

CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA
NORTH MYRTLE BEACH CITY HALL
CITY COUNCIL MEETING
Monday, April 5, 2021, 7:00 PM

Minutes

1. CALL TO ORDER:

Mayor Hatley called the meeting to order and asked the Clerk to call the roll.

Marilyn Hatley
JO Baldwin
Fred Coyne
Nicole Fontana
Hank Thomas
Terry White

A quorum was established.

Mayor Hatley asked the City Manager to deliver the invocation.

The Mayor led the Pledge of Allegiance.

2. MINUTES:

The motion to approve the minutes for the City Council Meeting of Monday, March 15, 2021, the Special Called City Council Executive Session of Friday, March 19, 2021, and the Special Called City Council meeting of Friday, March 26, 2021, as presented, was made by Councilwoman Fontana and seconded by Councilman Baldwin. The motion to approve passed 6-0.

3. COMMUNICATIONS:

Mayor Hatley recognized Trey Skidmore as the newly elected Councilmember. Councilman-elect Skidmore stood with his wife and daughters as he took his Oath of Office and then took his seat as a member of the City Council. Chris Noury, City Attorney, administered the Oath of Office.

Mayor Hatley stated that the Departmental Monthly Reports for February 2021 were available online.

4. ANNOUNCEMENTS BY MAYOR AND CITY COUNCIL:

Mayor Hatley thanked Tom Keegan, a representative from Tom Rice's office, for being at the meeting. Mr. Keegan stated Congressman Tom Rice sent his warmest regards and best wishes. Mayor Hatley recognized Tony Cox, from the SC Department of Transportation and thanked him for being at the meeting. Mayor Hatley hoped everyone had a great Easter and stated it was good to see so many tourists and guests in the City. She asked John Bullard, Director of Parks and Recreation, how many came to the Easter Egg Hunt at McLean Park. Director Bullard stated they handed out over 900 bags of candy and it was a wonderful event.

5. CONSENT AGENDA:

- A. RESOLUTION: Coronavirus recommendations
- B. ORDINANCE/SECOND READING: An ordinance to establish regulations for small wireless facilities in public rights-of-way
- C. ORDINANCE/SECOND READING: An ordinance to authorize the conveyance of property from the City of North Myrtle Beach to the United Parcel Service, Inc. (via its entity BT-OH,

LLC)(“UPS”) in exchange for a conveyance via various property owners described in the ordinance

Mayor Hatley asked if the Council would consider taking agenda items A, B, and C together. The Council was in agreement. Mayor Hatley read items A, B, and C by title and called for a motion. Councilman Thomas motioned to approve and was seconded by Councilman Coyne. Having no comments from the Council or the public, Mayor Hatley called for a vote. The motion to approve passed 7-0.

6. UNFINISHED BUSINESS:

A. **ORDINANCE/SECOND READING:** An amendment to Article V, Section 12-72 of the North Myrtle Beach Code of Ordinances. Mayor Hatley asked Manager Mahaney to read the ordinance by title and called for a motion. The motion to approve was made by Councilwoman Fontana and seconded by Councilman Baldwin. Councilman Thomas stated this was a great step in trying to control the noise, however, he wanted to amend the ordinance to state that commercial businesses that were adjacent to residential properties must close their outside music at 9:00 PM. Councilwoman Fontana stated she would not like to amend the motion. Mr. Noury explained the last discussion the Council had, they indicated they wanted to give the ordinance a try to see how it worked and if difficulties were experienced, it could be changed at a later date. Councilman Baldwin stated he would like for it to stay the same, because if there were a change, the public would need to be notified ahead of time. Councilwoman Fontana, Councilman Coyne, and Councilman Skidmore agreed to keep it the same and tweak it at a later date, if needed. Councilman Thomas explained a resident shouldn't have to sell their home after 30 years, because of the noise behind their home. Mayor Hatley agreed and stated there were some issues in other neighborhoods, too.

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

B. **ORDINANCE/SECOND READING:** An amendment to Article V, Section 12-78 of the North Myrtle Beach Code of Ordinances. Mayor Hatley read the ordinance by title. Mr. Noury stated the enforcement standards needed to be consistent with the changes that were made in Article V, Section 12-72. Mayor Hatley called for a motion. The motion to approve was made by Councilwoman Fontana and seconded by Councilman Coyne. As a matter of housekeeping, at the City Council meeting of April 5, 2021, the first reading did not have a motion or a second, only a vote. Mr. Noury stated there needed to be a motion and a second for the first reading. Mayor Hatley called for a motion for the first reading. The motion to approve was made by Councilman Thomas and seconded by Councilwoman Fontana.

Having no further 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:** Residential rental cart fee adjustment. Mayor Hatley read the ordinance by title and asked Manager Mahaney to explain the ordinance. Manager Mahaney explained some of the trash problems with short-term rentals and showed a couple of pictures demonstrating the excess trash overflowing the cans and on the ground. The trash would be picked up on Fridays, Saturdays, Sundays, and Mondays. Mayor Hatley called for a motion. The motion to approve was made by Councilwoman Fontana and seconded by Councilman Baldwin. Mayor Hatley stated this ordinance would help the residents and short-term rental industry, as everyone needed to work with each other and learn to live together. Councilwoman Fontana stated it would help with the complaints and it was a good beginning.

Mayor Hatley asked if there were any comments from the public.

Rick Elliott, 3739 Golf Avenue, North Myrtle Beach, wanted to commend the Mayor and Council on their efforts to work with residents and businesses on the trash issue. Homeowners wanted to see enforcement of the laws. He thanked the Council for picking up the trash more often. He wanted to have the Council consider a Wednesday pick up for rentals that go Saturday to Saturday. He stated homeowners that he worked for would gladly pay extra for trash pick-up. Mr. Elliott stated he would encourage guests to not leave trash beside dumpsters and would let them know where the city dump was and they could make deposits there. He stated he believed the City was a green city and it would be nice to have some recycling areas around town. People would support and participate in it. Manager Mahaney asked Mr. Elliott to help with a mass realtor meeting to inform the realty companies of the new ordinances.

Hillary Seddinger, 1100 North Ocean Boulevard, North Myrtle Beach, stated she and her husband owned a few short-term rentals in the area. She spoke with the Sanitation Manager and was informed that single-family homeowners could not contract for trash pick-up. She stated this right was given to businesses and multi-family businesses in the city. Ms. Seddinger asked that the short-term rental owner should have the right to contract their own trash collection. It gave the City a monopoly over the collection of trash. She stated responsible short-term rental homeowners have to bear the burden of the cost increase. She would like to see the irresponsible short-term rental homeowners or management properties assessed a fine for the excess trash. A homeowner would go from paying \$600 a year to \$1400 a year, which left no room for competitive pricing. Ms. Seddinger asked that the Council consider changing the Code of Ordinances to allow short-term rental owners to provide for their own garbage collection services. Manager Mahaney stated they would look into it and study the expenses that would be incurred. Mayor Hatley stated there was a lot of expense to the City when it came to trash and recycling, but would look into the matter.

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:

Lawton Dews, 1408 Summerwind Court, North Myrtle Beach, stated he would like the Council to reconsider the resolution and extend the mask ordinance to April 30, 2021 or longer. He stated there were 66,000 new cases on April 1, 2021 and the numbers were increasing daily. The younger population had not had the opportunity to be vaccinated yet. Mr. Dews stated there were variants of the virus to worry about, too. The CDC stated that fully vaccinated individuals still needed to wear their masks and the FAA still had a zero tolerance rule for those that refuse to wear masks. Mr. Dews stated it wouldn't be safe to uncover your face before Memorial Day. He did agree some restrictions needed to be lifted in order for everything to get back to normal, but not the mask mandates. Horry County was still in a high risk category. He reiterated for the Council to reconsider and extend the mask ordinance. Mayor Hatley thanked him for his comments.

9. ADJOURNMENT:

Mayor Hatley adjourned the meeting at 7:37 PM.

Respectfully submitted,

Allison K. Galbreath, Clerk to Council

MARILYN HATLEY, MAYOR

Minutes approved and adopted this 19th day of April 2021.