

**CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA  
NORTH MYRTLE BEACH CITY HALL  
CITY COUNCIL MEETING  
Monday, November 15, 2021, 7:00 PM**

**Minutes**

**1. ROLL CALL:**

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

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

A quorum was established.

**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 Meeting of Monday, November 1, 2021, as presented, was made by Councilwoman Fontana and seconded by Councilman Baldwin. The motion to approve passed 7-0.

**3. COMMUNICATIONS:**

Chris Noury, City Attorney, administered the Oaths of Office to Mayor Hatley, Councilwoman Fontana, Councilman Skidmore, and Councilman-elect Collins. Each stood with their families as they were sworn into office.

Mayor Hatley stated that the Departmental Monthly Reports for October 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, best wishes, and congratulated members of the Council on their successful election.

Mayor Hatley recognized and thanked a Boy Scout Troop for attending the Council Meeting.

**5. UNFINISHED BUSINESS:**

**ORDINANCE/FIRST READING:** An ordinance to lease office space and to authorize the use of a portion of the pool and other areas of the Aquatic and Fitness Center to McLeod Seacoast Hospital. Mayor Hatley read the ordinance by title and called for a motion. Councilwoman Fontana motioned to approve and was seconded by Councilman Coyne.

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

**6. NEW BUSINESS:**

**ORDINANCE/FIRST READING:** An amendment to Ordinance 19-22 changing the effective date for implementation of the ban on single-use carryout bags by retail establishments. Mayor Hatley read the ordinance by title and opened the floor for public comment.

Gerry Ferguson, 1602 25<sup>th</sup> Avenue North, North Myrtle Beach, stated she was sympathetic to the businesses, but she was there to speak on behalf of the Earth. During the pandemic, delivery, curbside pickup, and take-outs were tremendous. There had been a proliferation of plastic bags. The Earth and landfills were choking on them. She had great sympathy for the business, but felt it was her duty to speak for the Earth. She stated she proposed a compromise in her email that was sent to the Council of a 6 month delay instead of a year delay. This would make three years since the ordinance was first passed. She realized there was a pandemic, but that didn't stop the Earth from suffering. She hoped the businesses would recover soon, but it seemed like we were coming back. She stated she would appreciate them reaching a compromise that was fair to both sides of the issue.

Lorna Sheets, 42 Shadow Moss Place, North Myrtle Beach, stated she had spoken many times about this issue and talked to several before the meeting. She wanted to read something that would explain everything. "In the end, our society will be defined not only by what we create, but by what we refuse to destroy."

Mary Hager, 811 Highway 17, North Myrtle Beach, stated she was not only a member of the Turtle Patrol, but a small business owner. She stated it was important to look at cost effectiveness. Going from plastic to paper would be a slight increase, but felt that little increase was important to our environment. As a small business, they had been preparing for over a year. From one perspective of a small business, she would like to keep the effective date of the ban on January 1, 2022.

Cheryl Garnant, 1113 24<sup>th</sup> Avenue South, North Myrtle Beach, stated she was born an environmentalist. They have known business to go plastic bag less. She called Food Lion and they sell a bag for 99 cents. She couldn't imagine anyone not being able to afford buying one. If the business felt like it's going to cost them money, have them charge one penny on something to cover their costs. They can give bags away instead of insisting on charging for one. Many people go to Sam's Club and Costco and they have boxes. People drive to Wilmington to shop at Trader's Joe and they do not have bags. Ms. Garnant stated the statement by businesses that don't want to do this yet was for the sake of argument.

Sandra Porter, 607 Rosemary Lane, North Myrtle Beach, stated this was the first time she's attended a meeting and thanked the Council for their services. She was not a member of any group, but represented herself. The businesses do not need to be made responsible for handing her a bag, whether paper or plastic. There was only a few things that a single citizen can actually have control over. This was a tiny issue for a person to take responsibility. TJMaxx sold huge bags for 99 cents. A family could buy 10 bags for 99 cents each and would be fine. This was not an issue of businesses themselves. It was an excuse for us not taking some level of responsibility over something they could control. At the minimum, we should only do a 6 month delay. Grocery stores would not lose business, because every grocery store would have to do the same. People would still eat. People would complain for 6 months, but would get used to taking in their bags. As a single

citizen, this was something we could take the responsibility to ensure that the ocean or turtle doesn't get a bag.

Cheryl Kilday, President/CEO of Destination North Myrtle Beach, stated the penalty for not complying with the ordinance was a misdemeanor. She stated their concern was related to the supply chain. There was a real issue getting paper bags. Many companies that used to make paper bags were now making boxes. In the letter she sent to Council, she suggested to monitor the supply chain, reevaluate, and then proceed. In the meantime, take steps on community awareness. She stated it wasn't an issue of cost, but of supply. If we were going to have them comply, they needed to be able to comply. She wanted to make sure there was a community awareness campaign with the Solid Waste Authority. She stated they were prepared to go door-to-door to make sure businesses were aware and monitor the supply chain. They should not taking action on a business when they couldn't get the supply.

Sylvia Bray, 2100 Sea Mountain Highway, North Myrtle Beach, stated about three years ago, several people got involved to conduct a cost analysis and determined that paper was cheaper than plastic. The WHO finished an event and said not to do this yesterday or tomorrow, but do it today. She's been to several stores which had paper bags. They were out there. She stated that Kohl's opened a couple of weeks ago and they had a paper bag. They came in and were prepared. The bag was made by Pro Am Pack, made in the USA. It was recyclable and reusable. They have waited a year and don't need to wait another one. Now the concern was the children and what the runoff was doing to their health and mental health issues. She asked that they carry this forward today.

Barb MacKinnon, 323 59<sup>th</sup> Avenue North, North Myrtle Beach, stated she had many questions and Ms. Kilday answered them for her, which made a difference in how she thought about it. If the question was supply and the businesses do actually want to comply, that made her feel better. The issue was not plastic versus paper, it was people bringing their own bags. This would be an education issue. Her issue was that if we kept on delaying, a business would say they were not ready and then another business would say they were not ready and delays would continue to happen. She stated if Council insisted businesses comply at the 6 month mark that would satisfy the questions this had raised for her.

Mayor Hatley closed public comment. Mayor Hatley asked the Council if they would like to proceed or like to discuss before voting on it. Councilman Baldwin stated he would like to discuss the issue with the supply chain that everyone had been dealing with. The Council continued a discussion on the support of the plastic bags ban, supply chain facts, and a possible compromise of 6 months. Mayor Hatley stated she was willing to compromise. She stated that Ms. Kilday had offered to chair a committee to educate the community and help businesses get ready and prepared for when the ban would go into effect. She stated she wanted to have individuals from the Sea Turtle group be a part of this committee. The businesses, Chamber, and environmental groups needed to work together on this committee in order for the ban to take effect in 6 months. Councilman Collins stated the citizens needed to start using reusable bags now. He did not want to delay this ordinance. He could live with 6 months, but would like to have it now. Councilman Coyne stated he agreed with the 6 month delay, but education was needed for people to bring their own bags. Councilman Baldwin wanted to know Mr. Boulineau's opinion on the subject.

Frank Boulineau, 212 Sea Mountain Highway, North Myrtle Beach, stated supply was the issue. The two largest paper companies had been bought out by China and they were now making cardboard boxes for Amazon. They used to get printed paper bags and they cannot get them right now. There was a two year lead time to get them. They had been doing a lot to help the situation. They gave over 200,000 reusable bags last year. They would give a customer one and were not

trying to be cheap. Part of the problem was tourists. Tourists do not know they need to bring their own bags in. Mr. Boulineau stated that Mount Pleasant had a bag ordinance, but did not enforce it. He was there last week. The convenience stores only used plastic and the grocery stores had paper and plastic. He asked whatever was decided, he would like for it to be enforced. He would like to see at least 6 months to use up his current supply. They had to order 1 million bags at a time. A paper bag costs 5 times more than a plastic bag. They pay 3.2 cents for plastic versus 18 cents for a paper bag. He stated he loved the environment, but wanted some time to make the transition. They have several months' worth of plastic bags in their warehouse. He stated the two companies he used to get paper bags were having a hard time getting them. Councilman Baldwin asked if he believed he could make the transition in 6 months. Mr. Boulineau stated as long as they received the supply, they could do it, but didn't know what the supply would be like. Mayor Hatley reiterated they needed to have an ordinance that would be enforced. Mr. Boulineau stated they had a parking issue last year. The business community and the city worked together to solve the problem. He believed that the two working together, along with the Chamber, could solve this issue and educate the tourists to bring their own bags. Mayor Hatley stated after the ordinance was decided, she wanted to appoint a committee with business community members and volunteers to work together to get the word out to make the project work. Mayor Hatley stated she had already spoken with Ms. Kilday, who offered to chair the committee.

Mayor Hatley called for a motion. Councilman Thomas motioned to accept the ordinance on first reading for an effective date from January 1, 2022 to July 1, 2022 and was seconded by Councilwoman Fontana. Councilman Coyne stated he would like to get a report back 30 days before this would go into effect. Mayor Hatley asked for an update within 3 months on the steps the committee would be taking and how they would be working together for an easy transition. Councilman Collins asked for additional verbiage that asked businesses to make the transition as soon as they could. Mayor Hatley stated some businesses were already doing this.

Having no further comments from the Council or public, Mayor Hatley called for a vote. The motion to approve passed 6-1. Councilman Collins voted nay.

7. **PUBLIC COMMENT:**

Greg Snow, 5210 Windy Pines Drive, North Myrtle Beach, stated he had lived in Barefoot Resort for 11 years. He stated right now the Barefoot Resort Community Assessments for the common area maintenance were now including new Barefoot Resort development costs. The community was not allowed input over this levy. This was done purely at the pleasure of the unelected Barefoot Resort Joint Committee. He prayed that the city would compel the Barefoot Resort racketeers to remove their development costs from the common area maintenance assessment from the community.

Weldon Boyd, 4801 Harbor Point Drive, Unit 104, North Myrtle Beach, congratulated the winners of the election. He stated he typed down what he wanted to say, so he didn't get long winded.

Mr. Boyd read: Today I am addressing the Council in hopes of having an existing ordinance modernized to meet the needs of today's small business trends, as well as fall in line with what makes sense. Currently, we have an ordinance in place that prohibits small businesses in town from setting up a table at community or private events to do business. I understand the origin of this ordinance, and I understand the need for it at that time. However, times have changed and so has small business. There are many businesses in town that are not destination points and just exist, and are eager for the opportunity to set up at places that are during events to generate new clients and make additional revenue they otherwise would not get if they weren't at this event. A Buoy's event can easily draw 2,500 potential clients with little marketing effort. We are eager to share this opportunity with other small businesses in town. Other cities have adopted this trend, changed ordinances, and created

new ones to adapt and allow small business their freedoms of doing business. I spoke with leadership in Hartsville and I will email you all a full list of their ways, ideas, and things they are changing to better adopt this new trend. In North Myrtle Beach, I pay for a business license. That gives me the right to do business in town. It isn't right for a real estate company to strike a deal over lunch at Applebee's but a boutique isn't allowed to set up a table at a community event. The current ordinance also doesn't apply to city events or mega corporations like Barefoot, only to private events or private property. This really should be updated. I am confident the Council would be open minded to get this conversation started. We have to adapt to meet the needs of small business and it changes every day. Face to face, community events are the trend. I understand the concern for a business abusing this. In my email, there will be many suggestions on the concerns, but one idea would be to limit these permits to a set amount of times per year. This makes the business put more thought into where they want to burn this permit at, and likely will result in them staying focused on the community style events rather than just setting up at a Denny's for a Saturday. I appreciate your time and hope to see good changes to this ordinance.

Mayor Hatley asked Mr. Boyd for a copy of what he read and asked Manager Mahaney to call the City of Hartsville and talk with their license individuals on how their process worked. Mr. Boyd stated he had spoken with Lauren and he was going to email them their process, but the event permit fee was \$25.

Sylvia Bray, 2100 Sea Mountain Highway, North Myrtle Beach, stated this had been there for over six months, but kept forgetting to ask about it. When you go to Kohl's on Ye Old Highway, as you turn into the curve, there was no street or road and a big dip down into the grass. She stated this was a hazard. Manager Mahaney asked Ms. Bray to get with Kevin Blayton, Director of Public Works, after the meeting to determine if it was a state or city road. Mayor Hatley asked Director Blayton to get with Ms. Bray.

**8. ADJOURNMENT:**

Mayor Hatley adjourned the meeting at 7:58 PM.

Respectfully submitted,

Allison K. Galbreath, City Clerk

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MARILYN HATLEY, MAYOR

Minutes approved and adopted this 6<sup>th</sup> day of December 2021