

**CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA
NORTH MYRTLE BEACH CITY HALL
CITY COUNCIL MEETING
Monday, March 21, 2022, 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
Bubba Collins
Fred Coyne, absent for roll call only
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. 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 7:08 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.

Mayor Hatley stated under New Business, Item B, the city had received a request by Robert Weaver for the item to be postponed indefinitely. Mayor Hatley called for a motion to remove New Business, Item B from the agenda. The motion was made by Councilwoman Fontana and seconded by Mayor Pro Tempore Baldwin. The motion to remove passed 7-0.

2. MINUTES:

The motion to approve the minutes for the City Council Meeting of Monday, March 7, 2022, as presented, was made by Councilwoman Fontana and seconded by Councilman Thomas. The motion to approve passed 7-0.

3. COMMUNICATIONS:

Mayor Hatley stated that the Departmental Monthly Reports for February 2022 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. Mayor Pro Tempore Baldwin thanked everyone involved for the hard work they put into the St. Patrick's Day Parade, especially since it was delayed one week. Mayor Hatley stated it was a great parade and festival.

5. CONSENT AGENDA:

- A. RESOLUTION: Pre-annexation agreement for Lot 19B-1 on Lester Lane
- B. RESOLUTION: Revise the bylaws for Keep North Myrtle Beach Beautiful
- C. ORDINANCE/SECOND READING: Amendment to Chapter 5 Beaches and Waterways to include Section 5-26 titled Fires Prohibited
- D. ORDINANCE/SECOND READING: Petition for annexation and zoning designation for 0.8 acres on Cenith Drive

Mayor Hatley asked the Council to consider Items A-D together. The Council agreed 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 Chapter 23, Zoning, of the Code of Ordinances of North Myrtle Beach, South Carolina regarding the Crescent Beach Neighborhood Overlay. Mayor Hatley read the item by title and called for a motion. The motion to approve was made by Mayor Pro Tempore Baldwin and seconded by Councilwoman Fontana. Councilman Collins inquired if there would be 20% of the parking on the oceanfront side of the property. Jim Wood, Director of Planning and Development, confirmed parking would be 20% on the ocean side.

Mayor Hatley opened the floor for public comment.

Debby LaPierre, 1414 Hillside Drive, North Myrtle Beach, read her statement. At the March 7, 2022 meeting we heard, 'safe, walkable, clean, livable, revitalized.' These were words that described the community they all wanted, but currently did not have. To aid in providing this environment, we needed the following:

1. Sidewalks—Crescent Beach ocean side has 23 streets. Only 6 of these streets have sidewalks. Parents with children, teenagers, young adults and seniors use the streets to walk to the beach. Is this what we call safe and walkable?
2. Street lighting—16 streets run perpendicular to the ocean. The city provides lighting at intersections only for these 16 streets. No lighting is provided for properties between intersections. For the 6 streets that run parallel to the ocean, the city provides lighting for properties located between the intersections as follows: 1 block has 3 lights, 9 blocks have 2, 30 blocks 1 and 49 have 0. Current lighting does not promote a safe walkable environment after dusk, but it does promote crime.
3. Beach access—We currently have 7 street end beach accesses. All provide parking, 4 have wheelchair access, 2 have restrooms and 3 have showers. The remaining 9 streets which dead-end at the beach have either a sand or no path to the beach. Our goal should be ocean front beach access for all streets that dead end on Ocean Blvd. In addition to parking, all accesses should be ocean front beach access for all streets that dead end on Ocean Blvd. In addition to parking, all accesses should include handicap parking, wheelchair access, restrooms, water fountains and showers. Expensive we know. But why can't those who want to increase current site density provide 50-75% of funding through special fees for new construction or teardown and rebuild. Existing public walkways leading from streets parallel to Ocean Blvd. should remain open and be maintained and kept clear by the City.
4. Environmental Protection—The ocean and its wildlife are irreplaceable natural resources that must be nurtured to provide a sustainable source of income. Those receiving revenue from this precious environment must participate in keeping the beaches clean, preventing litter from entering the ocean, wildlife protection and filling in holes by performing daily cleanups prior

to high tides. These cleanups may be performed by establishment employees or possibly by the City for a fee.

If we are serious about revitalizing while maintaining a family friendly environment all of the above are as important as fresh inventory and most can be done prior to or simultaneously with new construction or renovations of existing sites.

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 read the ordinance by title and called for a motion. The motion to approve was made by Councilman Thomas and seconded by Councilman Skidmore. Councilman Collins stated he was glad to see the density reduced from 270 to no more than 125.

Mayor Hatley opened the floor for public comment.

Rich Artenian, 3629 Park Pointe Avenue, North Myrtle Beach, stated the staff had shared the plan with him and he had a couple of general comments. He was surprised there were entry points off Park Pointe Avenue. They were told there would only ever be one way in and out from Park Pointe. He believed there was a safety concern. He understood there had been a new policy put in place that would require more than one way into a development. Mr. Artenian also stated there were a lot of units with no amenities and that caused great concern for him and other residents. He asked the developers to consider sidewalks, visitor parking, and open play areas. The other item he was concerned about was the height level, which was 50 feet. He suggested it be a little lower. He wanted to know how many levels that would be. These were his personal concerns for consideration.

Ramon Cavalluzzi, 3601 Park Pointe Avenue, North Myrtle Beach, stated he was concerned about the access points into Park Pointe and wanted to know if a traffic study had been completed. He stated there were two blind spots on the road. He understood there would be development. The main concern would be the access points and the sight line with buses and others moving in and out of the road. Mayor Hatley stated those would be addressed with the City Engineer.

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

- B. **ORDINANCE/FIRST READING:** Request to rezone 8.9 acres off West Port 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.

8. PUBLIC COMMENT:

Neil Witken, 3019 Winding River Drive, North Myrtle Beach, read his statement. I would like to update the council on some concerns and actions Barefoot Resort is taking for long term solutions on Water Tower Road and to install sound walls along Routes 22 and 31 where they intersect Barefoot Resort. First, our residents are concerned about all the new developments along Water Tower Road that potentially brings in more traffic and cut through into Barefoot for those who want to access Route 17. Our Board realizes that we can't stop development but perhaps we can ask our political representatives to support management of the growing volume along Water Tower Road. In the event of an emergency evacuation, Barefoot residents are going to exit onto Water Tower along with all of

the new traffic volume generated from the growing number of new communities. This situation could become a log jam and a nightmare for all concerned. Second, residents are expressing concerns over the amount of noise generated from traffic along Routes 22 and 31 where they intersect Barefoot. Residents have expressed their unhappiness with the noise as it affects their quality of life. Some of it was caused by removal of vegetation to access beaver dams; but other parts of Barefoot have always had exposure to the noise which has increased over the years due to the growing volume on Routes 22 and 31. Late last year we met with representatives from the North Myrtle Beach Council along with our Board and State Senator Greg Hembree. Senator Hembree suggested we approach GSATS for Water Tower Road to be added to their study plan for future infrastructure improvements to handle the volume of traffic. The senator suggested we gather sound and traffic studies to submit to GSATS. Earlier this year, I sat with our Director of Public Works, Kevin Blayton, to ask if he could provide these studies and he advised that traffic studies would be done over the next 6 months, data we could use for GSATS. Mr. Blayton clarified that he could not provide sound studies but that would have to come from the SC DOT. He also suggested that we submit our request to GSATS at the Policy Committee Meeting to be held on March 4, 2022 which we did. Currently, we're waiting to hear back from the committee. Prior to speaking at the GSATS, we also held a meeting with our new District SC House member, Tim McGinnis. Tim advised us to also include Mark Causey, Horry County Council Member, as he's involved with county issues such as Water Tower Road. Mark was in attendance at our meeting last year with Senator Hembree as were Council members Nikki Fontana and Trey Skidmore. At the meeting with Tim McGinnis, we had the support of Mayor Marilyn Hatley, Director of Public Works, Kevin Blayton and members of the Barefoot Board and our Cedar Creek voting members. McGinnis also suggested that he would request a speaker from the SC Department of Revenue to address our board about the process needed to request funding for these projects. We are currently trying to match up dates for this speaker and will likely have a zoom meeting in April. In summary, Barefoot is seeking local, county and state political support for two long term projects that will require state funding and perhaps Federal funding too. Evacuation improvements on Water Tower Road and sound walls on Routes 22 and 31. We fully realize these endeavors are long term projects; but we felt the need to start the process at this time.

Linda Eleuteri, 316 49th Avenue North, North Myrtle Beach, thanked the Council for the public parking at Cherry Point. What the city was doing was beautiful. She had pictures to show of one project which was upsetting to her. First, they took down the public walkway in Cherry Grove by the pier. It was used a lot by those that couldn't get out on the beach. People would pull their wheelchairs up to it and see the ocean. They took it down and it has not been replaced. She would love to see something replaced there. The place that bothered her the most was on 17th Avenue North. The City Clerk placed pictures for the Council to see on the document camera. Pictured were access points that were covered by sand and the ramp that was not usable. She understood they were dunes, but that wasn't dunes, it was a lack of being taken care of. If they couldn't do something, she wanted them to tear it down and build something they could use. They had beautiful parking lots and people couldn't get down to the beach. There were many spots that needed to be taken care of. Manager Mahaney stated they would look into it.

Doug Rogers, 336 57th Avenue North, North Myrtle Beach, stated this was in reference to the kayaks. He stated he was at the first workshop in which they discussed the congestion and the city providing a place for private companies to conduct their business. Everybody exposing the city to potential liability. He stated it appears the congestion was being addressed. It was the third time a new ramp location was being provided by the kayak companies. This time with a proposed cost of \$400,000. Nothing had been done to address the congestion on the water. In fact, the location of the new ramp would contribute to more congestion and conflict. This location was less than 1/3 the size of the creek where they now deploy the boats. Homeowners line the creek and homes in the finger channels have

people coming and going on the water. In addition, there was a sharp curve in the creek where the ramp was to be constructed. Imagine what would happen if a boat or jet ski came around the corner at 30-40 mph and suddenly came up on 30-40 kayaks. It may be a few trips to the emergency room, but it could be more. If the city elected to provide the ramp, especially at this location, for a few select individuals to conduct private business, it would seem they would be disregarding the rights and opinions of the general public. It exposed the city and all its citizens to a huge amount of liability. He didn't know why the city would provide private individuals a place to conduct business at a cost of close to ½ million dollars. At the same, he and others, who did not even own a boat have to pay for dredging the very creek they would be using for free. He stated something did not add up. He thanked them for what they did for the city and wished they would spend some time on the creek, it was a beautiful place and worth preserving.

Bob Hutton, 5208 Windy Pines Drive, North Myrtle Beach, stated they wanted to introduce an initiative on Water Tower Road. They were creating an independent, volunteer effort called the Water Tower Road Beautiful Group. Water Tower Road was becoming a significant entrance for Barefoot. Their objective was to become a positive voice for the 7-mile stretch of road, which has split responsibility between Horry County and the City of North Myrtle Beach. He stated they had conversations with the Horry County office of Keeping America Beautiful to adopt Water Tower Road from Route 31 to Route 90 for litter control and beautification, where possible. The reason they started this initiative was because Water Tower Road was consistently covered with unsightly and unhealthy litter. Illegal small signs have cluttered the rights-of-way. Some properties have violations, and some were abandoned and in decay. The state of the road diminished the value of their community. It was about first impressions. Water Tower Road was no longer a dirt farm road and will be a major thoroughfare.

John Holleran, 5809 Swift Street, North Myrtle Beach, stated he has worked with Mr. Hutton on this project. He's talked with several departments about this initiative, and they had all been very cooperative. Water Tower Road was an important road for several communities. They wanted to protect and preserve the beauty of South Carolina and North Myrtle Beach. They would be initiating clean-ups, probably 3 per year. They did have some requests of North Myrtle Beach. In the way of clean-up, they may need assistance from Public Safety to make sure speeders don't endanger the volunteers. In the area of enforcement, they wanted to make sure there was a multi-faceted approach. He wanted whatever could be done to reasonably enforce the existing laws and ordinances, such as not allowing litter, solicitation signs, and dumping. Those enforcements were important and encouraged the officials to continue fighting on that. They wanted to be a voice for the beautification of Water Tower Road, as well as other roads. They didn't know how many or when other developments would be coming on the road, but encouraged them to promote better landscaping, better access on and off the road, and signage. He asked they be proactive about it. They had a plan in Horry County called Streetscape. He hoped North Myrtle Beach did something like that down the line. Mayor Hatley stated they had a Keep North Myrtle Beach Beautiful. Council Coyne stated they adopted a plan like Streetscape about 12 years ago.

Pallas Forcella, 311 51st Avenue North, North Myrtle Beach, stated their family rode bikes down to Main Street and there were no bike racks. They end up putting their bikes on trash cans or benches. She asked if they could have bike racks in the area. It would help street congestion. It would also help businesses to keep their bikes from being in their way. It would also help the earth.

Jeff Wood, 336 51st Avenue North, North Myrtle Beach, stated he wanted to weigh in on the kayak issue. As a homeowner, he didn't believe they were being represented fairly. He felt like they were providing businesses an opportunity to use public land for free and it was exploiting the marsh. It was

also a safety issue. He asked if there would be an additional workshop on the kayaks. Manager Mahaney stated no, and they were implementing the companies paying 10% of their income and were presenting to OCRM the improvements that had been discussed. Mayor Hatley stated they were limiting how many kayaks each person could rent and the business licenses were being limited to the current number. Mayor Hatley stated it would not grow any more with additional business licenses. Mr. Wood stated at the last workshop there was a discussion on the excessive number of kayaks and the amount now would be 144 at one time, 6 companies at 24 each. Manager Mahaney stated he didn't believe he would see that many per day. Mr. Wood stated he lived there, and they do see that many. He wanted disclosed what type of relationship the Council members had with kayak companies. Councilman Thomas stated he was concerned with the number of kayaks and 144 were too much. This was their first step to try to control the kayaks. They would know through this season if we needed to do more to address and tweak the process. Mayor Hatley agreed with Councilman Thomas that there was a need for rules and regulations. If it didn't work, they would come back and make changes. Mr. Wood didn't understand why the public was funding a place for the businesses to operate. Mayor Hatley stated they was why they were starting to pay a fee. Mr. Wood stated to have 300-400 kayaks on the river at a time was an overload. He expected the Council to come back with 1/3 or 1/2 those numbers. It was a small area and to allow that many kayaks was too many.

9. **ADJOURNMENT:**

Mayor Hatley thanked everyone for coming to the meeting and adjourned the meeting at 7:50 PM.

Respectfully submitted,

Allison K. Galbreath, City Clerk

MARILYN HATLEY, MAYOR

Minutes approved and adopted this 4th day of April 2022.