department Monthly Reports for August 2025 were available online.

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

Mayor Hatley stated that the Irish Italian Festival was great. She thanked the staff for their great work. Mayor Pro Tempore Baldwin agreed, noting that the attendance was incredible, and expressed his gratitude that the festival and the City were not affected by the forecasted hurricane.

5. **CONSENT:**

None

6. **UNFINISHED BUSINESS:**

A. ORDINANCE/SECOND READING: Amend Parkway Group Planned Development District (PDD), creating Eagle's Nest Village.

B. ORDINANCE/SECOND READING: Petition for Annexation and Zoning Designation for ±0.22 acres on Wiley Drive.

C. ORDINANCE/SECOND READING: Amendments to Chapter 23, Zoning, of the Code of Ordinances of North Myrtle Beach, South Carolina, creating standards for above-ground propane tanks.

Mayor Hatley read the ordinances by title and asked that Council consider items 6A-6E together, noting that they were all second readings. Councilman Skidmore asked that items 6D and 6E be heard individually. Mayor Hatley called for a motion to approve items 6A-6C. The motion was made by Councilman Thomas and seconded by Councilman Coyne. Councilman Thomas stated that the developer for the gas station in item 6A had paid fees in lieu of street trees and sidewalks, but that they would be planted at a later date.

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

D. ORDINANCE/SECOND READING: Amendments to Chapter 2, Administration, of the Code of Ordinances of North Myrtle Beach, South Carolina, creating a Public Arts Commission. Mayor Hatley read the ordinance by title and called for a motion to approve. The motion was made by Councilman Collins and seconded by Mayor Pro Tempore Baldwin. Councilman Skidmore asked if the date would be extended for the grant program. Jim Wood, Planning and Development Director, stated that a flurry of last-minute applications submitted before the deadline made the extension unnecessary. Councilman Skidmore expressed concerns about who would determine what was appropriate and what was not. Suzanne Pritchard, Planning and Development Assistant Director, stated that the 5-member commission appointed by Council would follow specific guidelines. Mayor Hatley asked if this would only be for new projects. Assistant Director Pritchard stated it would include new projects as well as project spaces that had been identified and she referenced the restroom wall on 17<sup>th</sup> Avenue South. She noted the wall had been primed

and was identified as a possible spot for a mural. Mayor Hatley stated the façade grant would go before the Planning Commission and then City Council for approval. Mayor Pro Tempore Baldwin asked if all murals would go before the Planning Commission and Council for approval. Assistant Director Pritchard stated that it could and details were being finalized. Mayor Pro Tempore Baldwin asked if Council would be able to review the guidelines, and Ms. Pritchard confirmed that was correct. Mayor Pro Tempore Baldwin stated he felt this was a great idea and that the Council did not want anything offensive on the side of a building.

Debbie Lombardino, 309 39<sup>th</sup> Avenue North, North Myrtle Beach, inquired why the guidelines did not specify that a resident could be part of the committee. Mayor Hatley stated that all committee members were residents, but that language could be added if it would make Ms. Lombardino more comfortable. Assistant Director Pritchard stated the committee makeup was modeled after the state cultural district.

Dana Brown, 2314 Vera Way, Longs, inquired whether the committee had been selected prior to the Council's vote. Councilman Thomas stated this was just an adjustment to the ordinance so that the committee could be created. He added that the Council was working on the committee's framework, and anyone interested could apply through the website.

Councilman Thomas asked that the motion be amended to include that members were required to be residents of North Myrtle Beach.

Councilman Collins amended the original motion to include the requirement that the members of the committee be residents of North Myrtle Beach and was seconded by Councilman Thomas.

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

- E. ORDINANCE/SECOND READING: Amendments to Chapter 23, Zoning, of the Code of Ordinances of North Myrtle Beach, South Carolina, defining pervious and impervious surfaces and creating an exception for swimming pools. Mayor Hatley read the ordinance by title and called for a motion to approve. The motion was made by Mayor Pro Tempore Baldwin and seconded by Councilman Thomas. Councilman Skidmore asked staff to reach out to the City Manager or Council if challenges came up with the ordinance. Councilman Collins stated this ordinance was thoroughly covered at first reading. Mayor Pro Tempore Baldwin stated this ordinance only required following the manufacturer's recommendation to meet the pervious/impervious ratio. Councilman Skidmore noted this did not apply to the installation of pavers on concrete as long as the applicant was inside the pervious percentage.

Dana Brown, 2314 Vera Way, Longs, stated that she did not attend the previous meeting, but had watched it, and she felt this was very confusing for everyone. She requested that someone from Planning and Development explain the requirements for installing a paver patio. She stated she understood this would create more inspections and create more hardship. She noted that Angel Cox had been a great help when she applied for a permit. She added that the process to attain a permit was very convoluted, and it had taken her husband over 2 hours to complete the application.

Director Wood went over the background of the ordinance. He noted that pavers had been considered pervious in the past. He indicated that installation determined whether they were pervious or not. He added that this determination depended on installation according to the manufacturer's specification and gave several examples. Director Wood explained that the ordinance required the manufacturer's certification sheet to be included with the permit application. He added that additional inspections may be necessary, but would be manageable with the existing staffing levels. He noted that this would only affect permits if the 40 percent pervious ratio was exceeded. Mayor Hatley stated that staff would be glad to help Ms. Brown. Ms. Brown stated that she had left messages, and no one called her back.

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

7. **NEW BUSINESS:**

- A. **ORDINANCE/FIRST READING:** Amend Chapter 7, Business License, Taxes, and Regulations, of the Code of Ordinances of North Myrtle Beach, South Carolina, to update the Class Schedule as required by Act 176 of 2020. Mayor Hatley read the ordinance by title and called for a motion to approve. The motion was made by Councilman Collins and seconded by Councilman Skidmore. Councilman Collins pointed out the state required this.

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

- B. **ORDINANCE/FIRST READING:** To approve the Ground Lease Agreement between the City and Dargan Construction Company regarding the City's land located at 3601 Lake Drive. Mayor Hatley read the ordinance by title and called for a motion to approve. The motion was made by Councilman Thomas and seconded by Councilman Coyne. Mayor Pro Tempore Baldwin asked what the property was being used for presently. Manager Fabbri stated the lot was vacant. Mayor Pro Tempore stated he was ok with approving this if the lot was vacant, but a future use needed to be discussed. He asked the length of the lease. Manager Fabbri stated the lease ran from October 2025 to April 2027. Chris Noury, City Attorney, stated that a construction company building the new Hampton Inn needed parking for their staff members. He added that the Prince Resort donated the land as part of their PDD. Councilman Thomas asked if the lot would only be used for parking. Mr. Noury stated that was correct. Mayor Hatley asked if the area would also be used as a lay-down area. Mr. Noury confirmed the lot would only be used for parking. Mayor Hatley stated she had no problem allowing use of the lot for that short period of time since the City was not using it.

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

- C. **ORDINANCE/FIRST READING:** Rezone request for ±8.32 acres on Ye Olde Kings Highway. **NOTE: Petitioner has requested to postpone.** Mayor Hatley read the ordinance by title and called for a motion to postpone. The motion was made by Councilman Coyne and seconded by Councilman Collins.

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

- D. ORDINANCE/FIRST READING: Petition for Annexation and Zoning Designation for ±2.0 acres on Water Tower Road. Mayor Hatley read the ordinance by title and called for a motion to approve. The motion was made by Councilman Coyne and seconded by Mayor Pro Tempore Baldwin. Mayor Hatley stated that this was land for which annexation had been turned down by the Council earlier. Mayor Pro Tempore Baldwin stated that the petition had requested Light Industrial (LI) zoning, but the Council did not believe it would be a suitable fit for the area. Director Wood noted that Council had asked the petitioner to withdraw the LI zoning request and resubmit it as Highway Commercial (HC). Manager Fabbri stated the request was not withdrawn; it was denied. Mayor Hatley stated a denied request could not be brought back before Council for one calendar year. Director Wood stated that was correct, but this was a different zoning district request. Mayor Hatley stated she was not ready to annex any more property at this time. Councilman Thomas agreed and noted that this might cause boundary creep. Mayor Pro Tempore Baldwin stated this was an exception for one commercial property that was already built. Mayor Hatley asked what was located beside the property. Director Wood stated there was vacant land next to it, and there had been no interest in annexing any further in that direction.

Councilman Coyne stated that residences were being built within the City limits across the street from this property, so services were already there, and he felt it would be good for the City to have commercial acreage there. He added that this business was established in North Myrtle Beach, and Council should take it as a compliment that they wanted to be annexed. Mayor Pro Tempore Baldwin stated that the majority of the Council was not interested in the City's further growth, but he felt this was acceptable as long as residential annexation was not permitted. Mayor Hatley stated that this annexation would make the land behind the business contiguous and would encourage future requests for annexation. She added that this Council could not guarantee that annexation would not be allowed in the future. Councilman Coyne noted that the residential property across the street was contiguous.

Having no further comment from the Council or the public, Mayor Hatley called for a vote. The motion to approve failed 2-4. Mayor Hatley, Councilman Collins, Councilman Thomas, and Councilman Skidmore voted nay.

- E. ORDINANCE/FIRST READING: Amendments to Chapter 23, Zoning, of the Code of Ordinances of North Myrtle Beach, South Carolina, revising murals. Mayor Hatley read the ordinance by title and called for a motion to approve. The motion was made by Councilman Thomas and seconded by Councilman Collins. Mayor Hatley asked for clarification on the intent of the amendment. Assistant Director Pritchard stated that signage was currently capped at a percentage. She noted that this ordinance would promote more murals in the City. She added that the ordinance limited the business name on the mural to 10 percent and further restricted this to up to 15 percent of the total allowed amount. Mayor Pro Tempore Baldwin asked if the Arts Committee could regulate this. Assistant Director Pritchard stated that this related to private businesses that could put a mural now with no restrictions, and this ordinance would limit the business name area to 10 percent. Mayor Hatley asked who decided what was suitable now. Director Wood stated if a private business wanted to put up a mural, a permit was not required. He added that a permit was required if they wanted to include a commercial element to the mural. Director Wood clarified that this ordinance pertained to private businesses, and publicly funded murals would be approved by the Arts Commission. Mayor Hatley stated that the City had

to be careful because this ordinance would encourage more murals, and she expressed skepticism about the guidelines. Director Wood noted that privately owned buildings were now exempt from regulations, provided they did not contain commercial copy. Councilman Collins stated he had concerns about the content if there was no oversight. Mayor Hatley stated she was concerned the ordinance was opening a Pandora's Box, encouraging more unattractive murals. Director Wood noted that anyone could put up a mural, and there was no way to regulate that. The City would only be involved if a commercial element were included on the mural.

Cheryl Kilday, Destination North Myrtle Beach, stated the Destination Master Plan suggested having more public art. She noted that allowing a business to include a name on the mural might encourage private companies to pursue a public partnership on a mural regulated by the Arts Commission. Ms. Kilday added that this would be an advantage from a tourism angle.

Dana Brown, 2314 Vera Way, Longs, asked the Council to consider putting together a new sign code committee. She added that this ordinance seemed to be going from a mural to more advertising. She noted that more sign regulation was needed to avoid something vulgar going up.

Councilman Skidmore expressed concerns about the regulation of mural content. Mayor Pro Tempore Baldwin asked why approval could not be put under the Arts Commission. Mayor Hatley stated that private murals did not require Council approval. She added that she thought private companies should be allowed to put their name on murals, but she was concerned about where Council should draw the line on signage. Councilman Thomas stated that this ordinance would give the Council some control and suggested tabling the decision to allow more time for discussion. Councilman Collins agreed and stated he felt more discussion was warranted concerning the content.

Manager Fabbri stated the ordinance intended to incentivize business owners by allowing them to put their business logo on 10 percent of the area. He added that the intent of the mural was to attract customers to a business, and defacing the side of the business with offensive content would not attract customers. He stated that nothing was stopping a business owner from putting something offensive on a building now. Director Wood stated this only applied to murals, and only 10 percent of the total mural could contain the business name or logo. Mayor Hatley noted that she did not want to see a mural on the side of every building and did not want to encourage businesses to put a mural on the side of their business so that they could put their name on it. She added that she felt each case should be looked at individually. Councilman Thomas asked if this could be controlled without affecting free speech. Mr. Noury stated that Council was wise to be mindful of freedom of speech and artistic expression. He added that the Council could take legal action if they deemed something obscene, as obscene speech was not protected. He noted that this would be decided through litigation. Director Wood asked that the ordinance be passed on first reading and allow his staff to research adding conditional approval options. Mayor Hatley noted this would be similar to Architectural Review Board. Director Wood pointed out that if a mural did not contain commercial copy, it would not be regulated. Councilman Collins stated he would like to see more discussion because he could see both sides.

Councilman Coyne stated that he would like to see a graphic depicting proportions. Mayor Hatley asked if the City did not allow someone to put their name on the side of their building in a mural, would they be able to apply for a variance from the Board of Zoning Appeals? Director Wood stated they would have to seek a variance to exceed the maximum square footage of signage allowed.

Councilman Thomas amended his motion to table the item to the November 2025 meeting and was seconded by Councilman Collins.

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

**8. PUBLIC COMMENT:**

Dana Brown, 2314 Vera Way, Longs, asked that the date of service be included on the utility bills. She asked that a pull-out aerial map be included online for Planning and Zoning requests to make it easier for her to locate the property.

Debbie Lombardino, 309 49<sup>th</sup> Avenue North, North Myrtle Beach, requested that the Council encourage the Chamber of Commerce to either hold a meeting for residents to ask questions of all the candidates running for office in November or that the City sponsor such an event. She stated the Chamber of Commerce received over \$2 million from the City, so they should be willing to hold it. Ms. Lombardino stated that it was unethical to inform the subject of a FOIA request who the requester was, although there was no law against it. She asked the City to change the policy on this. She added that if the City did not change the policy, she wanted to see the City's procedures and guidelines to prevent reprisal or retribution against someone who submitted a FOIA request.

Councilman Collins thanked the Scouts for attending the meeting and noted that he had four sons who were scouts and two were Eagle Scouts.

**9. ADJOURNMENT:**

With no further business to discuss, Mayor Hatley called for a motion to adjourn. The motion was made by Councilman Collins and seconded by Mayor Pro Tempore Baldwin. The motion passed 6-0, and the meeting was adjourned at 7:15 PM.

Respectfully submitted,

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Angela C. Westmoreland, Assistant City Clerk

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MARILYN HATLEY, MAYOR

Minutes approved and adopted this 20th day of October 2025