

**CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA  
NORTH MYRTLE BEACH CITY HALL  
CITY COUNCIL MEETING  
Monday, June 7, 2021, 6:30 PM**

**Minutes**

**1A. ROLL CALL:**

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

Marilyn Hatley  
JO Baldwin, Absent for roll call only  
Fred Coyne  
Nicole Fontana  
Trey Skidmore  
Hank Thomas  
Terry White

A quorum was established.

**1B. EXECUTIVE SESSION:**

The Mayor called for a motion to go into Executive Session for a legal briefing regarding a proposed amendment to the Barefoot Resort Development Agreement related to the Sea Glass Cottages project. The motion was made by Councilman White and seconded by Councilwoman Fontana. The motion passed 6-0. The Council returned to Chambers at 7:31 PM. The Mayor announced that no votes were taken at the session.

**1C. CONTINUATION OF CALL TO ORDER:**

Mayor Hatley asked Manager Mahaney to deliver the invocation.

The Mayor led the Pledge of Allegiance.

**2. MINUTES:**

The motion to approve the minutes for the City Council Workshop of Wednesday, May 5, 2021, City Council Workshop of Wednesday, May 12, 2021, Special Called City Council Meeting of Friday, May 14, 2021, the City Council Meeting of Monday May 17, 2021, and the Special Called City Council Meeting of Friday, May 21, 2021 as presented, was made by Councilman Thomas and seconded by Councilwoman Fontana. The motion to approve passed 7-0.

**3. COMMUNICATIONS:**

Mayor Hatley presented Maritsa Platis, the reigning Miss U.S. International with a proclamation and a ceremonial key to the City. Mayor Hatley stated Miss Platis was the first woman from South Carolina to win the title and she would be competing for the title of Miss International in Tokyo, Japan this fall.

Mayor Hatley stated that the Departmental Monthly Reports for April 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 sent Congressman Rice's warmest regards and best wishes.

Councilman Coyne stated there was a community watch meeting over the Cherry Grove section and he thanked Detective Bellamy, William McLeod, Chief Dennis, and David McConaughy from Code Enforcement for coming to the meeting and helping to educate the community on different rules and regulations. He stated there were over 70 people in attendance and it was a great meeting.

Mayor Hatley thanked the Public Safety Department for all of their hard work over the Memorial Day weekend. She pointed out the beautiful flower display the Driftwood Garden Club had in the atrium. The display was for National Garden Week, June 6-12, 2021, and the club made the arrangements in honor of first responders.

**5. CONSENT AGENDA:**

**MOTION TO APPROVE:** 4<sup>th</sup> of July American Pride March

Mayor Hatley read the motion to approve by title and called for a motion. Councilman White motioned to approve and was seconded by Councilwoman Fontana. 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: None**

**7. NEW BUSINESS:**

A. **PUBLIC HEARING:** Public hearing on the FY 2022 proposed budget  
Manager Mahaney gave an overview of the \$131 million budget and explained the tax levy and large project initiatives for the budget year.

Mayor Hatley opened the floor for public comment.

Gary Penebre, 5109 White Iris Drive, North Myrtle Beach, inquired how many people could the Emergency Operations Center sleep. Fire Chief Garry Spain explained it would be for the EOC staff and there would be 4-5 beds upstairs, but more available when the fire station was built.

B. **ORDINANCE/FIRST READING:** An ordinance setting the tax levy for FY 2022. 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 Coyne. Mayor Hatley confirmed taxes were not raised this year.

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

C. **ORDINANCE/FIRST READING:** An ordinance to provide for the adoption of the budget for FY 2022. 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 White. Mayor Hatley thanked the staff for their hard work on the budget, especially taking into account the changes the City had to make to last year's budget due to the pandemic.

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

**8. PUBLIC COMMENT:**

Meade Bryan, 2103 Chestnut Street, North Myrtle Beach, handed the Council pictures to demonstrate the severity of what she was speaking on. On May 23, 2021, her dog was attacked and severely injured by another dog who was not on a leash. Many people have since told her this had happened to them and their dogs. This was the second time this has happened to them. The first time involved one of their other dogs by a different dog on a different street. They spoke with Animal

Control and Officer Downey explained the leash law, which states the dog has to be on a leash when off of the owner's property. Ms. Bryan stated it's too late for them to be on a leash when it runs after a dog that is on a leash on the street, which happened in her case. She said you shouldn't be afraid to walk your own dog on a leash. It could be a child next time. Ms. Bryan stated in both cases, the dog was off leash with their owner in the yard and she wondered if only there were a fence, this might not have happened. She asked for something to be done. She asked what the difference was in a dog loose in the front yard versus loose off the property. A dog could react to a smell or something else and attack. Mayor Hatley stated she was so sorry that had happened to her dog. Manager Mahaney stated they would study it.

Cindy Powers, 2362 Tidewatch Way in Barefoot Retreat, North Myrtle Beach, stated many of the Barefoot owners had sent emails stating their concerns over the Sea Glass project. She stated there would be increased traffic and when the bridge opened, traffic was stopped on Highway 17. She stated there would not be enough parking, which was already limited. It would devalue their homes to have the small cottages. She stated they were already dealing with the Sea Glass expansion on the waterway. Ms. Powers reiterated the traffic problems, the increased debris issues, and stated it was unsafe to walk dogs or even around the community. She felt allowing 30 day rentals would lead to 7 day rentals and increased transient traffic and the potential for criminal activity in the neighborhood. She asked the Council to think about this and say no to the proposed agreement. Manager Mahaney stated if things stayed on track, the Development Agreement would be a public document for the July 19, 2021 City Council meeting. He asked they look at the agenda and city website, because it could change. Ms. Powers stated they did not know if they would have a voice at the meeting, which was why they came tonight. Mayor Hatley stated to have a couple of spokespeople to represent them at the meeting. She stated things were constantly changing in an agreement and to come back to see what the proposal would be. Ms. Powers stated they just wanted a voice and the commercial end was out for profit. She stated these rentals would not be good for Barefoot.

Fred Caruso, 2312 Tidewatch Way, in Barefoot Retreat, North Myrtle Beach, asked who got to amend the Barefoot Charter from the commercial aspect to a residential aspect. He stated he would think that the Board that represented Barefoot would have a say, but he was told by them they do not have a say in it. He stated he was told he couldn't do anything about it, either. He stated the people that don't live in the development were the ones that could change it. Mayor Hatley stated it was a Planned Unit Development (PUD), not a charter and only the Council could change a PUD or a PDD, as it was called now. It must go through the proper process to have changes and it was not unusual for it to be changed, because the area was always changing. Mayor Hatley explained how the process worked for a PDD to be changed. Chris Noury, City Attorney, explained the land owner over the undeveloped areas had the legal right to present site plan changes with the project to the Council. Mayor Hatley stated the land in question had changed several times over the years. Mr. Caruso stated he moved to North Myrtle Beach, appreciated what he had there, and wanted to keep Barefoot as status quo. He stated he knows he can't complain about development, because there was nothing and now there was something. He loved the something that it was and didn't think they would like the something that it may become. He stated he was at the Planning Commission meeting and the Commissioners had very valid questions about the project. He asked if someone had actually been over there. It was cramped with no parking. If there were 100 more added, it would be worse. Mayor Hatley stated she had been over to the area two times. She stated she had been inside and talked to several of the people who lived there. Mr. Caruso stated from the residents that lived there, the Commissioners had received many complaints about the poor quality of workmanship, amenities that had not opened, the lack of open space, and the little pool that was built. Mr. Caruso didn't oppose a residential area, but wanted one like the Retreat, residential homes and not rentals.

Councilman Baldwin pointed out in the first phase of Sea Glass, they asked for 7 day rentals and the Council said no, which was why it couldn't be less than a 30 day rental now. A discussion of the 30 day rental aspect continued.

Terry Brewer, 4801 Harbour Point Drive, Unit 706, North Myrtle Beach, stated she came from a high growth area and knew what the impact was like on the infrastructure. There was a significant impact on the police, fire department, medical community, and schools. She stated she knew there was a bond referendum coming up for the Sports Complex, but asked they look at the school infrastructure. She stated it was her understanding that the schools were almost at capacity or at capacity. She stated with the high rate of growth, there would be a significant need for tax payer funding to help with building schools. She wanted to ensure that they were planning carefully with others that would be impacted by the growth decisions, like the medical community, fire and police, and particularly the schools. As tax payers, that was a big expense. There were buses that already stop in front of Sea Glass homes. As a former school principal, she was familiar with the impact on the infrastructure if not planned carefully. She stated senior citizens would not be the ones to live in these homes with multiple floors.

Nancy Bartley, 2398 Tidewatch Way, North Myrtle Beach, wanted to know if there would be a traffic light at the corner of Village Crossing and Barefoot Road Bridge. The huge cement sign was down because a huge truck took it down. She stated she was on the other side of it and might not be here, if it wasn't for the sign. This was before 200-400 more cars would be coming up and down the road. Manager Mahaney stated that was an item of negotiation that couldn't be negotiated in public. He stated the details would be negotiated and presented in the Development Agreement. Ms. Bartley stated she wanted to appeal to the hearts of the Council. Most of the residents in Barefoot were retirees, who found the beauty of North Myrtle Beach and came from overly populated areas. She stated greed took over the quality of life. She was in love with South Carolina and as they planned, she wanted them to remember the quality of life.

Gary Penebre, 5109 White Iris Drive, North Myrtle Beach, inquired if an environmental and pollution study been done. Mayor Hatley stated she was sure there would be one done. He asked the Council to make this area for permanent residents and not rental, to prevent the devaluation of their houses in the area.

Fred Caruso, 2312 Tidewatch Way, North Myrtle Beach, stated they understood that someone who owned a house could rent it out, especially a townhouse or condominium. What they were trying to get away from was this being rental property, because who would take care of it properly.

**9. ADJOURNMENT:**

Mayor Hatley thanked everyone for coming to the meeting and adjourned the meeting at 8:28 PM.

Respectfully submitted,

Allison K. Galbreath, Clerk to Council

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MARILYN HATLEY, MAYOR

Minutes approved and adopted this 21<sup>st</sup> day of June 2021.