



TOWN OF SURFSIDE BEACH ♦ TOWN COUNCIL CHAMBERS

July 8 , 2008 ♦ 6:30 P.M.

TOWN COUNCIL MEETING MINUTES

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7 **1. CALL TO ORDER**

8 Mayor Deaton called the meeting to order at 6:30 p.m. and stated that this was a business
9 meeting and asked if everyone in attendance could conduct himself or herself in that
10 manner. Mayor Deaton, Mayor Pro Tem Truett and Councilmembers Blair, Johnson,
11 Martin, Samples and Childs were present. A quorum was present. Staff present:
12 Administrator Booth; Clerk Pinnell; Director of Public Safety, Christenson and Director
13 of Building, Planning & Zoning Donevant.

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15 **2. INVOCATION and PLEDGE OF ALLEGIANCE.**

16 Carmen Carella, Police Chaplain said the invocation and Mayor Deaton led the Pledge
17 of Allegiance.

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19 **3. MINUTES APPROVAL**

20 Mr. Truett made a motion to approve the regular meeting minutes from June 24, 2008.
21 Mr. Samples seconded the motion. **All voted in favor. MOTION CARRIED.**

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23 Mr. Booth made a request for a change in the agenda. The change was to move
24 Discussion item B, *Moratorium on Bike Week Vendor Permits* to Business item D. Mr.
25 Samples moved to make the change. Mr. Truett seconded the motion. **All voted in**
26 **favor. MOTION CARRIED.**

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28 **4. PUBLIC COMMENTS – Agenda Items only**

29 *Rod Smith, 515 14th Avenue North, Item 7 A Dogs on the Beach:* “I’d like to say that the
30 dogs on the beach ordinance should stay as is. I don’t think we need to make any
31 changes. Dogs shouldn’t be on the beach during the summer months. Responsible
32 owners will probably clean up their poop but if a dog urinates on the beach during the
33 summer month, they probably won’t clean that up and there are children down on the
34 beach even during the early hours so the dog ordinance should stay as is.”

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36 *Michael Smith, 518 5th Avenue North:* “First I’d like to say to the mayor and all the
37 council how much that the citizens appreciate how you turned around the image of
38 Surfside and brought it back to a business atmosphere in these meetings. There’s been a
39 lot of conversation out in the community about that and we really appreciate that.
40 Second, I didn’t know that dogs on the beach was going to be here and my friend Rod
41 Smith just addressed it. Kind of in that vein, I’d like for you to consider formulating a
42 plan whereby each town ordinance is reviewed, not just this one about dogs on the
43 beach, for clarity, whether it’s currently applicable to the town’s needs and whether or
44 not it has any appropriate penalties. At a recent town meeting towing fees was the issue
45 because the old ordinance had outdated fees in it and I suspect that that’s the situation
46 that we may have with multiple ordinances and let me get into this, since I saw dogs on
47 the beach here as an agenda item, let me get into that. Town ordinance 12-69 allows
48 dogs on the beach between May 15th and September the 15th corresponding roughly to
49 Memorial Day to Labor Day; it’s a good ordinance, it’s designed to keep our beaches
50 clean during the high season; it meets the standards of health, there’s no waste in our
51 oceans or on ourselves. It meets the standards of safety; it keeps our safe dogs from our
52 unpredictable or dangerous people out there on the beach (laughing in audience), so the

53 ordinance does not need changing in my position as to time, place or manner of allowing
54 dogs on the beach. To change the ordinance would allow dogs, dog waste after the
55 crews have prepared the beach for the people and when you review 12.69, it's likely that
56 you'll find; I'm telling you what you already know, I know that council already knows
57 this and I know that you are considering making some changes, how it came about, I
58 don't know, but it has no penalty for violation of the ordinance within the ordinance
59 itself, so it needs tightening up. Now sometimes ordinances have penalties at the end of
60 a particular section, I looked, I didn't find it. There's kind of a companion ordinance
61 here too that has to do with the beach, it's down in 3.4; 3.4 has to do with the beach, it
62 requires dog owners to clean up after their pets on the beach, again, this ordinance, it
63 meets the needs to ensure health and safety for the town residents and public but, there
64 again, it's basically unenforceable because it doesn't have any penalty in 3.4. There is
65 one that is totally unrelated; it's absolutely totally unrelated to dogs on the beach; it's
66 ordinance 12.88, I don't have a jet ski but it tells you if you want a jet ski on the beach
67 how you can get it down there, what you do with it and it uses all the magic words in the
68 law; it explains what's lawful; it explains what's unlawful; it explains what shall be
69 done; that's a magic word, you shall do this, you shall not do this. It explains what must
70 be done; it also explains what may be done such as the city may take your jet ski; they
71 may impound it and it ends with a penalty and the violation so if we could kind of use
72 maybe, and I'm not really a proponent of 12.88, I'm not an opponent of 12.69 or 3.4 but
73 I do think just looking at our ordinance that you folks have gotten off to just a great start
74 individually and as a group that I know you want to take ownership of our ordinances
75 and continue doing the fine job that you're doing Thank you."

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77 *Sue Clark, 616 Juniper Drive:* "This is in regards to dogs on the beach. I'm in favor of
78 allowing dogs on the beach during the high season with the restricted hours between 9
79 and 5. I do understand that there will be irresponsible pet owners; there are now; every
80 undeveloped lot in Surfside Beach is used as a dog toilet and people don't clean up.
81 This is the leash that I have for my dog; they're available at any pet store, it has built in
82 bags, the refills are available and I would like that, it's hard to tell your dogs hey it's
83 May 15th we're not going there now when they're used to that routine, so I would like
84 that ordinance to be changed to allow dogs on the beach. Thank you, oh and one last
85 thing, wonderful on July 3rd, thank you everybody for all the hard work."

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87 *Ann Westcott, 413 Cedar Drive North:* "I would like to see you keep the dog ordinance
88 as it is. I am terrified of dogs and I do not want to go to the beach and be scared and
89 people don't pick up after their pets on the streets why would they do it on the beach? If
90 it isn't broken, don't fix it."

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92 *Mary Mahr, 911 South Willow Drive:* "I'd like to thank Mr. Samples and Mr. Truett for
93 responding to my e-mail. I'm for extending the hours allowing dogs on the beach. I
94 believe there are irresponsible pet owners and those irresponsible pet owners will bring
95 their dogs to the beach anytime they want regardless of the laws. I do believe that dogs
96 need to be restricted during the summer hours before 9 and after 5. That's a safe time
97 for dogs; it's a safe time for people. I, as a responsible pet owner, pick up after my pet;
98 there are some that will not do that and as I said we do have laws on the books; dogs are
99 supposed to be on a leash; owners are supposed to pick up after their pet; it doesn't
100 happen but that's no reason to penalize the little puppies that have responsible owners
101 and who love walking on the beach. I pay taxes year round; I'd like to enjoy the beach
102 year round. Thank you."

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P.L. Mabry, 15th Avenue North: “In reference to the dogs on the beach, this town collects over a million dollars a year in tax related, tourist items pertaining to that beach, now for us to go down there and allow dogs on the beach of which I’ve carried mine down there many times when it was legal to do it now, but, the point is, you’re always taking a chance when you have a dog down there around other people and other dogs so why would we want to take a chance with kids down there, laying on the beach and playing on the beach when we don’t enforce the laws that we have pertaining to beer on the beach and now we’re going to have dogs on the beach? We have a policeman down there and we need to take care of that, one’s that are much more reverent to our town than the dogs on the beach. Thank you.”

Tom Dodge, 1415 N. Poplar Drive: “I feel the dog ordinance concerning the beach stay as it is or lengthen the time period longer than 5/15 to 9/15; it definitely should not be reduced in any way but the only way to accomplish anything is to enforce the law down there. Number two, I think the town should think long and hard about deterring bikers, having been a landlord in the weekly rental district, I can say that the bikers are a financial boon to the people down there. We would not have rented like we did if it were not for the bikers; we collect a tremendous amount of tax because of the bikers and I just think we should think long and hard about trying to stop these people or deterring them from coming here and I would also like to say thank you for the great July 4th program but I know I can’t do that at this point. (Laughter in audience).”

MaryAnn Hunter, 516 Cypress Drive: “I agree that dogs should not be on the beach in the hot times but I have to tell you, my dog has better manners and makes less mess than a lot of people. The ones that leave circles of cigarette butts all over. The ones that drink and throw the glass bottles which are illegal and nobody notices and they don’t clean up and we clean up after our dogs and most everybody I know does, so I think we need to go after these other people that are really making the mess. The ones that twist the aluminum cans so it’s all sharp so some kid walks on it, it’s true, and I think we need to leave the dog ordinance where it is and go after some of these dirty people. Thank you.”

Sue Wall, 510 S. Poplar: “I just wanted to comment on the issue of the bikers; I’ve been to all the meetings around the area. My question is to any council in the area if you can honestly prove that the taxes you pull in on bikers does not compensate for all the money that is brought into this area then you might want to consider getting rid of them but I don’t see anybody losing any money on any bikers. I think they help this whole area and there is no school in this country that I know of, or no State that lets there kids out of school before the end of May and the bikers are a good thing for this area. There are troublemakers, enforce the laws. Every time I see anything happen with the police, it’s on the side roads because I know I’ve taken the side roads and I’ve gotten tickets but I don’t see them on the main roads. Bikers can be controlled; anybody can be controlled and I don’t think it’s a good idea to get rid of them. If you want to raise your vendor fees go for it, I’m not sure but I think they’re a lot lower here than in the other parts of the county or whatever but that’s fine but I don’t see running people out that are supporting this whole area. Thank you.”

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Ken Harbin, 322 S. Willow: “Two points, one on the dog ordinance; I’m also favor of it staying like it is. It’s unfortunate that the responsible pet owners have to pay the price for the irresponsible pet owners but it’s the beach. We got way too many people there and from a health standpoint, a convenience standpoint, a revenue standpoint and everything else that would be catastrophic to lose that type of business so unfortunately the few have to pay for the, or the many have to pay for the few irresponsibilities. On the bike week; I saw a fairly good idea in the paper and that would be to just move the bike festivities to one portion of the first of May. The point about school getting out, yes it does get our mid to late May; it won’t be out early May and may not interfere with the other holiday seasons we used to have and the other way, if we do decide to extend vendor licenses we say when we’re going to do it. If we do it May 4th through the 8th, that’s the only time they can be here so maybe we could influence it that way. Thank you.”

Jamie Keats, owner of Jammin’ Leather: “I just prepared a small, little statement about bike week and I understand what you’re considering. First let me say the Memorial Day problems virtually don’t exist in the Town of Surfside, which is probably the primary reason why most of this comes up. Vacationing motorcyclists of all types will continue to visit Myrtle Beach and no one can prevent the businesses from advertising, promoting, marketing, organizing gathering in a tradition that goes back almost 70 years. We all know the good, the bad, the ugly that the rallies bring but complaining about them gets us nowhere. I have some suggestions to improve the rally for our residents of Surfside. As my 12-year old son suggested earlier today, was to implement a curfew on residential areas. Let’s say no bikers in residential areas after 10 PM, is a possibility; or maybe even ask residents and their respective non-residential streets to petition and pay for their own signs such as ‘non resident thru traffic’ or ‘respect our residents, keep quiet in residential area’ signs, similar to the signs they put in the residential areas of Myrtle Beach. As far as Bike Week problems exist, the problems are not the vendors’ the vendors do not bring trouble. What they do is they bring revenues to the town and support the local economy. Denying me vendors, denies the opportunity for me to make additional funds needed to pay taxes and mortgage expense on the building. Whether directly or indirectly, everyone in Myrtle Beach benefits from the rally whether or not they believe it, even after it’s long gone. In conclusion, this rally is not a single event it’s a piece of culture traditionally imbedded in the minds and the hearts of those visitors who enjoy the beach so much. Thank you very much and all new councilmembers.”

5. COMMUNICATIONS

A. Four years of Service; Phyllis Dunn, Accommodations Tax Board

Mayor Deaton presented a certificate to Phyllis Dunn and thanked her for her services. (There was applause in the audience).

B. Public Safety Report

Mr. Booth reported that that there is a new officer, David Turbeville, who started with the Police Department and has begun his training. Mr. Booth reported that there has been a very active training period from the National Crime Information Training to the Annual Legals Training that is mandated. Mr. Booth reported that on June 17th Horry County had a pursuit with the assistance of the Surfside Beach, Beach Patrol Officers took an individual into custody. June 27th an officer was almost hit by an erratic moving vehicle, he pursued the vehicle, it flipped and he then

200 rescued the individual from underneath the car. A Jeffrey Adams from
201 Massachusetts who was involved in a hit and run on motorcycles during Bike Week
202 was apprehended; he is on bond from the town judge. Mr. Booth reported that one
203 of our fire trucks was involved in an accident that damaged the windshield; it hit an
204 object on the side of the road that should not have been in the right away.
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206 Director of Public Safety, Andy Christenson presented certificates of recognition to
207 Officer Joe Carcich and Detective Matthew Prock. Mr. Christenson reported that
208 Officer Joe Carcich is not only a police officer, he is a certified EMT and through his
209 quick response to a hit and run motorcycle accident was able to assist in getting the
210 victim the help she needed. Mr. Christenson read the declaration that is on file (there
211 was applause in the audience). Mr. Christenson stated that Detective Matthew Prock
212 followed up on a tip he received to locate the motorcyclist involved in the hit and run
213 and was able to bring him into custody with the assistance of the Billerica
214 Massachusetts Police Department. Mr. Christenson read the declaration that is on
215 file (there was applause in the audience).
216

217 Mr. Booth stated that Mr. Christenson does a great job recognizing his staff and he
218 wanted to take this opportunity to recognize his staff adding that he wanted council
219 to know that the town has the best staff that he has ever worked for including the
220 military; they are dedicated and they know what they are doing.
221

222 **C. Building, Planning & Zoning Report**

223 Mr. Booth reported that the permits are still low as the rest of the nation is. On July
224 16th the town will have a visit from the Community Assistance of the Department of
225 Natural Resources Flood Mitigation; they will take a look at our flood map and our
226 community and a report will be given to council at a future meeting regarding their
227 findings. Mr. Booth reported that there is a lot of code enforcement being done on
228 banners and signs; he has a large list of businesses they are currently looking at with
229 some not being code enforced in 10 years; second request letters are being sent and
230 then violations will be issued.
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232 **D. Administrator's Report**

233 Mr. Booth reported on the fireworks update. There were 106 calls, 4 arrests and 16
234 tickets were issued. Mr. Booth stated that he was unable to control the fireworks
235 entirely but there was less chaos, no one was hurt and there were no fires. Mr. Booth
236 stated that perhaps in the future after the town purchases the pier the town could look
237 into putting on their own fireworks. Mr. Booth reported that he would be on
238 vacation in Costa Rica from July 28th through August 1st. Mr. Booth stated that he
239 wanted to report on variances that came up at the last meeting. Mr. Booth reported
240 that there had been an issue with an attached garage and that staff was not informed
241 of the other issue. The garage was attached to the home by a breezeway roof and by
242 the definitions of the town this would not be considered as attached. Mr. Samples
243 stated that he is familiar with this property and it was his understanding that there is
244 also a setback issue involved. Mr. Booth stated that he was not aware of that. Mr.
245 Booth stated that it was brought up at the variance board that if there were any
246 questions regarding these type issues then they could bring it up and nothing was
247 brought up. Mr. Booth stated that there was an indication that there were two issues
248 but they were uninformed of what the other issue was. Mr. Childs stated that it was
249 his understanding that if the house was attached to the garage it did not qualify the

250 size of the house for the lot. Mr. Booth answered that staff does not consider this as
251 being attached; it would be attached if it had a common wall. Ms. Donevant stated
252 that the roof is attached by an open breezeway but the buildings are not attached.
253 Mr. Childs stated Ms. Grandell had stated in the minutes that they would be
254 removing the breezeway to make it into a detached garage that would mean that the
255 side yard variance is therefore not necessary. Mr. Childs stated that as he recalled
256 there was an issue if the garage was attached and in the minutes of the meeting on
257 November 26th, Ms. Grandell stated that they would remove the attached roof. Mr.
258 Booth stated that if the applicants had agreed to remove it and it was part of the
259 variance being granted then they should remove it. Mr. Booth stated that Ms.
260 Donevant would look into this and if this is the case then they would be asked to
261 remove the roof. Mr. Booth stated that there was another issue that came up
262 regarding serving on committees and reported that the attorney had reviewed the
263 ordinances and there is nothing in the ordinances that states that an employee cannot
264 serve on a board or committee; it just states that they are not paid to serve on a
265 committee. Mr. Childs stated that he wanted to talk about the other variance issue on
266 Oak Drive where the Zoning Board of Appeals approved going into the setbacks on
267 the back and in the minutes Mr. Ott made a statement assuring that the applicant was
268 not asking for any variances on the side and there is currently a bump out on the side
269 along with the one that was approved in the rear. Mr. Childs added that the applicant
270 only had 1.46 feet before they got into the setbacks and he believes that the setback
271 comes some 6 feet beyond that side variance. Mr. Booth answered that he was not
272 presented with this issue before but that staff would look at it and he would get back
273 to him. Mr. Childs stated that he has the address and a drawing of this issue and
274 added that there is a bump out and his question is does the Zoning Board of Appeals
275 only approve bump outs in the rear and not on the sides. Mr. Booth reiterated that he
276 would look into the issue and get back to him. Mayor Deaton informed Mr. Childs
277 to meet with the Administrator to discuss this issue. Mr. Samples stated that he
278 would like to see a written explanation on this issue. Mayor Deaton stated that this is
279 not an agenda item and that he would like to stick to the agenda and informed Mr.
280 Samples to set up a meeting to discuss this with the Administrator. Mr. Samples
281 stated that he would like to make a motion to suspend the rules. Mayor Deaton
282 stated that he is not allowed to suspend the rules to break them. Mr. Samples stated
283 that under Communications D iii, the agenda has listed 'previously approved
284 variances' and this is what he is trying to discuss and does not see how this is not an
285 agenda item. Mayor Deaton answered that this may be a stretch and added that Mr.
286 Samples could address this as an agenda item at the next meeting. Mr. Samples
287 agreed.

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289 **6. BUSINESS**

290 **A. *Second Reading Ordinance #08-0640- Stormwater Fees***

291 Mr. Booth stated that this is the second reading and this ordinance is to bring the fees
292 up in line with our permit and also places more of a burden on the developer. Mr.
293 Johnson made a motion to approve the second reading. Mr. Truett seconded the
294 motion. **All voted in favor. MOTION CARRIED.**

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B. *Second Reading Ordinance #08-0641 Adopt SC 2006 Building Codes*

Mr. Booth stated that this ordinance is mandated by the state. Mr. Samples made a motion to approve the second reading of the ordinance. Mr. Johnson seconded the motion. **All voted in favor. MOTION CARRIED.**

C. *Issue Paper: Establishing a Parks and Recreation Committee*

Mr. Booth stated that he likes committees and added that he is not displeased with our current recreation department or sports department but in hearing from a lot of the public he believes that there is a movement to include more entertainment and a little away from sports and added that this would be his desire. Mr. Booth stated that he feels that it is very important to have a Parks and Recreation Committee. Mr. Booth added that the town used to have one but somehow it had become disbanded and with the new council and a desire to have more boards and more input from the public he would like to see a Parks and Recreation Committee established. Mr. Booth stated that with the Council's approval the town would solicit members. Mr. Johnson made a motion to approve the establishment of a parks and recreation committee. Mr. Truett seconded the motion. Mr. Martin stated that the issue paper states that there are 7 appointees with one two year term and asked if this was intended to only be in existence for two years. Mr. Booth stated that this is not the intent. The board would be continuing but the terms would only be for two years and an ordinance with duties would be put in as an ordinance. An individual would not be limited to one, two-year term. Mr. Johnson asked if the terms should be staggered for some continuity and asked if an individual would be limited to only two terms as stated for other committees. Mr. Booth stated that he would look into this and will bring it back to council. Mr. Truett stated that he would like to see it brought back as four-year terms to keep in line with the other committees in town. Mr. Samples asked if these members would be town residents. **All voted in favor. MOTION CARRIED.**

D. *Moratorium on Bike Week: Vendor Permits*

Mr. Booth reported that the town currently collects approximately \$4,500 in permits. Overtime for the police currently exceeds this amount. Mr. Booth added that the town's alliance group that includes Atlantic Beach, North Myrtle Beach and Myrtle Beach is looking to restrict Bike Week somewhat. Mr. Booth reported that Surfside is primarily a pass-through community with most bikers going towards the south with very few stopping. Mr. Booth added that he thought that Climate Control that had vendors did not have a large turnout this past year and thought that he may not have them next year. Mr. Booth reported that the only other location was Jammin' Leather and their event was pretty mild. Mr. Booth stated that he believes that the town should restrict some of the activities that occur outside at certain locations. Mr. Booth added that the event is not a large one for the Town of Surfside Beach. Mr. Samples made a motion to adopt a town moratorium on the issuance of permits and or licenses associated with May bike special events. The motion covers authority normally granted under Section 17-30 Conditional and Temporary Uses and Section 4-23 Special Events. Mr. Martin seconded the motion. Mr. Samples stated that "the intent of the motion is in anticipation of other governments, Myrtle Beach, Horry County, taking some form of action which undoubtedly is going to have an impact of this municipality. We are not restricting bikers, we're restricting vendors." Mr. Samples added that he believes that the local businesses in town will benefit by this

345 moratorium. Mr. Samples recommended that the moratorium be in effect until a new
346 council is seated in two years. Mr. Samples withdrew the motion and restated the
347 motion. The new motion is to adopt a town moratorium on the issuance of permits
348 and or licenses associated with May bike special events. The motion covers
349 authority normally granted under section 17-30 Conditional and Temporary Uses and
350 section 4-23 Special events and the moratorium would stay in place until such time
351 as a new council is seated. Mr. Martin seconded the motion. Mr. Johnson stated that
352 he believes that moratoriums within the town should be looked at long and hard. He
353 stated that he is not anti or pro bike or vehicle but he does have some concerns on the
354 moratorium on the permits and the effect that it could have on town business even
355 though the facts do show that the town does not receive an enormous amount of
356 money from these permits but he just wonders what kind of message the council is
357 sending. **All voted in favor. MOTION CARRIED.**
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359 **7. DISCUSSION**

360 *Dogs on the Beach*

361 Mr. Truett stated that he had received many phone calls and e-mails regarding this
362 ordinance and realizes that there is a lot of passion each way. Mr. Truett stated that he is
363 an animal lover himself and the fact that Surfside Beach does not allow dogs on the
364 beach in the summer before 9 AM and after 5 PM where the surrounding communities of
365 Myrtle Beach, North Myrtle Beach and Horry County do, does not seem right.
366 Individuals walking from Garden City into Surfside Beach are breaking the town's rules
367 but yet they are legal in Horry County and it is the same way with Myrtle Beach. Mr.
368 Truett sees our citizens as being not different and they should be allowed to enjoy the
369 same laws as everyone else on the Grand Strand. Mr. Truett noted that there are bags
370 available at the walkovers if you do not bring one that allows individuals to clean up
371 after their pets. Mr. Truett stated that Mr. Smith was right in that Section 3 states that it
372 is unlawful not to clean up after your pet but there is no penalty and added that this
373 needs to be addressed. Mr. Truett stated that there are a few individuals who do not
374 abide by the laws but the majority should not be penalized because of these few
375 individuals.
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377 **8. PUBLIC COMMENTS**

378 *Ann Dodge, 15th Avenue North:* "I love living in this town. I think it is a great town and
379 I want to thank you, for the entertainment for the 4th of July, each of you. It was well
380 done, I also appreciated the fireworks and I know they're illegal but I really enjoyed
381 watching them. Thank you all so much."
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383 *Mary Crowley, 1013 S. Hollywood Drive:* "I want to comment, Mr. Truett, on the very
384 well spoken message that he communicated, that would have been what I would have
385 expressed if I could have had the words to say that. I was going to suggest that perhaps
386 we could consider designating one area in Surfside where the pets could be walked but I
387 do like the comment that he made, 'why should we be penalized when the other sections
388 of the county are able to walk their dogs' and I just wanted to commend him for the well
389 spoken message."
390

391 *Tom Dodge, 1415 N. Poplar Drive:* "You know horses are pets, we don't have bags big
392 enough for horses. Horses do walk the beach, I see them everywhere, I never see them
393 pick up after themselves. My other question is, we keep talking about businesses, I'm a
394 businessperson here in town, I get two business licenses, I have never ever been

395 contacted by council or anyone else about something related to businesses. I think that's
396 a slight and I think everyone who has a business license is considered a business person
397 therefore my input should be there as well as every business license person, it should be
398 in everything talked about businesses. Thank you."

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400 *Michael Smith, 518 5th Avenue North:* "As most of you know I try to take a very
401 pragmatic view on most things and as I was hearing Councilman Truett I agree he was
402 very articulate. I would simply ask that if you're going to couch this dog ordinance
403 change in what Myrtle Beach and North Myrtle Beach and Horry County is going to do
404 tread very lightly because you're going to have somebody else who's going to come here
405 and say 'stop the fireworks' because you can't do it in Myrtle Beach, you can't do it in
406 North Myrtle Beach and you can't do it in Horry County and before you know it on
407 every issue you're going to have a line out the door and you know Mayberry didn't
408 follow Raleigh and Durham and Mount Pilot, Mayberry did what they thought was best
409 for it's citizens. Again, I'm not, there's no cautionary comment there other than I think
410 it might be pragmatic to let's be independent and do what we think is best for Surfside.
411 Thank you."

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413 *Ron Ott, 7th Avenue North:* "I think that fireworks display is the most amazing thing I've
414 ever seen in my life and I've been here for 6 years and never missed it and I think we
415 should put it in our advertising because no where on this planet will you ever see
416 anything like that, it's just simply amazing. I have a little dog and I'd really like to take
417 him down to the beach too but I know that if we let everybody down there, there will be
418 more than sand between our toes (laughter in audience). I've been trying to think of
419 ways how we could make people come in and you have to have a little tag to take your
420 dog and you could give them a little training on how to pick up after the dogs but no
421 matter what, I know somebody ain't going to follow the rules, they're just not going to
422 do it. I know we want to talk about the variances and what I wanted to say is I know the
423 Zoning Board of Appeals is a judicial board and after that board makes any type of
424 ruling the next level is a court of law, not the Zoning Department and there was a
425 stipulation in the one that the roof was removed, now I don't want to go and start
426 pointing at people and the other one there's a problem there also and if I looked at it
427 correctly it looks like our Planning Department approved that, so our Planning
428 Department's changing the ordinances and the variances; that's what it looked like to me
429 and I just wanted to keep it level; keep it straight, that's all. I didn't want to poke fingers
430 at anybody; I never mentioned anybody's name, I didn't give anybody any addresses but
431 if you go down there, Mr. Childs knows where it is, if you go down there and look at
432 that little piece of paper in front of that, they got an okay; they got an okay to do it and
433 that's a variance. Thank you very much."

434
435 *Bob Hanson, 15th Avenue South:* "I was chairman of the Zoning Board of Appeals when
436 we had that meeting, granting the variance on North Hollywood and what I thought I
437 voted on, what I know I voted on was that that garage would be detached and the roof
438 would be removed and afterwards when it was not I had calls from several members of
439 the Zoning Board of Appeals asking why it was not removed, now we're not an
440 enforcement agency so we have to leave it to the town to enforce what we pass but that
441 was my understanding at the time, that that was supposed to be detached and in the
442 ordinance a separate building, as I recall has to be detached 10 feet, now I'm not sure
443 whether they could even get 10 feet the way it was, but that was my understanding at the
444 time and I have not reread the minutes in several months so I'm not exactly sure what

445 they say. Before I sit down I'd like to commend the council for purchasing the pier. It's
446 just a wonderful place for recreation and I know the town will take care of it, it will be
447 there a long time; so many people come out and enjoy it; the tourists enjoy it and they
448 ask all kinds of questions, they want to know about the town and the government and the
449 taxes and I would suggest we make a little brochure because everyone asks the same
450 questions over and over, when they pay their dollar for a ticket I think we ought to give
451 them a little brochure that shows the restaurants and some other things and I think you
452 could probably get enough advertising to pay for the thing so it would help us, we're out
453 there every day talking to these people and we're really ambassadors for the town but
454 they love it, they want to retire here, they want to live here but we need to kind of push
455 that along a little bit. Thank you very much."

456
457 *Jamie Keats, Jammin' Leather:* "I just wanted to say I wish you would consider at
458 future meetings to reconsider the moratorium that it actually can make a devastating
459 effect on the town in the future in some small ways. The funds that you raise, that are
460 currently raised from vendors, the few that there are, will actually no longer be there and
461 in turn the law enforcement may still be the same and the required duties of the town
462 workforce will still be needed so to lose that little bit of money and the possibility of
463 limiting vending in some degree, I'm all for it and I would like to be part or be
464 conversed for any discussion on making it easier for the town so that it can be acceptable
465 for everybody. I'm not looking for no big party in my parking lot as I had told you in
466 numerous times in the past for those that know me but I do want to make it comfortable
467 and I do want to make it interesting for them to come here. I think that you can make
468 limits on parking lot size to make it available for a certain amount of vendors or so many
469 vendors but to take it away completely might be foolish and I think it should be
470 reconsidered. Thank you very much."

471
472 *Sue Wall, 510 S. Poplar:* "First of all I thought it was supposed to be a discussion not a
473 moratorium and second of all what really baffles me is that from what I've seen since
474 I've been coming to these council meetings how the council, this one and the past one,
475 have really effected the taxpayers and the business owners of this town. First you tell
476 them they can't have smoking then you tell people they have to close their bars, now you
477 tell them they can't have vendors in their parking lots, I mean how do you expect people
478 to make money? Second of all, people that work for these places, they have employees,
479 these employees, they make money, these employees take their money, they spend it in
480 your community, now if these people aren't making any money I don't see how they can
481 spend the money in their communities and I personally think it's really turning into a
482 Gestapo or something because you guys are trying to crucify the business owner from
483 what I'm seeing from all these things that have gone on and I really think you need to
484 look at things because, thank God I don't own a business because if I did, I'd move it
485 because you're not allowed to do anything around here, you, know, to make a
486 moratorium when you say you're going to have a discussion, I don't think it's right, it
487 should have been discussed, there should have been public input, I mean at least the
488 County is allowing the people to discuss these things, you know, okay, Myrtle Beach cut
489 them off at the knees but hey they stuck a tax on it so they're giving it to the taxpayer
490 anyway but I mean, you guys aren't going to get any money either, you're going to lose
491 money too and I mean, I think you need to start thinking of your business owners or
492 you're just going to have a beach and no businesses. That's all I have."

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Charles Seibold, 313 14th Avenue North: Mr. Seibold stated that he would like to go back to the previous meeting format. "I found it was much more into act. I'd like you to consider going back to that format."

9. COUNCIL COMMENTS

Mr. Childs: I kind of got on the tail end of a news report about 3 to 4 teenagers on a golf cart in North Myrtle Beach were involved in an accident and a teenager was charged evidently going the wrong way on the street. I think that's an issue that, I don't know how many times I've heard that brought up and in one ear and out the other, nothings ever been done. I live near the rental zone and I can tell you it's at least 2 or 3 times a day that it's a wonder that the kids can even touch a gas pedal and hold onto the wheel at the same time and I've personally seen them get on golf carts and try to turn them over by going fast, slamming on the brakes and turning the wheel. I think a lot of these people think that it's just a toy, it's like going to the carnival and getting on the bumper cars but I think what happened up in North Myrtle Beach last night should be an awakening for us and I'd like to ask Mr. Christenson to talk to his officers and be more attentive to these ordinances that we have with golf carts. We have all the ordinances we need but I think they really have to start enforcing more; we're going to be in trouble one of these days. Thank you."

Ms. Blair: "Ironically to concur with Mr. Childs, this past Thursday evening I was coming home from my work and I live on Poplar Drive just behind the Methodist Church so I turn in at 13th North and I was in the crossover waiting to cross northbound lanes and in front of me, in the crossover, waiting to enter the southbound lane was a golf cart with 4 young people, not little kids but certainly not adults and they had the chance to merge into traffic before I had the chance to crossover onto 13th and they did so and most of you know that there's not enough of a shoulder on the west side of 17 Business for a golf cart to ride along the side of the road and they were not, they were actually in the west lane of the southbound lanes in 17 on a golf cart with Thursday evening pre July 4th traffic buzzing all around them blowing horns, veering to the left lane, to the east lane to try to get around them and they're just hoping and hollering and having a great time and I think everyone here, the Mayor and my fellow councilmembers would agree that that's a most dangerous situation and could certainly be a precedent to a terrible accident happening and I would just much rather see our staff, our Public Safety Department and council be proactive and look at the possibilities of problems rather than be reactive after someone has already lost their life. Thank you."

Mr. Johnson: "In regards to Mr. Seibold, I concur. I have had several people approach me and say that they did like the previous format of our town council meetings although they did tend to run a little lengthy at times but the residents did receive or felt like they received more information and I would just like to echo my sentiments on that. As far as the pier goes, when this is all said and done I certainly would like this council to take a hard look at allowing the town residents to walk out on the pier for free, if it is economically feasible, not necessarily fish on the pier for free but at least walk on the pier for free. Thank you"

Mr. Samples: "I agree, this change in the format that we've made, we are losing something and I'm not sure if going, you know, we've had some discussion about it and I imagine we'll continue to have more discussion about it. There needs to be somewhere where the citizen can hear answers that are very detailed where we can go back and

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forth; we're a small town, we all see what's going on and the citizens want answers. We represent the people, we hire the administrator and the rest of staff and I got to tell you we got some enforcement issues in a lot of places. It's not new to this council but it's something we should be honest enough to address and respond to the public on. My expectation of staff is that they are thinking out of the box, that if they need more help to get the job done, to enforce the policies, that they bring it to us but I'm going to tell you something, I'm getting tired of talking about the same issues. We've been talking about kids on carts. I'm tired of people talking to me about underage youth drinking on the beach and I've been told in the presence of officers, I'm getting tired of it and I, we want to see something done. We live in this town, we are the family beach and I hope that my peers share these concerns."

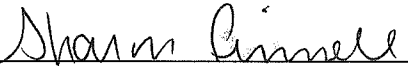
Mayor Deaton: "Well, I guess it's my turn. First of all we are policy makers. This council is here to make policy, not to enforce policy. We do not address department heads. Department heads do not work for this council, they work for the administrator. Our law is very clear that we delegated that authority to our administrator; to have a department head up here to be belittled or picked on is problems of the past and past councils have had problems with meddling and micromanaging in the day-to-day operations of the Town of Surfside Beach. My goal is to eliminate that. I think this change is a positive move to that goal. We are hiring an individual, I believe the administrator has already hired an individual, that will be handling our media and our press and also setting up our website so that all department head reports will be posted on our website; that is another thing that I wanted to move forward, is the use of technology in this town. We do not need department heads up here reporting to this 7-member council, we are not their bosses and that needs to be very clear and it does not need to appear that we are their bosses. They report to the administrator, the administrator reports to this council and that's the way the law states it. It's very simple. There has been some major problems in this town, the drama has come from that exact reason right there; this has generated more problems for this town's image than any other single item in the past, so it's very clear the way the law is stated, it's very clear the way it's structured; this is a council form of government and it's my job to make sure that this council adheres to that and follows our lines of authority which are by a majority only. No individual council member up here has any authority on his own. We are a body; we act as a body; you address us as a body; we address the administrator; we address the administrator individually. There's going to be information from departments heads and you are more than welcome to address the department heads at any time, at your leisure, make an appointment with them and have any detailed discussion that you would like to have with them at any time, at your convenience. This is a business meeting; we conduct business; we don't conduct drama. Thank you."

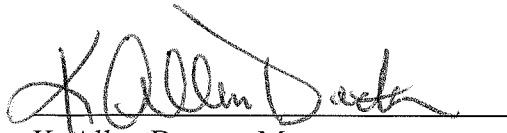
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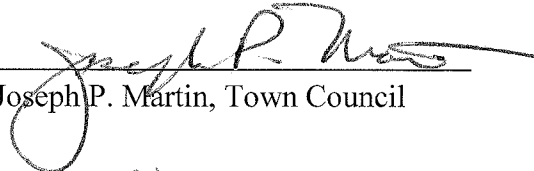
10. ADJOURNMENT

Mr. Truett made a motion to adjourn. Mr. Martin seconded the motion. The meeting was adjourned at 7:58 PM. **All voted in favor. MOTION CARRIED.**

Approved: July 22, 2008

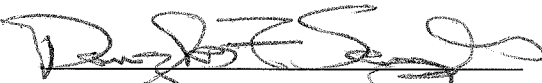

Sharon Pinnell, Town Clerk

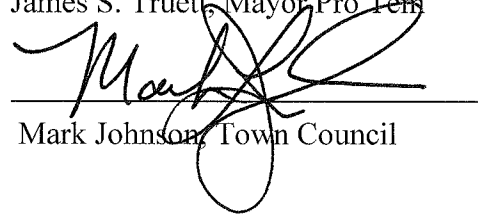

K. Allen Deaton, Mayor


Joseph P. Martin, Town Council


Vicki Blair, Town Council

Absent
James S. Truett, Mayor Pro Tem


Douglas F. Samples, Town Council


Mark Johnson, Town Council


Robert F. Childs, III, Town Council

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.

