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**TOWN OF SURFSIDE BEACH ♦ TOWN COUNCIL CHAMBERS**  
**May 22, 2007, 5:30 o'clock p.m.**

**TOWN COUNCIL WORKSHOP MINUTES**

**CALL TO ORDER.**

Mayor Hyman called the special workshop to order at 5:30 p.m. Mayor Hyman, Councilmember's Hiatt, Martin, Samples, Tuttle and McKown were present. Mayor Pro Tem Truett was absent. A quorum was present. Staff present: Administrator Booth; Clerk Pinnell; Director of Planning & Zoning Donevant and Director of Public Works Kirk.

**STORM WATER – POND VS. PIPING**

Mr. Booth presented the report that was on file. Mr. Booth stated that regarding the pond versus piping; the recommendation is to do neither. Mr. Booth went on to present a satellite photo of the ditch area located on 4<sup>th</sup> Avenue South and Myrtle Drive, which is in need of a recommendation to rectify a potential flooding situation. Mr. Booth showed the 90-degree angled ditch in question and went on to state that there were three options. The first option was to just put in a pipe. The problem with that scenario was that the water pressure may become too extensive and it could cause the pipe to burst. It would be the most cost efficient way to go but the chances of the pipe bursting is too great of a possibility. The second option was to put in a pond but this would be too costly. It would include purchasing the land for a couple hundred thousand dollars then another fifty thousand or so for the pond construction. This cost for cubic yard of additional storage of 77 dollars is just way out of line. The third would involve building the ditch out in one area and then building a wall. This would be the best option. The wall would block the water from running into the resident's yard and the extension of the ditch would allow for additional temporary water storage. The engineering company Earthworks is also in agreement to this plan and believes it to be the best option. Mayor Hyman asked Mr. Booth to give information on the residence that would be effected by this situation. Mr. Booth stated that he and Mr. Kirk spoke with the daughter of the current residents of the home and they agree that this would be a good solution as well. Mr. Samples stated that Earthworks had identified that area as a high flooding area and that it has been for the past several years and told Mr. Booth that if he was interested, he had some earlier design plans from Earthworks. Mr. Samples stated that, also in this area, there were some dry ponds that were constructed for overflow and asked if Mr. Booth was familiar with this. Mr. Kirk interjected and asked if he was referring to the dry retention areas that are there and Mr. Samples stated that this was correct. Mr. Samples wanted to know if once the additional water flow expected from this project comes through this area and enters the dry retention areas, would this additional water undermine the foundation of this residents' home. Mr. Kirk went on to explain the projected plan further. The current ditch would be expanded away from the home and the wall would be built up and across to prevent the water from getting near the home. The current pipe located there would be changed out to two pipes, which would relieve the water from coming up on the other side. Mr. Samples mentioned that prior to when that particular PDD was built there was a channel that went through that area and it is therefore identified, even further up, that this is a heavy flooding area. Mr. Kirk told Mr. Sample that he was correct, it is. Mr. Kirk mentioned that his main concern at this time is rectifying what he believes to be the larger problem and that is to protect this residential home. Mr. Kirk mentioned that he believes that this will be the best fix within our budget and it should be a long term one as well. Mr. Samples stated that the flow could also be increased and that he believes it would definitely be necessary to put in the two pipes as well to avoid flooding those dry retention areas. Mr. Kirk went on to explain that what he would like to see going forward is to do some exploratory work in the areas that we know that are coming up next and what he would love to do is to get them tied into the lakes. Mr. McKown asked Mr. Kirk "then why don't you?" Mr. Kirk mentioned that this is one of the steps they want to go in and they want to see if they can get Greenwall to go ahead and do some of the observatory information that Earthworks did not have and then get some of the information that Earthworks had and put it together to establish a plan that will allow us to finish this project and then all that would remain is the outfall project. The main plan would be to get the water to the lakes, which would move everything downstream. Mr. McKown

57 asked “but weren’t we working upstream?” Mr. Kirk stated that we were, but once this is all tied in, it  
58 should change, and the water we’re talking about now going into the one pipe is going to be  
59 magnified, and being that we’ve got the ability to do the rest of this now, this is what Mr. Kirk would  
60 like to see happen. Once this is all tied in the only item left to be concerned about would be the  
61 outfall and then we could go ahead and dredge Myrtle and Holly, hopefully, while we are doing this,  
62 and then all of the issues at hand would be taken care of. The Mayor stated that he thought that it  
63 sounded like Mr. Kirk had a great plan and it looked like he was on top of it. Mr. Booth mentioned  
64 that we would probably wind up going ahead with this plan as soon as feasibly possible to avoid  
65 localized flooding. Mr. Booth mentioned that with this small change, and we have the money, we  
66 would just need to put a change order in unless there was an objection from the council. Mr. Booth  
67 stated that the cost would be less than 20,000 dollars and it would be a great fix. Mayor Hyman asked  
68 if there were any comments from council. Ms. Hiatt stated that she thought that it sounded like a  
69 good plan to her. Mr. Samples asked if the 48-inch pipe was already budgeted and wanted to confirm  
70 that no change order was necessary for this pipe to be installed. Mr. Kirk stated that it was already in  
71 the budget. Mr. Samples then asked what the next step was. Mr. Kirk asked if he could continue to  
72 speak openly; what he would like to see happen is if the underground work can continue and we can  
73 make sure that there are no conflicts with sewer and water, and if an extension to Greenwalls  
74 contract can be added, as long as price was reasonable, then if we could have this company just  
75 keep going forward and working upstream, then we could get the downstream established. Mr.  
76 Samples stated that he would like to see this pursued from a contract/administration standpoint. Mr.  
77 Samples stated that it is his understanding that Surfside Beach has not held Greenwall up and asked  
78 Mr. Kirk if that was correct. Mr. Kirk stated that there were a lot of underground situations that  
79 needed to be resolved before they could start and there have been various other situations that have  
80 come up in between to delay work and add work at various other stages but everything seems to be  
81 moving along now. Mr. Kirk mentioned that there is also, because of the additional unforeseen work,  
82 which was created due to the situations that have come up, added a cost to Surfside Beach, which is  
83 under 10,000 dollars. Mr. Kirk stated that this amount has not been that much considering the  
84 problems they came across and the additional work that needed to get done. Mr. Samples asked  
85 that, besides the added cost we need to pay for the work that has been done up to date, what would  
86 hold Greenwall up. Mr. Samples mentioned that we do have line items in the budget to take this  
87 project all the way to the end; we just have not executed those line items yet. Mr. Kirk stated that as  
88 long as Greenwall will work with us and possibly give us a better deal because they are already here,  
89 then he sees no reason why this plan could not move on. Mr. Kirk stated that if the fees were in line,  
90 then he saw no reason to not put through a change order and have them continue. Mr. McKown  
91 stated that it sounded to him like Mr. Kirk had a great grasp of this entire project and what needs to  
92 be done and he believes that Mr. Kirk should just move forward and put together a budget and come  
93 back and present it to council. Mr. McKown also mentioned that Mr. Kirk, in this presentation to  
94 council, should also list those areas that need to be addressed because it looks to him that it is work  
95 that will need to get done and especially with the magnitude of this entire project there is no need to  
96 take shortcuts now. Mr. McKown told Mr. Kirk that it sounds to him that he has been doing a great  
97 job. Mr. McKown stated that he would see no reason to not go forward as long as it was beneficial to  
98 the town and we were able to move the water in the direction it was supposed to go. Mayor Hyman  
99 stated that he believes that council should stay out of the “nuts and bolts” and should do what they  
100 are supposed to do, and that is for council to be presented with money allotted for various projects,  
101 etc and options and from there, decide on the best use. Mr. Samples stated that he would like to  
102 agree with what Mayor Hyman said but he also believes that council has an obligation to provide the  
103 fiscal oversight on behalf of the taxpayers because there are costs and benefits in trade-offs that  
104 have to be made and, again, so as long as Mr. Kirk is satisfied with the work being done by the  
105 contractor and as long as he feels that the contractor is working with us and is not trying to take  
106 advantage of the taxpayers money then he agrees 100 percent to go forward with this project. Mr.  
107 Kirk mentioned that there have been some incidentals but nothing that is constantly reoccurring so in  
108 that respect, so far it’s been a pleasurable experience. Ms. Tuttle requested clarification on what she  
109 believes she heard in that, we already have the line items in the budget and it was just a matter of  
110 going through them and checking them off once they are completed. Mr. Kirk interrupted to state that  
111 there was storm water money, which can be used. Mr. Booth added that this would be presented to  
112 council. Ms. Tuttle just wanted to clarify that the money was, in fact, there and that we were not going

113 to exceed the budget. Mr. Kirk and Mr. Booth stated that, no, the money is already there. Mr.  
114 Samples stated that now he was confused with what is being said and he wanted to re-clarify, stating  
115 that we currently have a contract in place with Greenwall for this basin project, and regarding the  
116 change orders mentioned he wanted to know if there was some project manager reserve or  
117 contingency money in the contract. Mr. Booth and Mr. Kirk stated that yes there was 10 percent  
118 contingency money in the contract. Mr. Samples then requested that the contingency amount for any  
119 of these line items should be brought back to council so that they are made aware as to where the  
120 taxpayer's money is going. Mayor Hyman stated that he believes that it is not their intention of not  
121 bringing it back to council. Mr. Booth stated that they have budgeted this project to a point and once  
122 they reach that point they will bring it to council item per item and what it will all cost. Ms. Tuttle  
123 wanted to again clarify that the money was available beyond the budget and Mr. Booth stated that it  
124 was. It is available in the storm water funds. Mr. McKown then asked that since this is a workshop  
125 on storm water could he talk about storm water in general. Mayor Hyman stated that we could talk  
126 about ponds and piping because that was what was on the agenda. Mr. McKown stated that was  
127 okay and had no further comments. Mr. Martin wanted to thank Mr. Kirk for being on top of  
128 everything and stated that he felt the recommendations that he was making were great and continued  
129 to state that he really appreciates the work he does. Mr. Booth added that he knows that Mr. Kirk is  
130 hands on and is out there working through problems and that is how it should be. Mr. McKown stated  
131 that he does not want to be a thorn in the side and asked that since this is a workshop are we going  
132 to be formal about the agenda. Mayor Hyman stated that we were "we advertised an agenda and  
133 that is what we're going by." Mr. Samples "I almost called the clerk and asked, and I will in the  
134 future that, given the ground rules that we're operating under, that we strike the pond versus piping  
135 and this was storm water and I know we had talked in the past about when we were, you know, we'd  
136 advertise whether or not we had advertised to fill those . . ." Mayor Hyman interrupted "We are not  
137 talking about that Doug. This is not a workshop on the committee." Mr. Samples replied "Got you."  
138 Mayor Hyman asked Mr. Booth to continue.  
139

140 Mr. Booth went on to talk about the second item on the agenda. Mayor Hyman interrupted Mr. Booth  
141 and asked if he could please abide this council and explain what they discussed the previous day  
142 about the process of the storm water. Mr. Booth stated that this is what Mr. Kirk just finished talking  
143 about and Mr. McKown questioned the discussion being on piping and ponding. Mr. Booth stated  
144 that the discussion was on how we could move forward with the project.  
145

#### 146 **SPECIAL EVENTS-PERMITS**

147

148 Mr. Booth then went on to discuss the second agenda item, which was regarding special events and  
149 permits. Mr. Booth invited Ms. Donevant up to the podium. Mr. Booth stated that during the bike rally  
150 he was out and about and stated that he found it to be a quiet event with no riots or large fights. Mr.  
151 Booth stated that the one event that was held at the cold storage facility was very quiet and they had  
152 very few customers and there was very little trash for us to pick up. There was some noise and  
153 overtime for the police officers but all in all, for Surfside it was pretty much a "non-event". Mr. Booth  
154 went on to explain the discrepancy on the Planning and Zoning report from the previous month.  
155 There had been a report that listed a receipt of 220 dollars for 3 permits and permits were listed at 20  
156 dollars each, which would have totaled 60 dollars and not 220 dollars. The explanation for this was  
157 that there was a bike package that had been introduced which charged vendors 100 dollars instead of  
158 20 dollars (Ms. Donevant interrupted with statement-not audible). Mr. Booth stated that it was just an  
159 error in reporting. Mr. Booth went on to state that what he now wished to get from council is some  
160 advice as to where they wanted to go regarding ordinances, since the ordinances regarding special  
161 events were somewhat ambiguous. Mr. McKown stated that he was glad Mr. Booth brought it up as  
162 an open forum and what he would like to see clarified is what we see as "special events" and  
163 distinguish these between the sidewalk sales. Mr. McKown stated that as he understands it, the  
164 special event permits for Horry County are 700 dollars. Ms. Donevant stated that this was correct  
165 and also mentioned that the only thing currently listed in the Surfside Beach ordinances is the list of  
166 fees, which she provided copies of to council. Ms. Donevant went on to state that the fees were  
167 previously at 100 dollars and council at some later point in time reduced them to reflect the 20 dollars.  
168 Ms. Donevant went on to state that back around 2003 the charge for a tent was 100 dollars but

169 according to the ordinance for a certificate of zoning compliance, which is listed in 17-30, we have  
170 use of a tent with open display, fluttering ribbons and temporary signs and under that there is a fee  
171 chart listing a church as having a charge of 20 dollars, fundraising is 20 dollars, special sales  
172 promotions for licensed businesses is 20 dollars and a new business grand opening is no fee and  
173 then listed is Christmas tree sales, temporary real estate, etc. are all 100 dollars. Ms. Donevant then  
174 held up a printout, which included information on bike vendor packages, which, she mentioned, she  
175 has no idea where it came from and asked council if they had ever seen or heard of it. Mr. Samples  
176 stated that this package was news to him and Ms. Donevant stated that it was also news to her. She  
177 stated that she has no idea who made it up or where it came from. There was no mention of this  
178 package in any ordinance to reflect this. Ms. Donevant stated that she believes the package could  
179 have been something that was going to be presented to council but either never got approved or  
180 never made it to council or it could have been a package they were looking into at some point.

181  
182 Mr. McKown suggested that public hearings be held to see if residents want these biker types of  
183 vendors in Surfside Beach. Mr. McKown went on to explain that he would not want to deter any of  
184 the local businesses with such a fee that they could not afford to have sidewalk sales or events of this  
185 nature and he went on to state that we all know that during bike week the vendors make a  
186 tremendous amount of money, and if we were to allow this, then the town should be entitled to get  
187 their fair share of the profits. Mr. McKown mentioned that he was as concerned as councilman  
188 Samples when it was brought up that the county was charging 700 dollars for vendor permits and it  
189 looked like from the report that we were only charging 20 dollars for these permits. Ms. Donevant  
190 stated that these were the fees listed in the ordinances for the businesses that are already  
191 established in town. Mr. Samples requested to have some time to clarify the vendor permits. He  
192 stated that vendor permits were for vendors who did not currently have a business license in town  
193 and came in for a special event. Ms. Donevant confirmed this statement. Mr. Samples then went on  
194 to explain that this would then be different than a current business in Surfside such as Tomlinson's  
195 that would want to have a sidewalk sale. Mr. Samples then went on to state that, as he recalled, the  
196 permit fee was changed from 100 dollars to 20 dollars specifically for Tomlinson's and businesses like  
197 those in town. Mr. Samples then went on to explain that the reason it was changed was to encourage  
198 businesses located in town to have sidewalk sales. Mr. Samples went on to state that, in his view,  
199 the vendors that follow a particular event such as the vendors for the bike rally should be charged  
200 more to ensure that the taxpayers get their fair share, which he currently does not feel they get, and  
201 that is, if Surfside were to support those type of venues. Mr. Samples went on to state that the  
202 taxpayers and residents are the ones that have to pay for the police overtime and deal with the  
203 overall hassle of dealing with these sorts of events in their town and they should benefit in some way.  
204 Mayor Hyman stated that we are currently charging 500 dollars for a vendor that comes into Surfside  
205 Beach. Mr. McKown then asked that would it not be more appropriate if the fee were more in line  
206 with what the county is charging. Mayor Hyman stated that what he was hearing was that there were  
207 concerns that we were only getting 20 dollars when in fact we're getting 500 dollars. He was not  
208 hearing the concern from the 500 dollar fee to the 700 dollar fee. Mr. McKown then asked if we  
209 collected that 500 dollar fee and Mayor Hyman stated that we did collect the 500 dollar vendor fee.  
210 Ms. Donevant stated that the vendor in question was the climate control facility and they had come  
211 before council with their request. Mr. McKown then asked if we had charged 500 dollars for that  
212 entire venue and Ms. Donevant and Ms. Tuttle both responded that it was for each vendor at the  
213 facility. Mayor Hyman stated that there were 15 vendors at 500 dollars apiece. Mr. Samples asked if  
214 that was for last year and Mayor Hyman, Ms. Tuttle and Ms. Donevant all answered together that it  
215 was for this year and last year. Mr. Samples then asked if council had to approve the request from  
216 the climate control and Ms. Donevant and Ms. Tuttle both answered that it was brought before council  
217 and approved. Mr. Samples asked if that approval given was for the Fall rally or was it for this current  
218 Spring rally. Ms. Donevant confirmed that it was for this recent Spring rally that approval was granted.  
219 Mr. Samples then went on to inquire if it was then necessary for those same vendors to come back  
220 again for approval for the next event. Ms. Donevant confirmed that they would need to come back  
221 again for approval for the next event in the Fall. Ms. Donevant went on to mention that she wanted to  
222 share with council that just recently Dagwoods came in requesting to obtain permits to have an  
223 October Fest. Dagwoods had supplied Ms. Donevant with a list explaining what they want to do.  
224 They are planning on having bands perform outdoors at this festival and this is something, Ms.

225 Donevant went on to state, that we currently have no provisions for. Ms. Donevant stated that we  
226 may want to use this request to set up a guideline as to what exactly is involved and what we would  
227 allow and what they would need to do to get permits. Mr. McKown stated that if Surfside Beach were  
228 to think about allowing these type events it would be suggested to hold a public hearing to let the  
229 residents decide what they want and what they don't want. If Surfside Beach were to allow one then  
230 they would have to allow them all, so it should be up to the residents to decide. Ms. Donevant stated  
231 that any request for a special event would need to go through council for approval. Mr. McKown went  
232 on to state that this is true but it puts council in a certain position when we are offering special event  
233 permits then it makes it more difficult to deny. Mr. McKown went on to say that perhaps we could  
234 have it where we allow no special events at all. Mr. McKown then stated that Georgetown County  
235 does not allow special permits for these types of events and that is why everything stops in Murrells  
236 Inlet at the Georgetown county line. Ms. Donevant stated that this is exactly what she is talking about  
237 and that she needs some sort of direction from council in regards to what we want to allow in Surfside  
238 Beach. Mr. Booth stated that once we determine how to handle these special events it would make  
239 everything run more smoothly because it is uncomfortable for us to allow for some and not for others.  
240 Ms. Tuttle agreed that we need some sort of policy and what we did last year at the climate control  
241 was a trial run and the event ran smoothly. Ms. Tuttle then proceeded to ask how the events at the  
242 climate control went this year. Mr. Booth stated that the event ran very smoothly and, as a matter of  
243 fact, the vendors were complaining that they didn't have enough customers. Ms. Tuttle then inquired  
244 as to the revenue received for this event. Ms. Donevant stated that it was 15 vendors, so revenue  
245 reflected that. Mr. McKown interrupted Ms. Tuttle to let her know that the offset of this revenue by  
246 Public Safety, he was told, would be approximately 14,000 dollars, which is the cost of the overtime  
247 over and beyond what we received. Mr. Booth interrupted to state that this cost for Public Safety  
248 would not change whether you had events or not. Mr. McKown and Ms. Tuttle agreed. Mr. McKown  
249 then went on to state that although the event in town was uneventful there was an incident that  
250 involved Hell's Angels where they beat up an individual and the police almost had to go down and  
251 pick them up and he has now heard, through the task force of Horry County, that there is a  
252 connection between another gang member and a business here off of 17. Mr. McKown then went on  
253 to express his concern that the bike rallies seem to be getting larger and larger each year and if we  
254 do not address this now then it may be more difficult to stop later. Mr. McKown also went on to  
255 mention that the trailer situation is another item that needs to be addressed. He went on to state that  
256 the trailers were all lined up along Ocean Boulevard and all along the side streets and it was close to  
257 impossible to maneuver around them. Mr. Booth mentioned that they are suggesting a solution for  
258 next year, that once the storm water project ends, there is a large area located by the library, where  
259 we could create trailer parking and we could probably even charge for this parking. Mr. Booth also  
260 mentioned that, hopefully, we will own Ocean Boulevard so that we could control it but the police did  
261 go down and have a lot of trailers moved because they were parked right by the intersection, which  
262 was causing an obstruction problem and we ended up making some of our parking area available for  
263 this. Mr. McKown asked if council recalled that there was a conversation in the previous year, when  
264 Ocean Lakes was testing the new parking facility they offered, and it was very successful and it held  
265 around 500 trailers. Ms. Donevant mentioned that Arron Miller had come to us with the suggestion of  
266 bagging the meters and allowing the trailers to park in our lots to alleviate the current parking  
267 conditions the bike rally causes. Ms. Tuttle mentioned that whether the town ends up allowing  
268 vendors or not we are going to still have to deal with the same trailer parking issue and likes the idea  
269 of having them park in a controlled area.

270  
271 Mr. Samples stated that he wanted to address the temporary use, and in the code C-1 it mentions  
272 only circus, carnival or fair that is subject to approval by town council.

273  
274 Mr. Samples then went on to ask "is a tent, by definition, a circus?"

275  
276 Ms. Donevant answered "no".

277  
278 Mr. Samples stated "I didn't think so, so what happens when an existing business, somebody who's  
279 got a business license, requests, what are the parameters, I guess, or criteria that you would use in  
280 granting temporary zoning?"

281  
282 Ms. Donevant asked “for a tent?”  
283  
284 Mr. Samples answered “Yeah, for a tent, for an outdoor tent, for somebody, let’s say you had a food  
285 and beverage establishment who operates in town who wanted to set up a tent?”  
286  
287 Ms. Donevant: “One of the provisions would be, of course it would have to be inspected by the fire  
288 department, they cannot interfere with any of the parking, you know, like taking up a space for  
289 parking, if they have to, they have to have DHEC permits and stuff like that, and it says under here, I  
290 know you got carnival and circus, it says use of a tent, open display, fluttering ribbons or temporary  
291 signs.”  
292  
293 Mr. Samples: “But, that’s not . . .  
294  
295 Mr. Booth: “That is us, not the council.”  
296  
297 Mr. Samples: “That’s right, you do that, and what’s the fee for that, 20 dollars?”  
298  
299 Ms. Donevant: “20 dollars.”  
300  
301 Mayor Hyman: “But you have to have a local business license.”  
302  
303 Mr. Samples: “I understand that, I just want to clarify so we can all be on the same page.”  
304  
305 Ms. Tuttle: “And give definition to a business versus a non-business license in Surfside Beach.”  
306  
307 Ms. Donevant: “Well they have to have a physical address for a license.”  
308  
309 Ms. Tuttle: “Right, but the temporary vendor so to speak?”  
310  
311 Ms. Donevant: “There’s nothing in this provision, in the ordinance that covers anything for temporary  
312 vendors.”  
313  
314 Mr. Booth: “That’s right, so that cold storage or the climate control or for Jamin’. . well Jamin’ Leather  
315 will be a business in town. They’re looking for a larger event. You also made agreements with him,  
316 that, for him to change, that you have to give him permission, that’s the way that I would look at it.”  
317  
318 Mr. McKown: “We have, at council, actually we did the first discussion, as you remember, all of us,  
319 that we said ‘Jamie, you know, we welcome you to town, we hope you prosper, but please do not  
320 come back and ask for special permits’ you know and have the (sic) on the parking lot and he agreed  
321 to that under those conditions and I think we gave way, it wasn’t just a clear cut straight zoning  
322 because the fact, as I remember correctly, wasn’t there some type of agreement of accommodation  
323 tax in the original deed when the Lazarus family switched it over?”  
324  
325 Ms. Tuttle: “Right, sure.”  
326  
327 Mr. McKown: “So when we sort of accommodated his request, we changed that a little bit, so I think  
328 that you guys can control that portion of it as far as tents, but I see councilman Samples, is going, the  
329 next thing you know, since he’s a permanent resident, a permanent business in town he could  
330 request for these open tents out there and pay 20 dollars and the next thing we know . . . and he has  
331 a lot of parking all on the side and the back, so . . . how do we address that and write that in there.”  
332  
333 Mr. Booth: “Well easy, because we, the council has an agreement with him, not staff, therefore, the  
334 council has to agree to whatever he can do and that’s the way we look at it.”  
335  
336 Mr. McKown: “And I’m sure he would agree with that.” (laughing from audience)

337  
338 Mr. Booth: “Well it wouldn’t make any difference because we wouldn’t issue a permit we would  
339 require him to . . .”  
340

341 Ms. Donevant: “If he came in and asked for a tent for temporary zoning it would just be the wares that  
342 he sells and the leather, so, not any one vendor can (talking over from various council) he’s the  
343 business he can have a tent but he can’t allow all of these out of town people that don’t have a  
344 business license in town to do that and . . .”  
345

346 Mr. Samples: “They’ll have a restaurant, or an ice cream parlor or something like that. . .”  
347

348 Mr. Booth: “He’ll also have a grand opening and that’s within our privity is to allow him to have a  
349 grand opening and have the flyers or whatever . . .”  
350

351 Mr. McKown: “And to be quite honest with you, have you all had a chance to go there and take a look  
352 at that facility? They actually did a nice job, I mean it’s so, it’s done very well.”  
353

354 Mr. Martin: “I think we’ve had a little bit of misinformation today. When Jamin’ Leather was opening,  
355 there was an attempt by council, at least two members of council, to control what was done there,  
356 that was not voted, that was not approved, what was approved was to allow them to do it, so there  
357 were no special restrictions put on him, so anything, anyone that thinks that we have special ties to  
358 control that facility, it’s no different than any business in town and if all we’re going to do is to bring  
359 out what they’re selling in the store and sell it out front like any other business would, that would be  
360 one thing, if the history of that organization is such, that they put on all kinds of shows and special  
361 events, that have nothing to do with what they’re selling in the store, and to many people are quite  
362 offensive and don’t fit, at all, with a family beach. So I think we have a unique problem with that  
363 particular facility. If someone else who wants to go out and sell what they had in their store that’s not  
364 a big problem, but we have a big problem with the trend of what we’re going to allow in terms of these  
365 special events and I think that’s what we’re especially talking about today with special events and in  
366 terms of, and I’ll tell you what I think, and I think we shouldn’t allow it. Period. So there’s one  
367 councilpersons opinion. I’m not talking about the stores putting (someone talking over) I’m talking  
368 about special events and shows of that sort. I think they do not fit with the desire of the people of this  
369 town, I’ve heard back from people directly about that, that it doesn’t fit in Surfside Beach and that kind  
370 of event, that kind of pumping people up and lots of drinking going on effects the immediate  
371 neighborhoods and even this year, without that event going on, I have personally had complaints from  
372 people in the South End about motorcycles waking them up in the middle of the night and we’ll just  
373 have more of that, so I see it as a big problem for the town.”  
374

375 Ms. Donevant: “Well I do see, and as I recall he gave you a list of what events he had planned and it  
376 was quite a number of events.”  
377

378 Mr. Martin: “If you’ve gone to the one where he had it on 501, if you’d seen the kind of things he had  
379 done out there, you would know that these are not just sales.”  
380

381 Mr. McKown: “Mr. Mayor can I just say one thing. . .”  
382

383 Mayor Hyman: “We have about 5 minutes before we call this . . .”  
384

385 Mr. McKown: “I just want to make one statement. When Mr. Martin said that two councilmembers, if  
386 your read the minutes, the actual minutes state, was that there was discussion about the  
387 accommodation proportion and we had our attorney here, the town attorney here, talking about the  
388 fee and the fine that would be appropriated and they amended, they wanted to amend the actual vote  
389 and it was in discussing that, it was on that topic, but the actual vote was 6-0, the two  
390 councilmembers you mentioned voted for this, ok? The only councilmember that did not vote for this  
391 particular thing was councilman Samples because he recused himself from voting because Mr.  
392 Lazarus was on the COG at the time, so we keep hearing, and I want to put everything in perspective

393 that we all tried to keep controls on this, and it's the way you interpret the minutes if you read the  
394 minutes, each councilmember on this panel here, even Mr. Samples, which it really, and he knows,  
395 now, I'm sure, if you're going to recuse yourself from voting on something you don't discuss it at that  
396 point, but, we all mentioned it, we all said, we're trying to put some kind of control on these special  
397 events when this business opened. We all wanted the business to come into town, we all wanted the  
398 restaurant to be here and I think he did a good job, you just ride by there, it's a nice facility, he did a  
399 good job on the presentation and if there's retail stores there and he generates revenues for the town,  
400 it's going to be a good thing, but again, we have to put controls on it and, Mr. Martin does bring up a  
401 good point and I hope that's not the case where we don't have any controls because it is straight  
402 zoning, it's not a PDD, it's a straight zoning project and if the ordinance is applied to him or to other  
403 retailers in town, they have to apply in the same manner, so at that point, if that's the case, then this  
404 council is going to have to get together and come up with some type of new ordinances to directly  
405 address this issue about this particular week, Bike Weekend, which other counties have done and we  
406 can do the same thing."

407  
408 Ms. Hiatt: "Mr. Mayor didn't we set a time that they had to shut down their business of the vendors.  
409 There wasn't something that went on at sleeping hours of the night, was it?"

410  
411 Ms. Tuttle: "No, it was reasonably early for that event."

412  
413 Mr. Samples: "We're talking about temporary use and I think that's the issue that Mr. Martin and Mr.  
414 McKown and myself would like to see something come back from the staff that could address that  
415 issue."

416  
417 Mr. Mayor: "We have about 3 minutes. Mr. Booth do you have anything you want to wrap it up with?"

418  
419 Mr. Booth: "No."

420  
421 Mr. Booth then addressed council "Do you have an idea? Would you like us to put any public  
422 hearings on?"

423  
424 Mr. McKown: "I would like to see what the residents have to say about this whole deal because if  
425 they don't want this in their backyard, then we need to move in the direction to stop those type  
426 activities in our community during the bike weekend because, you know what? We're right into  
427 another one, there's one right now, and this happens Memorial Day weekend and now I was told that  
428 the Fall bike weekend is becoming actually, a substantial event, so I think that, yeah I think, I mean I  
429 would like to see the public's input because if that's, if the public speaks out and says they don't want  
430 any part of this, then I'm sure the council would move in a rapid direction to try to impose ordinances  
431 or legislation on this. . ."

432  
433 Mayor Hyman: "What we can do is bring the information back to council for the council's  
434 consideration and then we can put it in ordinance form or we can bring ordinance form back and we  
435 can have a public hearing before we vote on the ordinance."

436  
437 Ms. Hiatt: "I think we had a public hearing on it last year before we did it."

438  
439 Mr. Samples: "I think this is a Chapter 17 matter isn't it? Therefore, a public hearing is required for  
440 an ordinance change and, does planning and zoning have to comment on it?"

441  
442 Mr. Martin along with a couple other unidentified voices stated "yes."

443  
444 Mr. Samples: "So we will have a public hearing on it."

445  
446 Ms. Donevant: "We just wanted direction from you as to how you wanted us to start."

447  
448 Mayor Hyman: "Anything else Mr. Booth?"

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Mr. Booth: “No, sir,”

Mayor Hyman: “Any last comments from council?”

**ADJOURNMENT.**

There were no further comments from council. Mr. McKown moved to adjourn the workshop meeting at 6:19 P.M. Mr. Samples seconded. **All present voted in favor. MOTION CARRIED.**

Approved: June 12, 2007

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