

1 TOWN OF SURFSIDE BEACH ♦ TOWN COUNCIL CHAMBERS
2 February 26, 2007, 6:30 o'clock p.m.
3 TOWN COUNCIL MEETING MINUTES
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5 1. **CALL TO ORDER.** Mayor Hyman called the meeting to order at 6:30 p.m. and welcomed
6 those in attendance. Mayor Hyman, Mayor Pro Tem Truett, and Council Members Hiatt, Martin, McKown,
7 Samples, and Tuttle were present. A quorum was present. Staff Present: Temporary Administrator Waldrop;
8 Ed Booth, Directors Burke, King; Kirk, Donevant, Zoning Administrator Grandell and Executive Assistant
9 Lewis.

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11 2. **INVOCATION & PLEDGE OF ALLEGIANCE.** Mr. Truett said the invocation. Mayor
12 Hyman led the Pledge of Allegiance.

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14 3. **AGENDA APPROVAL.** Mayor Hyman said the Agenda will need to be amended due to
15 the addition of two items as follows: R-2 Petition Presentation by Mr. Martin and the addition of an
16 executive session to discuss a legal matter by Ms. Tuttle. Mr. McKown moved to approve the amended
17 agenda. Ms. Tuttle seconded. **All members voted in favor. MOTION CARRIED.**

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19 4. **MINUTES APPROVAL.** Minutes of January 23, 2007. Mr. Samples moved to adopt the
20 January 23, 2007 town council meeting minutes as presented. Mr. Truett seconded. **All members voted in**
21 **favor. MOTION CARRIED.** Minutes of February 13, 2007. Mr. Samples moved to adopt the February
22 13, 2007 town council workshop minutes as presented. Mr. Truett seconded. **All members voted in favor.**
23 **MOTION CARRIED.**

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25 5. **PUBLIC COMMENTS – Agenda Items Only.**

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27 “Ron Ott, 7th Avenue North. Mr. Mayor, Town Council ah, Harbor Light Sub-Division ah, I believe
28 that this is going to be a beautiful sub-division that they’re going to put in here. But what we have to do
29 make sure that we look at this stormwater. We don’t have a stormwater committee and I really hope that this
30 doesn’t come back to bite us so make sure that we do have somebody look at this. Next, is the, I notice that
31 we have wireless Internet. We should have that on our beach, darn we should have that. That, that’s the way
32 of the future and it should be here. It would be a good selling point for all our rentals, our summer rentals
33 and also, I don’t understand why we don’t have Verizon in here. They take fiber optics right up to your front
34 door. They can make your TV a heck of a lot better. I, I have no, ah nothing to do with Verizon but I know
35 that they’re doing something very nice. We, we’re, right now we’re into one and one alone with cable TV.
36 Thank you very much.

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38 Mayor Hyman: “Thank you for those comments. Appreciate it. Anyone else on the Agenda Items?
39 Shelby.”

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41 “Shelby Smith. I live at 911 Cedar Drive North. Mr. Mayor. Council. Ah I’m here to speak on the
42 Harbor Lights Driving Range property, the development there. As Ron said, it looks like a ah fine
43 development. I have four concerns, two of which are “green”. I appropriately were ah, waiting for the
44 occasion. Friday, I ah gave you those packets; hope everybody got this package in your package there
45 showing the trees on 10th Avenue and the request to retain as much of those trees as possible. The tree depth
46 is 70’ and that’s from the edge of the trees, which, is 20’ off the road. So, that drawing says everything and
47 the notes accordingly. The other one is ah, berms. In the developers ah comments to the planning board,
48 they mentioned berms like Pirate Land. Well Pirate Land has different kinds of berms; some are short, some
49 are tall and some as this drawing I gave you depicts, ah are quite a distance from the road and very tasteful
50 and green, and you know, we are a Tree City and we are ah very aware of green space in our town plan and
51 we, we actually, a lot of initiative should be ah carried forward and the developers can really do a lot in that
52 regard.

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The other two issues ah, one has to do with ah the traffic on 10th Avenue with the two entrances. There was a traffic study that was done. It was a two-day study. I saw them put the guns, the radar guns out on Cedar and on 10th. It happened five days before Christmas. It couldn't have been too reflective of traffic patterns ah, so that input went to the planning board and you know, they approved the project. I think there should be more analysis of the traffic impact to make sure that this development does handle the traffic appropriately. And the last thing is stormwater. As Ron mentioned, that is such a key area and the plan I saw today, had 1.2 Acres (Mrs. Lewis call time) on there. I'll have some other comments on that. Thank you."

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Mayor Hyman: "Thank you very much. Appreciate it. Ok. Any other comments on the agenda? Yes."

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"Randy Melkin, 10th Avenue North and I'm addressing also Harbor Light Sub-Division and I think I just want to touch some things that Shelby just brought up. The, the traffic, the traffic um from what we understand is that, that there can not be an entrance off of 17, which means everything is going to be diverted to 10th Avenue North. If you are, if you are on Highway 17 driving south, the exit lane in the medium is about 90' wide, long so you have about, you're lucky if you can get one or two cars into that lane to make a left hand turn on to 10th Avenue North. I do it daily but, there's not much space and that can't be lengthened because 11th Avenue North has a, has a, ah, an entrance as well so that, to be, to letting all the traffic going to 10th Avenue North is going to create a big problem out on 17. And the exit lane coming north on 17 isn't much longer, it's about 100' so, so dumping how ever many more cars on to 10th Avenue, coming, coming off of 10th onto 17 is going to be problematic enough but, I'm, I'm very concerned about, especially like I say, making that left-hand turn from 17 onto 10th Avenue North and I hope that you take that into consideration. This berm idea along 17 and, and, I, I guess I really don't understand that, the concept, um if you go over to SBB and I don't know if that's Tournament Boulevard or whatever, if you drive down that road ah, take a look at the berms that are on both sides of that road. They're putting in you know, these huge developments and you know, there's these two berms, you're just driving down this channel and these houses are backed right up to it. It doesn't look good. Um and if that, that's the image of what our town is going to look like for people driving down Highway 17 to look off toward their side to see Surfside Beach and that's what we're going see, I, I'm not sure exactly, so what, what's going to make that look nice? I don't know if there is anything you can do about that but it just seems to me the image of Surfside Beach would be riding on what that's going to look like from the highway. And again, the other thing is the trees, say there's a 70' buffer there that runs along 10th Avenue North. Um, I'm, I'm not sure how many of those are going to be saved, again we, we somehow we got this Tree City designation and I'm not exactly sure what that is, I think we've probably lost more trees in the last five years in Surfside Beach than has probably been taken down probably in the thirty years prior to that so ah, I'm not sure what the Tree City designation is but, but it seems to me a lot more trees are going to be going by the wayside here once this sub-division goes in so, please keep all of that in mind when you talk about that today. (Time) Thank you."

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Mayor Hyman: "Thank you very much. Any other public comments on the agenda items? Ok. Thank you ladies and gentlemen. I close this Public Comments section."

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6. COMMUNICATIONS

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A. Finance Report. Director King presented the report that is on file. The December report has been updated with the property taxes from Horry County Mrs. King said, showing that \$762,000 were brought in during December for property taxes. Mrs. King mentioned the pending lawsuit and gave a summary. The town has not yet been served she said, and neither business that is making the charges have businesses in the Town of Surfside Beach. There is a new coding system for business licensing which is much tighter than the old one which is the manufacturing code and does not have computer businesses and a

lot of the service industries that we now have Mrs. King said and added that we are looking to switch to that code in the next fiscal year and at the same time change the rates which will take about four to five months to put in but it would solve the system objection that these two industries have that they are not being charged fairly because they don't believe they are in the right classification Mrs. King said. The Budget Draft is in your packets for Thursday night's meeting.

Mrs. Hiatt mentioned the six new businesses that are shown on the report and wondered if they are new to the Town or if it includes name/ownership changes. Mrs. King said it is the combination of both. Mr. Samples referred to the chart that deals with the business license revenues. He compared the amount of business licenses (1370) ten years ago to the 3,000 today and said that over the last year, there are over 100 additional businesses and that the revenue received was over \$100,000. Mrs. King said yes and added that a lot of that is because of houses that were being flipped. Each one of those houses that were flipped that was a rental had to pay a new fee based on the new purchase of the house so some of this may stop if we are not "flipping" as much as we used to. Mrs. King concluded by saying but each one of them would have been counted as a license. Mr. McKown complimented the Finance Department on the cooperation with the county and the identification of the additional people, and asked about the capital projects fund, (revenue for property taxes) the increase of that was over approximately \$30,000 in interest. He asked if was because of the increase in property taxes or because the interest rates went up when the town changed from Conway National to Carolina First Bank. Mrs. King said yes the rates increased when the town changed banks however, the revenue is more because more millage is going in and because no money has been spent so it is earning interest.

B. Public Safety Report. Director Burke gave the report that is on file. Drug arrests are higher than last year at this time with several trafficking charges with fourteen successful arrests. Citizen complaints were cited for the success. In the fire department, fire inspections and fire plans have increased. Ms. Burke mentioned the traffic on Frontage Road and the stop signs that appear to be effective. In comparison to other major arteries along Highway 17 and the Frontage Road, the 5th Avenue North intersection is effective whereas the other areas that lack the control devices are dangerous and present serious traffic issues. Ms. Burke said from a Public Safety perspective, she would like to see the intersections be more uniform in signage and traffic lights in an effort to slow the traffic down and attempt to decrease the accident rate. Mayor Hyman said he has received information that shows a traffic light is needed both on the north end and south end of town allowing the possibility of closing some of the arteries to the Frontage Road. Council will need the guidance of the Public Safety Department as they look at this issue closely Mayor Hyman said. Mr. McKown asked about GSATS involvement through advisement and funding for some of the improvements. Mayor Hyman said we will need to look into this.

C. Public Works Report. Mr. Kirk presented his report that is on file. Recycling card response has been very good and the amount of carts that will be needed will be reported at a later meeting. The Myrtle Basin Pre-Construction meeting will be held on March 13 with a start date of late in the month. Sidewalks on Hollywood should be completed in a few weeks and the 50/50 Projects are moving forward. The gas card paperwork is completed and filed so in a few weeks the state gas cards should be received.

D. Planning, Building & Zoning. Director Donevant gave the report that is on file.

E. Town Administrator Report. Mr. Frazier, Temporary Town Administrator gave the report that is on file. He stated closing would be Tuesday on the two lots being purchased at Surfside Drive and Poplar Drive. Mr. Waldrop said he enjoyed working with staff and town council but would not miss the traveling distance from Marion. Mayor Hyman extended the town's appreciation to Mr. Waldrop for his time and assistance for the interim period. Mayor Hyman also introduced Mr. Ed Booth, Town Administrator who will begin on Thursday, March 1.

7. **BUSINESS**

A. **Issue Papers**

i. **Second Reading of Ordinance #07-0618 §2-131 and §2-133 to Amend Town Clerk Appointment and Duties.**

Temporary Town Administrator Waldrop presented the issue paper that is on file. Ms. Tuttle moved to adopt Second Reading as presented. Mrs. Hiatt Seconded. **Mayor Pro Tem Truett and Council Members Tuttle, Hiatt, Samples, Martin and McKown voted “aye”.** Mayor Hyman said he votes against the motion because to many of the duties of Town Clerk have been left out to include the legal work. **Mayor Hyman voted “nay”.** **MOTION CARRIED.**

ii. **First Reading of Ordinance #07-0619 §9-8 to Amend Parking Enforcement Dates.**

Mr. Kirk presented the issue paper that is on file. Mr. Samples moved to adopt First Reading as presented. Mr. McKown seconded. **All members voted in favor.** **MOTION CARRIED.**

iii. **First Reading of Ordinance #07-0620 to Amend §2-36 and §2-39 to Amend Time of Town Council Meetings and Order of Proceedings.**

Mr. Waldrop presented the issue paper that is on file. Mr. Truett moved to adopt First Reading as presented. Mr. Samples seconded. **All members voted in favor.** **MOTION CARRIED.**

iv. **First Reading of Ordinance #07-0621 Harbor Lights Subdivision, New Streets.**

Zoning Administrator Grandell presented the issue paper that is on file. Mrs. Grandell said the issue paper is for council information. This ordinance will upon completion of the streets in the new subdivision, become accepted by and dedicated to the Town of Surfside Beach. Mr. McKown moved to adopt First Reading as presented. Mr. Truett seconded. Mr. Samples moved to amend the motion to correct the Ordinance Chapter 15 Subdivision Regulations. Mr. Samples said those regulations were repealed in 2003. The correct title is Chapter 15 Land Development. Mr. McKown seconded. **All members voted in favor.** **MOTION CARRIED.**

Regarding the original motion, Mr. Samples referred to Mrs. Grandell’s issue paper under staff comments and asked if the assumption is it is not open for discussion? Mrs. Grandell said the 90% of the comments are in the Land Regulation section and are part of the town’s ordinance requirements. Mr. Samples noted the mandatory size of the sidewalk as mentioned on the issue paper as 6 feet not 6 inches. Mrs. Grandell said this is correct. Mr. Samples also asked for discussion on the buffer. The Planning & Zoning Commission did not rule on the buffer since this subdivision is zoned R-1 and the ordinances for the R-1 District will apply. Discussions with the developers at the Commission meetings indicate their willingness to cooperate with the town regarding the 10th Avenue tree buffer. Trees that can be saved will be, and the regulations of the tree ordinance will adhere to with the requirement of 10 trees per lot preserving much of the present tree population. Mr. Samples referred to the ordinance that regulates streets and sidewalks and right-of-way and asked for street construction requirements. Mrs. Grandell said the requirements are minimum South Carolina Department of Transportation regulation for streets with that traffic volume and use. Mr. Samples said the language in the ordinance says, “that said streets are constructed to minimum SCDOT requirements” and asked if the word “minimum” be struck because it appears we are passing an ordinance that allows the developer to build to only the minimum standards. Mr.

McKown said DOT regulates the weight capacity and we will not allow several ton vehicles on those roads. Mr. Kirk said there are standard regulations on residential road in terms of thickness of pavements etc. and said by removing the word “minimum” it tells the developer that’s all he will have to do are standard requirements. By including “minimum”, it allows us to increase the requirements and encouraged council to keep the word in the ordinance.

Mrs. Grandell said the stormwater plan that has been submitted is very extensive for the subdivision. The Stormwater Water Ordinance requires each lot to be responsible for, and maintain its own stormwater in the R-1 District and no building permits will be issued for any of the 49 lots until an approved by Earthworks, stormwater management plan and compliance to the new NPDES Phase II water quality regulation is received for the entire 22 acres. Mrs. Grandell said she is confident that the stormwater issue will be handled, as it should be.

Mr. Truett mentioned the buffer on Highway 17 and asked what it would look like? Mrs. Grandell said it will be some type of raised berm with plantings on top with residential lots directly behind behooving the developers to ensure the berm and vegetation on Highway 17 sufficient to shield the residences from sound and traffic. Mr. Truett referred to Mr. Smith’s drawing previously handed out, showing the buffer at Pirate Land and said it looks good. Nothing can be seen behind it and said he felt a requirement should be made that the developers build a 12-foot buffer with 6’ to 8’ trees and shrubs. Mrs. Grandell said staff could discuss this when more specific details are obtained during the final site plan approval. She said the developers have indicated the berms at Pirate Land as an example for this development. Other concerns were referred to Ordinance Chapter 15.

After further discussion, the original motion to adopt First Reading was referred to and **all members voted in favor. MOTION CARRIED.**

v. First Reading of Ordinance #07-0622 to Amend 2006/2007 Municipal Budget.

Director King presented the issues paper that is on file. Mrs. King said the total amended budget is \$508,500. In A-Tax, Mrs. King said \$30,000 additional fees were authorized for beach cleaning; \$194,000 was authorized to become part of the beach Renourishment project and \$30,000 was approved for the purchase of a rake all of which adds \$257,000 to the expenditures. In the Hospitality Fund, Mrs. Kings said in Public Safety, \$53,000 was spent for the purchase of additional vehicles; \$24,000 was received through grants for the Tasers and Victims Advocate. In Public Works, an additional \$25,000 reflects a cost, which was not originally expected for sidewalks for a total \$102,000. Mrs. King asked Council to move \$1.1M out of expenditures for this year and move to next year. Mr. McKown asked for the balance in the Accommodations Tax. Mrs. King said approximately \$800,000. Ms. Tuttle moved to adopt First Reading of Ordinance #07-0622 to Amend the 2006/2007 Municipal Budget as presented. Mr. Martin seconded. **All members voted in favor. MOTION CARRIED.**

vi. Issue Paper for Approval of Accommodations Tax Fund Expenditures.

Director King presented the issue paper that is on file. Town Council will need to approve what the Local Accommodations Board approves. The Board approved the line items which are basically the same as those brought to the budget meeting in November. The Board also approved the \$30,000 additional funds for the beach cleaning and the funds for the beach Renourishment that will not require an additional transfer to the savings account because we are using money. This is basically a paper work trail to show the Board that Town Council has approved the A-Tax recommendation made on January 9th. Ms. Tuttle moved to approve the Accommodations Tax Fund Expenditures as presented. Mr. Truett seconded. Mrs. King said the State Oversight Committee has approved what is in reserve and will be advised that \$197,000 is being removed for

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263 Beach Renourishment and advise them of how much is remaining at the end of next year. Mrs. King also
264 suggested that not much more be added to beach Renourishment because this will not be a large beach
265 Renourishment project. We don't want to get the reserve to much bigger but at the same time, the
266 Committee will allow us to keep it because a full scale Renourishment project will cost about \$1 M Mrs.
267 King said. Mr. Samples mentioned Horry County who had a request for proposals (RFP) out for the required
268 expenditures and asked that we acquire a copy of the RFP because there may be a different avenue for the
269 Town to go. Mrs. King said the Accommodations Tax Committee suggested a possible second website that
270 would be solely tourism related increasing the amount of marketing being done by the town. Mr. McKown
271 said he has always questioned the Town giving the Chamber of Commerce \$115,000 because he does not
272 know where the money is being appropriated. After further discussion regarding this and the benefit of the
273 involvement with the Chamber, Mayor Hyman referred to the original motion to Approve the
274 Accommodations Tax Fund Expenditures. **All members voted in favor. MOTION CARRIED.**

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276 **B. Resolution #07-066 To Authorize Mayor Roy Hyman, Jr. Necessary Action To**
277 **Consummate Transaction.**

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279 Mrs. Lewis read the Resolution for the record. Mayor Hyman said he would be in Columbia on the
280 date the closing on the properties would take place and asked for an amendment to the Resolution naming
281 Frazier Waldrop, Temporary Town Administrator the authority to execute the contracts for the transaction.
282 Mr. McKown moved to amend Resolution #07-066 to Authorize Frazier Waldrop, Temporary Town
283 Administrator Necessary Action To Consummate Transaction. Mr. Martin seconded. **All members voted in**
284 **favor. MOTION CARRIED.** Mr. McKown moved to approve Resolution #07-066 as stated. Mr. Samples
285 seconded. **All members voted in favor. MOTION CARRIED.**

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287 **B. Discussion:**

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289 **i. Sidewalk Schedules for 2007/2008.**

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291 Mr. Kirk referred to the Schedule in the packets and presented the document. He said he is
292 proposing completion of Hollywood Drive South to Melody Lane and Hollywood Drive from Surfside Drive
293 to 5th Avenue North. The second project Mr. Kirk said is the 14th Avenue South area is referred to as a
294 project because there is more than one street involved, and added that 14th Avenue South begins at Highway
295 17 South down to Poplar Drive, down Poplar Drive to 15th Avenue South, 15th South to Hollywood Drive
296 and back to 14th Avenue South which will continue to completion at Ocean Boulevard South. The third
297 phase requested is 5th Avenue North to Ocean Boulevard North. These phases have associated costs included
298 Mr. Kirk said. Mr. Samples asked if the Harbor Lights Subdivision will have interior sidewalks or will they
299 be on 10th Avenue North. Mrs. Grandell said they are interior. Mr. Samples said 10th Avenue North is a
300 straight thoroughfare and from a safety aspect, suggested doing the sidewalk on 10th Avenue North in lieu of
301 consideration of 5th Avenue North where several do not want the sidewalk. Mr. Martin said his first priority
302 selection would be to complete Hollywood Drive South to Melody Lane with a second priority of 14th South
303 Project. Mr. Truett asked Mr. Kirk if Hollywood could be completed this year to Melody Lane? Mr. Kirk
304 said he could likely finish. Mr. Truett moved to continue the sidewalk on Hollywood Drive South to Melody
305 Lane. Mr. Martin seconded. Ms. Tuttle amended the motion to proceed on with the remainder of the
306 recommended projects. Mrs. Hiatt seconded. Mr. Martin asked if Ms. Tuttle's motion included all of the
307 projects Mr. Kirk mentioned. Ms. Tuttle said yes to include 5th Avenue North. **Mayor Hyman, Mayor Pro**
308 **Tem Truett, Ms. Tuttle, Mrs. Hiatt, Mr. Martin and Mr. McKown voted in favor. Mr. Samples voted**
309 **“nay”. MOTION CARRIED.** Mr. Kirk asked council if they want the sidewalk completed in the next 30
310 days including the bid process, or do we let the current contractor continue if his prices remain the same?
311 Mayor Hyman said if the price stays the same, keep going. Mr. Truett said it appears the town has been
312 holding the current contractor's hand for the duration and asked Mr. Kirk if it could be done by town staff.

315 Mr. Kirk said no, not with the 50/50 program underway. Mayor Hyman said back to the original motion to
316 continue the sidewalk on Hollywood Drive South to Melody Lane made by Mr. Truett. **Mayor Hyman,**
317 **Mayor Pro Tem Truett, Ms. Tuttle, Mrs. Hiatt, Mr. Martin and Mr. McKown voted in favor. Mr.**
318 **Samples voted “nay”.**
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320 **ii. Wireless Internet Possibilities – (McKown)**
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322 Mr. McKown said two years ago, Mr. Truett presented the idea of the Wireless Internet however, the
323 idea did not move forward so Mr. McKown, knowing the value of Mr. Truett’s thoughts, wanted to bring this
324 before council again. He said with the new fire station being considered, creative income streams should be
325 investigated to help finance the project and said it is a good time to look at developing a Request For
326 Proposals (RFP) for the wireless service. Mr. McKown said while traveling, visitors use their laptops and
327 when accessing the service, they pay to sign on. In several cases a private service works in conjunction with
328 the local municipality, with the profits divided between them. Myrtle Beach and North Myrtle Beach have
329 both implemented the program and said he feels the timing is right for us to offer the service considering the
330 many rental properties along our beach as well as the hotels. Over 50% of the inquiries to the area ask if
331 there is wireless capability to the Internet Access. Mr. McKown said there is several companies in the area
332 offering the service for the town, one being a company called “Smart Wire” in Murrells Inlet. Mr. McKown
333 moved to direct staff to seek information on the wireless Internet Access Services. Mr. Truett seconded. Mr.
334 Truett said he has tried to contact Aruba Networks out of Washington, D.C. for the past few weeks however
335 the person he had communicated with before is now doing projects for the federal government. A few years
336 ago when he was researching the project, Mr. Truett said the service companies were working “kinks” out of
337 the systems. The representative, who owns property in Surfside Beach, was supposed to come and explain to
338 council the benefits of the service but due to a difficulty, was unable to do so. Mr. Truett said he is currently
339 trying to get another representative to hopefully come before town council in the near future to explain the
340 service. Mr. Truett also agreed that this would be a good revenue source for the town. Since they have
341 already implemented the service, Mr. Martin asked for feedback from North Myrtle Beach and Myrtle Beach
342 as to their success and what we may be getting in to. **All members voted in favor. MOTION CARRIED.**
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344 **iii. R-2 Petition Presentation – (Tuttle)**
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346 Ms. Tuttle said several months ago, a petition was circulated in the R-2 District. Lynn Livesay was
347 instrumental in this project and requested approval for Mrs. Livesay to make the presentation. Mayor
348 Hyman approved.
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350 Mrs. Livesay distributed “pictorial” papers to the council for their consideration. Briefly Mrs.
351 Livesay said, her intention is to “show” council what the R-2 is currently doing. The first page is Sparrow
352 Drive at Myrtle Drive and Mrs. Livesay said this is the heart of the R-2 District and she wanted to show the
353 type of homes currently being built there. The illustration showed the different types of single-family
354 residences that exist in the R-2 District and show they are contiguous to the R-1 District. On the second
355 page, Mrs. Livesay said council will see that the individuals to whom she spoke would like to see the type of
356 duplex shown there making this type the rule of thumb rather than the exception. Nice duplexes with garages
357 and little asphalt are requested. On the third page, Mrs. Livesay said shows 5th Avenue South from Cedar to
358 Poplar Drives showing the little homes [bungalows] that remain in the R-2 District. Pine Drive North
359 between Cherry and Poplar Drives show R-2 properties across from an R-1 area. Mrs. Livesay said the R-2
360 District reflects the R-1 District. In summary, Mrs. Livesay said the R-2 District now being comprised of a
361 mixture of bungalows, new, large beautiful homes and then 4-plex type properties. Regarding the petition,
362 Mrs. Livesay said there is 145 signatures and read the dialogue that was presented to those who signed the
363 petition. The petition requests the reduction of density, increasing green space where possible and
364 encouraging single-family, year-round residents in the current R-2 District. The petition requested that the

367 R-2 District be rezoned to R-2S creating a “fictitious” zone and could be named whatever the town would
368 deem appropriate. The R-2S District would be an owned or annual lease and would incorporate the existing
369 medium density while encouraging development that is desirable to single-family residents, making duplex
370 buildings the rule rather than the exception when defining single-family residences. Finally, the petition
371 concludes with a request that the town council direct staff, and request the Planning & Zoning Commission
372 to improve the R-2 Ordinance and rename the R-2 District to identify single-family residences and encourage
373 medium density with duplexes, single-family homes and some ground-level development with more green
374 space and year-round residences. The petition also requested no more multiple town houses or planned
375 developments in the R-2S District.
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377 Mayor Hyman said this would be given to the administrator and staff for consideration. Ms. Tuttle
378 suggested that town council refer this to the Planning & Zoning Commission and staff for recommendation
379 to town council. Mr. Martin thanked Mrs. Livesay for the presentation and added that some of the issues,
380 council has addressed. The Planning & Zoning Commission and staff do need to look at some of the other
381 areas and return with recommendations.
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383 **7. PUBLIC COMMENTS** 384

385 “Tom Dodge, 14th Avenue North. It’s very difficult to hear, I’ve complained time and time and time
386 again about the microphone speakers not speaking into them. You can’t hear in this place. Was the 5th
387 Avenue sidewalk approved to be done?” Council Comment: “Yes”. Mr. Dodge: “It was? Ok. Three years
388 ago is when that survey was taken. There’s been a lot of movement in and out on 5th Avenue. Speaking for
389 my daughter, she is very much against the sidewalk there. I think it’s time for a new survey before you do
390 the work because of the number of people that have moved in and out of there. And this last speaker; people
391 have to realize that people own the lot that they’re telling them what they can do with their lot, and I think
392 the council would be very wrong to tell these people who own their lot what to do with their lot. That, that
393 just is not right. I don’t own a lot down there, but a lot of people do and, and to tell that person, you can only
394 do this with your lot, is wrong. Thank you.” Mayor Hyman: “Thank you very much. Yes”.
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396 “I’m Ann Westcott, 413 Cedar Drive North and I’m one of those crabby people who does not want a
397 sidewalk. I grew up in a row house in Philadelphia [sic] and I value my privacy more than I value anything
398 else in this whole world. And I do not want a sidewalk. If you are bound and determined to make me have
399 one anyway, put it on the north side of the street. Thank you.” Mayor Hyman: “Any other comments.”
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401 “Shelby Smith, 911 Cedar Drive. Just back to ah, ah finishing the point on the ah, Harbor Lights
402 Driving Range. The stormwater, there, there wasn’t any discussion at any of the planning board’s meeting
403 on this stormwater. I looked at the plans today, and written on one of the plats was 1.28 acres of this pond
404 but, the drawing depicted something that looked to the scale on it, about 12,000 feet. Now an acre is 53,000,
405 I’m sorry, 43,560 feet so that’s 1.2 acres, I should have been looking at a, at a much bigger pone than that.
406 And I didn’t see any specificity about the volume of what this was going to hold. Now, the zoning or the
407 planning commission or the planning board said that all the homeowners, and all the property owners are
408 responsible for their own storm water. In deed, that is true but the streets and all the other issues of stress on
409 stormwater that is already going into the lake that we know is stretched, we talked about that many times
410 during the course of 2006. Somebody just really needs to look at this plan and, and have, have some a
411 understanding of what, what’s going to happen there in terms of storm water. And, on that same point, it
412 would be terrific if we had a stormwater committee but, we don’t have that committee, we don’t have that
413 expertise and we, we’re not sharing expertise with other municipalities and you know, like we’ve discussed
414 in the past as well. Ah, another point. At the planning meeting, there’s not a format for discussion of
415 information before the board, ah, discussed an issue. The only format for any citizen to come up now is at
416 the end of the meeting so that doesn’t seem very ah, productive in terms of having a dialogue and having all

418
419 the input before an item is discussed by the, by the board, so I'd, I'd like to just bring that up and see if you
420 could look at that. Berms. On the plan, I saw 25 to 30 foot wide berms. The soil base if it's that width,
421 that's what it looks like on a linear piece of paper. But the height of that berm, some of them in Pirate Land
422 are 12 feet tall; the soil base. So you have a berm looking like that vs one five foot tall. So there are a lot of
423 differences that, you know, that are really pertinent here. Ah, this, one other thing on Harbor Lights. The C-
424 1 corner on 17. That is going to be a commercial area so this traffic is going to have an impact on that
425 particular corner and then ah, the senior center, as Mr. Samples brought up ah, is also right there almost
426 opposite that road going in there. So there are definitely many issues you know, there ah, that you have to
427 take into consideration. And the last point is, I've seen in some other areas; you mentioned ah, the ah, traffic
428 and ah, the police impact and ticketing and so forth. If there's ah, a police car that might be available just to
429 put in the middle of the medium, you some municipalities do that to slow traffic down and to ah, you know,
430 to make people aware that you know, there's, you know, this town is ah is, is right on top of the traffic
431 situation. I would just throw that out for ah, discussion. And that's all I have this evening. Thank you very
432 much." Mayor Hyman: "Thank you very much. Ok."

433
434 "Good evening ladies and gentlemen. Mark Johnson, 9th Avenue South. And I'm the Vice-
435 Chairman of the Planning & Zoning Commission. Ah, for the past several meetings that I've been in, I've
436 sat back there and I've heard that the Planning & Zoning Commission looked at this, did not do that, did this,
437 you know, what about the, the street lights, the streets, the retention ponds and all of this. All the Planning &
438 Zoning Commission did at the last meeting was to approve a preliminary concept of the R-1 division at
439 Harbor Lights. You know, and ah, I hope everyone understands that. That was, you know, we do have laws
440 and guidelines in this town and we're simply going through those motions. Thank you." Mayor Hyman:
441 "Thank you. Any other comments?"

442
443 "Ralph Strong, 5th Avenue South. I've been wanting to come to speak to you for some time. There's
444 been some things going on in the town that's been disturbing to some of us people. Ah, beginning about
445 2004, after the 2004 election, there's some kind of undercurrent running in the town. It's been advertised in
446 the newspaper, it's been spoken of but I won't get into all of that, ah but there's been dissention there hasn't
447 been an agreement, we've been a very, very divided council and it's spilled, it has spilled over to many,
448 many areas. I don't, I'm not going, I'm not here to address what you have done individually, but some
449 things I might mention here that you've done [sic] as, as a municipal council that has been pretty disturbing.
450 After all of that, and, last fall I was very, very encouraged by an action that you took which I thought was
451 very, very good. You passed an ordinance that, that's entitled "A Resolution Establishing Our Town As A
452 Community Of Character" with the International Association of Character Cities. And when I looked at that,
453 I'll have to admit to you, I said, I was cynical, I said I wonder how long that will last? And then I said,
454 Ralph, you shouldn't be that way, things have been not going too good, and this, this ordinance, that you've
455 passed is very, very comprehensive concerning the things, concerning cooperation, concerning the dignity in
456 running meetings and so forth and so on, and ah I said, I shouldn't feel that way; things are going to get
457 better. And, what, what this resolution says is very, very long and very comprehensive. I'd just like to read
458 one part of it, it says "whereas we recognize that individuals are responsible for their actions and that daily
459 decisions should be based upon objective moral standards, which are the basis of universally recognized
460 character qualities including obedience, honesty, truthfulness, diligence, generosity, kindness, loyalty,
461 courage...." and a lot of other things. It also gets into the way we treat people. Concerning the
462 encouragement of employees to ah, to recognize character to teach them to do the right thing and to establish
463 good morals, ah, ah, among our employees to protect them and to expect them to do the right thing when it
464 comes to people that they serve. And then, this at the, at the, it says after all of these whereas', it says, now
465 therefore it is resolved that the Surfside Town Council does pledge our commitment to character and doing
466 all in our power to become known as the community the, the community of character. All of you voted for
467 this. I think one of you did not sign it; all of the rest of, of you signed that and so there are some things here
468 that has happened that I believe do not conform to the ordinance that you really did pass. Right after this, we

470

471 we had a meeting, the first discussion of the Harbor Lights project. This really, this, this, this hall was full of
472 people. I was sitting there where ah, Councilman Samples is sitting. The room was full. And ah, it was very
473 raucous. Ah, I told the chairman whenever I saw the gathering here, I said we're going, this is going to be
474 the grand circa of the evening here at town council and it really turned out to be that way. There was some
475 people that were disruptive in the meeting and unfortunately, some of you were there at, at, the, the council
476 lady had to declare and ask some of you there that if you didn't change your behavior she was going to have
477 to have you expelled from the meeting. And then I said, oh my goodness, our ordinance is just really not
478 working. I just wanted to mention a few things after that. Ah, the ah, things that have been done, that's ah,
479 it's been disturbing. The consulting that you had concerning this, this....(Time). Mayor Hyman: "Mr.
480 Ralph, I'm sorry sir, you're five minutes are up. I'm terribly sorry." Mr. Strong: "Seemed like a very short
481 one didn't it. Thank you very much" [laugh]. Mayor Hyman: "Thank you sir, I appreciate it. Any other
482 comments."

483

484 **8. COUNCIL COMMENTS**

485

486 Mr. Truett: "Yes, I wanted to clarify. The Can-Am Reception is it here or is it at Lakewood?" Mr.
487 Kirk said at Lakewood. Mr. Truett: "Ok because one paper says here and the other says Lakewood. Ok, so
488 it is at Lakewood. Ok. You might want to put that on the marquee next week because everybody is used to
489 coming here for the Can-Am festival. The second thing. We're talking about the Harbor Light and the
490 county was here back about March last year, about dredging Lake Elizabeth. Well, I'm curious, let me go
491 back a little bit further, they were here and they told us that they would be dredging Lake Elizabeth in 90
492 days. That was almost one year ago. Which, that doesn't surprise me. But, the problem we are going to
493 have, if they're going to, we're talking about developing Harbor Lights now, right now they have, they can
494 gain access to dredge Lake Elizabeth. Pretty soon, they're not going to have any access to dredge Lake
495 Elizabeth so I would get a copy of the minutes when Tom Garigan was here and told us how Surfside Beach
496 Lake Elizabeth would be dredged in 90 days. Please remind the county of their commitment to the Town of
497 Surfside Beach and the fact that that property's going to be developed soon and there will be no way to
498 dredge Lake Elizabeth without really having some problems."

499

500 Mr. Kirk said he had talked to Tom Garigan by e-mail as well as a few others by phone who said the
501 bids have gone out and they are rewarding to the contractor to get the lake dredged within the next few
502 weeks. Mr. Kirk said he would contact Tom again tomorrow for an update. Also, Mr. Kirk updated council
503 regarding Phase 7 of the Myrtle Basin and said the piping under Glens Bay Road is being done as well.

504

505 Mr. Samples: "Mr. Mayor. I want to say thanks to everybody coming out, especially some of you
506 that I haven't seen in quite a while. I would also suggest that we do need to do another survey on 5th Avenue
507 North because to me, if the people that live there don't want the sidewalks, there are other places in town that
508 could certainly use it particularly, in what I would call, the more dense areas where we have more traffic,
509 we've got more children living on the south and frankly, historically the south end has been the red headed
510 step child. I know, I lived a long time there and then I moved up town and I'm on the big hill. On the north
511 end. We, at the last meeting we had, and we approved it in the minutes tonight, we were going to discuss
512 stormwater, the reestablishment of the storm water committee at the next workshop meeting but we did away
513 with workshop meetings although we are having one Thursday night where, we could either talk about it
514 then, or we can put it on the next agenda and discuss the need for a stormwater committee. I think that
515 we're, several of us who felt that some of these issues; it helps to have people in town looking at it, following
516 on it. They're your best friends if you'll work with them because they live here and they really want to
517 maintain the quality of life that we have in the town. So keep coming out and keep hollering." Mayor
518 Hyman said this will be discussed at the next council meeting.

519

520 Mr. McKown: "Mr. Mayor, the only comment I had was the same basically that Doug had said with

522

523 Ron and Shelby and every week that we have a meeting, somebody stands up and says something about
524 reinstating the stormwater committee and I would like to see that reinstated myself.”

525

526 Mayor Hyman: “You know if the people on 5th Avenue do not want a sidewalk, I know a lot of
527 people of 13th Avenue North that would love to have the sidewalk because a lot of them has told me, when
528 are we getting a sidewalk on 13th Avenue North. So, why not move it from 5th to 13th North.”

529

530 **9. EXECUTIVE SESSION**

531

532 Ms. Tuttle moved to enter into executive session at 8:20 p.m. Pursuant to FIOA §30-4-70(a)(1) to
533 discuss a legal issue. Mr. Samples seconded. **Mayor Pro Tem Truett, Ms. Tuttle, Mrs. Hiatt, Mr.**
534 **Martin voted in favor. Mayor Hyman and Mr. McKown voted “nay”. MOTION CARRIED.** *Mayor*
535 *Hyman called for a five-minute recess before executive session. Mayor Pro Tem Truett said no action was*
536 **taken during executive session.** Mr. McKown moved to reconvene regular session at 8:50 p.m. Ms. Tuttle
537 seconded. **All members voted in favor. MOTION CARRIED.**

538

539 Mr. Truett moved that prior to the budget workshop meeting on Thursday, an executive session be
540 scheduled with the town attorney, David DuRant at 6:00 p.m. for a legal briefing concerning the Rescue
541 Squad. Ms. Tuttle seconded. **All members voted in favor. MOTION CARRIED.**

542

543 **10. ADJOURNMENT** There was no other business to come before the meeting. Mr. Truett
544 moved to adjourn the meeting at 8:53 p.m. Mr. Samples seconded. **All members voted in favor.**
545 **MOTION CARRIED.**

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547

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Jan Lewis, Acting Town Clerk

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550 Approved: March 13, 2007

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Roy Hyman, Jr., Mayor

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Rebecca J. Hiatt, Town Council

Joseph P. Martin, Town Council

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558

William M. McKown, Town Council

Douglas F. Samples, Town Council

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James S. Truett, Mayor Pro Tem

Judith K. Tuttle, Town Council

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563 Transcribers Note: This document constitutes minutes of the meeting, which was audio taped. In accordance with FOIA, meeting
564 notice and the agenda were faxed and/or emailed to media and interested parties. A complete list is on file in Town Hall. The
565 agenda was posted on bulletin boards outside council chambers and in the town hall reception area. Meeting notice was also posted
566 on the town marquee.

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