

**CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA
NORTH MYRTLE BEACH CITY HALL
CITY COUNCIL MEETING
Monday, February 7, 2022, 6:00 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
Trey Skidmore
Hank Thomas

A quorum was established.

1B. EXECUTIVE SESSION:

Mayor Hatley called for a motion to go into Executive Session for a legal briefing regarding the Sandridge Development Agreement, a discussion regarding the potential sale of City property in the vicinity of 6th Avenue South and the corner of Gayle Street, a discussion regarding an appointment to the Planning Commission, and a legal briefing regarding the City of North Myrtle Beach vs. Beach Homes of North Myrtle Beach, LLC et al, 2019 CP-26-06963. The motion was made by Councilwoman Fontana and seconded by Councilman Collins. The motion passed 7-0. The Council returned to Chambers at 6:33 PM. The Mayor called for a motion to add to the Executive Session a legal briefing regarding an easement of a pump station on Westport Drive. The motion was made by Councilwoman Fontana and seconded by Mayor Pro Tempore Baldwin. The motion passed 7-0. The Council returned to Chambers at 7:00 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 Meeting of Monday, January 3, 2022, the City Council Workshop of Wednesday, January 12, 2022, and the City Council Special Called Meeting of Thursday, January 20, 2022, as presented, was made by Councilman Collins and seconded by Councilman Thomas. The motion to approve passed 7-0.

3. COMMUNICATIONS:

Mayor Hatley stated that the Departmental Monthly Reports for December 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 and thanked the Council for

their support of I-73. Councilwoman Fontana wanted to invite everyone to the Macaroni Mania event benefiting the Humane Society of North Myrtle Beach on February 19, 2022 from 11 AM to 4 PM at the Park and Sports Complex. Mayor Hatley invited everyone to the next Council meeting on February 21, 2022. She stated the Council would be proclaiming the City of North Myrtle Beach as a Purple Heart City.

Mayor Hatley stated under New Business, Item A, the city had received a letter from the developer's attorney asking the item to be postponed to the first meeting in March. She stated the staff had asked for Item B to be postponed. Mayor Hatley called for a motion to remove those items from the agenda. The motion was made by Mayor Pro Tempore Baldwin and seconded by Councilman Thomas. The motion to remove passed 7-0.

5. CONSENT AGENDA:

- A. RESOLUTION: To reappoint Dean Mureddu as the North Myrtle Beach Municipal Judge for a four (4) year term
- B. MOTION TO APPOINT: Appoint Jeff Martini to the Accommodations Tax Commission
- C. MOTION TO APPOINT: Reappoint Marty Slapnik and Charles Berg to the Accommodations Tax Commission
- D. MOTION TO APPROVE: Approval of the 2022 revised City Council schedule
- E. MOTION TO APPROVE: Ocean Drive Beach Music Festival
- F. MOTION TO APPROVE: SOS Parade
- G. MOTION TO APPROVE: Fun in the Sun
- H. ORDINANCE/SECOND READING: Petition for annexation and zoning designation for 0.70 acres on Little River Neck Road
- I. ORDINANCE/SECOND READING: Petition for annexation and zoning designation for 0.60 acres on Old Crane Road
- J. ORDINANCE/SECOND READING: Amendment to the Bahama Island Planned Development District (PDD) adding eight campsites to the NMB RV Resort
- K. ORDINANCE/FIRST READING: Amendment to Chapter 21, Article II, Sections 21-40 and 21-41 removing references to decals, except where they apply to golfcarts

Mayor Hatley asked the Council to consider Items A-K together. The Council was in agreement and Mayor Hatley read the items 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 passed 7-0.

6. UNFINISHED BUSINESS:

ORDINANCE/SECOND READING: Amendment to the Bahama Island Planned Development District (PDD) Development Agreement regarding the NMB RV Resort and to authorize the 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 Councilwoman Fontana and seconded by Councilman Coyne. Chris Noury, City Attorney, explained the Beach Access Fee would be \$1,100 and the Park Enhancement Fee would be \$200, for a total of \$10,400 of public benefit.

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: Second amendment to the Master Development Agreement regarding the Sandridge Tract and to authorize the City Manager to sign the document on behalf of the City. Mayor Hatley addressed this item earlier in the meeting. It was postponed and removed from the agenda.
- B. ORDINANCE/FIRST READING: Request to rezone 8.9 acres off Westport Drive from HC and R-3 to R-2A. Mayor Hatley addressed this item earlier in the meeting. It was postponed and removed from the agenda.
- C. ORDINANCE/FIRST READING: Petition for annexation and zoning designation for 1.58 acres on Champions Boulevard. Manager Mahaney read the ordinance by title and Mayor Hatley called for a motion. The motion to approve was made by Councilwoman Fontana and seconded by Mayor Pro Tempore Baldwin. Mayor Hatley explained the city owned the property and this was putting the property within the city limits.

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

- D. ORDINANCE/FIRST READING: Business License Standardization. Mayor Hatley read the ordinance by title and called for a motion. The motion to approve was made by Councilman Thomas and seconded by Councilwoman Fontana. Manager Mahaney explained the changes were being mandated by the new law. It required the Municipal Association to create a new class schedule and all municipalities in the state were required to make the changes to the business license standardizations. Mayor Hatley commented that very little would change.

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

- E. ORDINANCE/FIRST READING: An ordinance to convey an approximately 0.21 acre parcel of land located adjacent to 6th Avenue South to property owners abutting the parcel to be conveyed. 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 Collins. Mayor Hatley stated this was a sliver of land that the city could not use.

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:

Neil Witkin, 3019 Winding River Drive, North Myrtle Beach, stated he was the Secretary of the Barefoot Resort HOA and had been appointed as the liaison to the City Council, replacing Joe Gosiewski. He thanked Joe for his service and representing Barefoot at the Council. Mr. Witkin stated he looked forward to many Council meetings and if they had any questions, not to hesitate to ask.

Jim Longwith, 2051 Bridgeview Court, North Myrtle Beach, stated he was a Coast Guard licensed boat captain and had a boat at the Barefoot Resort Marina. He wanted to bring to the Council's attention a serious safety hazard in that area of the waterway. The hazard was boaters coming through the No Wake Zone creating large wakes. It could very easily cause someone to fall off the boat or dock and cause a serious injury or fatality. He had seen several cases where families were trying to dock their boats and had to hold onto children because a boat would come through making large wakes.

He stated he thought he knew of several things that contributed to this. If you were coming south and approaching the bridge, the No Wake Zone markers were hidden because of the piers supporting the bridge. A boater wouldn't see them easily. Some bridges have their own designated No Wake Zones. The Barefoot Bridge did not. So a boater may go under the bridge and assume that was the end of the No Wake Zone, throttle up, and create large wakes. He stated the vast majority of boaters did not have boater safety training and didn't know what the markers meant. In the town of Beaufort, SC they took matters into their own hands and created their own sign and put on the bridge. It states, "Idle speed for the next distance. Strictly enforced. Fines \$1025 or 30 days in jail." Mr. Longwith stated, that gets boater's attention and slows boaters down. Even if they did not have safety training, they knew what 30 days in jail and what idle speed meant. The city of Beaufort did not have to patrol it or enforce it. The sign did all the work for them. Mr. Longwith requested a similar sign be posted on Barefoot Swing Bridge. He had a petition with close to 100 signatures and pictures. If money was an issue, he stated to let him know and they would pay for it. Councilman Collins asked if he had spoken with DNR. Mr. Longwith stated they were responsible for putting markers in the water, but not on a structure. The city would have to put it on the structure. Manager Mahaney stated they had some dialogue with the Coast Guard earlier that day. They needed time to do some more research and a sign would need to be passed by ordinance. He wanted the Coast Guard to be involved. Mr. Longwith stated he had worked with the Coast Guard for years and they would be happy to support it.

Claiborne Woods, 3668 Diamond Stars Way, Little River, thanked the Council for everything they did for the city. He wanted to bring to their attention the Christmas Light Show. He was in favor of it and loved it. He had a lot of friends from North Carolina that came down and see it. He stated he and his wife sat in traffic for two hours waiting to get onto Champions Boulevard. He stated that was unacceptable and also a safety issue. Another evening he sat at the intersection of Robert Edge and Champions Boulevard. Police officers were directing traffic. He sat for 12 minutes and finally took his yellow placard and waved it to get their attention and they brought him in. There were complaints from neighbors, too. He thought everyone was doing a great job, but it could be looked at and tweaked. Mr. Woods stated he didn't wait in the Marine Corps that long for anything. He wanted to point out that the neighbors of Park Pointe are about 175 houses and he felt like it wouldn't be a bad idea if the Council would let the neighbors go to the light show for free. It would cost a whole \$3,500. It would be worth it to the neighborhood and how the people perceived the Council. Mr. Woods also asked for the Council to share a plan with them on what they would be doing about the one way egress out of the neighborhood, especially with the apartments and 175 houses coming in. That would be a severe safety matter, too. Manager Mahaney stated they were working on another exit out and discussed some of the potential options.

9. **ADJOURNMENT:**

Mayor Hatley thanked everyone for coming to the meeting and adjourned the meeting at 7:25 PM.

Respectfully submitted,

Allison K. Galbreath, City Clerk

MARILYN HATLEY, MAYOR

Minutes approved and adopted this 21st day of February 2022.