

**CITY OF NORTH MYRTLE BEACH, SOUTH CAROLINA  
NORTH MYRTLE BEACH CITY HALL  
CITY COUNCIL MEETING  
Monday, October 17, 2022, 5:00 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 discussion regarding an appointment to the Board of Zoning Appeals, a discussion regarding potential property acquisitions, a discussion regarding the 2006 decision of City Council to abandon the current location of Crescent Beach Access #8 in exchange for its relocation approximately 66 feet southward with improvements, a legal briefing regarding private beach accessways, and a legal briefing concerning the proposed 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 7:00 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 Workshop of Wednesday, September 14 2022, and the City Council Meeting of Monday, October 3, 2022, as presented, was made by Councilman Collins and seconded by Councilman Skidmore. The motion to approve passed 7-0.

**3. COMMUNICATIONS:**

Mayor Hatley presented a Proclamation to the General Federation of Women's Club North Myrtle Beach Chapter designating October 22-29, 2022 as GFWC Advocates for Children's Week.

Brian Piascik, General Manager/CEO, of Coast RTA gave a presentation on various aspects of their service area, upgrades, the new fare collection system, ridership, new maintenance facility and transfer station, and a look into the future of Coast RTA.

Mayor Hatley stated that the Departmental Monthly Reports for September 2022 were available online.

**4. ANNOUNCEMENTS BY MAYOR AND CITY COUNCIL:**

Mayor Hatley thanked the staff and departments for the work they did to make the Women's Walk very successful. She also thanked Kevin Blayton, Director of Public Works, on how quick and efficient his department was in cleaning up from Hurricane Ian. They have received many compliments.

**5. CONSENT AGENDA:**

A. MOTION TO REAPPOINT: One reappointment to the Planning Commission

B. ORDINANCE/SECOND READING: Petition for annexation and zoning designation for 13.75 acres on Water Tower Road

Mayor Hatley asked the Council to consider Items A and B together. The Council agreed and Mayor Hatley read Items A and B by title and called for a motion. The motion to approve was made by Councilwoman Fontana and seconded by Councilman Coyne.

Mayor Hatley opened the floor for public comment.

Mark Porter, 5718 Herring Gull, North Myrtle Beach, stated the 2018 Comprehensive Plan had those lots to be R-1. There have already been some properties to allow quads instead of single-family homes. He asked they be careful in doing this because from Water Tower Road to Windy Hill everyone goes through Barefoot and it's one lane. The easiest way for the new developments to come to beachside was through Barefoot. Barefoot was designed for a capacity of 6,000 residents. Everything was sized and approved for a certain level. He asked they look at the capacity that Barefoot could hold and the bridge capacity. He asked that the property not be rezoned to maintain a good quality of life.

Councilman Collins asked if the road issues had been addressed. Jim Wood, Director of Planning and Development, stated the original numbers had gone down significantly. He explained the Planning Commission did not have a favorable recommendation. Mayor Hatley stated she was struggling with this, as well. The Council and staff discussed what could be developed in the county in the current zoning and other zoning options to keep the density lower. Mayor Pro Tempore Baldwin stated he was in favor of annexing the property in order to control the density. Roger Roy, agent for KTAD Holdings, explained what the county allowed would be worse than what the city could control. He stated R-1 would not be what every lot out there would be zoned. This project was R-2 and it would be a nice townhome project. It was never a request for R-2A. Mayor Hatley stated they had to look at the whole picture and what could happen if it was left in the county. Councilwoman Fontana stated she would rather have it within the city limits because it would still impact the city. Councilman Coyne agreed it was challenging to make this decision.

Councilman Collins thanked Rocky Cutuli for his well-done service on the Planning Commission.

Having no further 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: Amendments to Chapter 23, Zoning, of the Code of Ordinances of North Myrtle Beach, South Carolina regarding height exceptions in the Highway Commercial (HC) District. 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. Jim Wood, Director of Planning and Development showed an example and explained how the height exception would work within the Highway Commercial District.

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:** Affirm the 2006 decision of City Council to abandon the current location of Crescent Beach Access #8 in exchange for its relocation approximately 66 feet southward with improvements. Mayor Hatley read the ordinance by title and called for a motion. The motion to approve was made by Councilwoman Fontana and seconded by Mayor Pro Tempore Baldwin. Chris Noury, City Attorney, explained the 2006 decision and discussed the improvements the new access would possess. The Council and staff discussed the benefits and how many golf carts would be allowed to park at the access. Mayor Hatley stated this was a win for everyone. Mayor Pro Tempore stated he would like to see the pickleball courts and some of the landscaping eliminated for more parking spaces. Mr. Noury stated there could be up to 22 spaces. Councilman Skidmore stated this was a great asset to the community.

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:** Amendment to the Parkway Group Planned Development District (PDD) regarding the Apache Lakes Townhomes. Mayor Hatley read the ordinance by title and called for a motion. The motion to approve was made by Councilwoman Fontana and seconded by Mayor Pro Tempore Baldwin. Mayor Hatley stated her concern was the elevations. Councilman Coyne asked for the elevations to be better and Mayor Hatley agreed. They also asked to see porches in the project. The Council asked for a better color palette. Shep Guyton, agent for the developer, stated they would give them a different color palette and updated elevations for second reading.

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

- C. **SECOND PUBLIC HEARING:** Regarding the amendment to the Parkway Group PDD Development Agreement regarding the Apache Lakes Townhomes. Mr. Noury went over the main provisions to the Development Agreement

Mayor Hatley opened the floor for public comment. Having no comment from the public, she closed the floor for public comment.

- D. **ORDINANCE/FIRST READING:** An ordinance regarding the Separate and Independent Amendment to the Master Development Agreement of the Parkway Group PDD known as the Apache Lakes Townhomes 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 Collins.

Having no 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 regarding the Municipal Assessment Bonds, Series 2022 for the Cherry Grove Improvement District (a.k.a. Cherry Grove Dredging Project). 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 stated the interest rate was 3.4% and the assessment would be Fall 2023.

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

- F. **SECOND PUBLIC HEARING:** Regarding the Third Amendment to the Master Development Agreement for the Sandridge Track. Mr. Noury went over the main provisions to the Development Agreement.

Mayor Hatley opened the floor for public comment.

Harry Oehler, 3624 Pitchers Place, North Myrtle Beach, asked why the Public Safety Fee was not included within this agreement. Mr. Noury explained the \$158,000 was already obligated to be paid and this would accelerate the payment of it. It was not in lieu of the fee. He stated the developer would have to answer why the Public Safety Fee was not including in the agreement. Mr. Guyton stated this Development Agreement was trying to include a consistent template with certain standard provisions. This reduced the density and a different project type. It did include the Beachfront and Park Enhancement Fees which were not in the original Development Agreement. The density had been reduced by 200 units.

Having no further comment from the public, she closed the floor for public comment.

- G. **ORDINANCE/FIRST READING:** Creating the Third Amendment to the Sandridge Tract Development Agreement and 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 Mayor Pro Tempore Baldwin and seconded by Councilman Thomas. Mayor Pro Tempore Baldwin asked they discuss options for the egress and ingress at a workshop. Mayor Hatley stated there were a few other issues that needed to be addressed. Manager Mahaney stated a workshop would be help for this item and the Lauret Tract on October 24, 2022 at 1:30 PM.

Having no further comment from the Council or public, Mayor Hatley called for a vote. The motion to approve passed 7-0. Mayor Hatley stated there would not be a second reading until after the workshop.

- H. **ORDINANCE/FIRST READING:** Request to rezone 17.2 acres on Highway 90 from Highway Commercial (HC) to Mid-Rise Multifamily Residential (R-2) – **Note: Petitioner has requested to withdraw.**
- I. **ORDINANCE/FIRST READING:** Petition for annexation and zoning designation for 0.78 acres on Highway 90 – **Note: Petitioner has requested to withdraw.**

Mayor Hatley read Items H and I by title and stated the petitioner had requested to withdraw Items H and I and called for a motion. The motion to withdraw from the agenda was made by Councilman Collins and seconded by Councilwoman Fontana.

Having no comment from the Council or public, Mayor Hatley called for a vote. The motion to withdraw Items H and I passed 7-0.

**8. PUBLIC COMMENT:**

Harry Oehler, 3624 Pitchers Place, North Myrtle Beach, thanked them for keeping the density down. He had the opportunity to look at the Comprehensive Plan and was happy with what they were doing. He asked if they could look at the traffic issues with Park Pointe and possibly put in a stop sign at to help them get out of the neighborhood. He asked why he didn't receive a Destination Master Plan Survey.

Mayor Hatley stated that was from the Chamber and he would have to ask them. He asked about the 100' right-of-way on Champion's Boulevard and to keep density low.

Cheryl Kilday, Destination North Myrtle Beach, shared some highpoints of the Destination Master Plan Survey and the results. There were 3,600 responses and shared over 60 times on social media. The surveys from the spring and the fall had consistent responses. Responders were very positive, loved North Myrtle Beach, valued tourism, and would recommend it as a vacation spot. Responders would like more sports tourism and to let the messaging be put out that they wanted visitors to value NMB as their home. She stated they would be putting an updated report out soon.

9. **ADJOURNMENT:**

Mayor Hatley thanked everyone for coming and adjourned the meeting at 8:32 PM.

Respectfully submitted,

Allison K. Galbreath, City Clerk

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MARILYN HATLEY, MAYOR

Minutes approved and adopted this 7<sup>th</sup> day of November 2022