



SURFSIDE BEACH TOWN COUNCIL REGULAR MEETING

Civic Center, 829 Pine Drive, Surfside Beach, SC 29575

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TOWN COUNCIL MEETING MINUTES

Tuesday, January 10, 2023, 6:30 PM.

1. **CALL TO ORDER** – Mayor Hellyer called the Meeting to order at 6:30 pm. Councilmembers Drake, Holder, Kreklau, Kinken, Stamey, and Mayor Pro Tempore Keating were in attendance. Others present were Interim Town Administrator Clemons and Town Clerk Medina
2. **INVOCATION AND PLEDGE OF ALLEGIANCE**
 - A. **Invocation:** Mary Teasley, Surfside United Methodist Church, gave the invocation.
 - B. **Pledge of Allegiance:** Mayor Hellyer led in the Pledge of Allegiance.
3. **PUBLIC HEARING** - None
4. **MOTIONS RELATING TO THE AGENDA** - None
5. **MINUTES APPROVAL – November 22, 2022, Regular Meeting, November 29, 2022, Special Meeting, December 1, 2022, Special Meeting**

Councilmember Kinken stated that there was a discrepancy in the minutes for November 22, 2022. He requested that his comments be recorded in the minutes.

Councilmember Kinken made a motion to approve the minutes for November 29 and December 1, 2022. November 22, 2022, minutes will be amended and put on the next agenda for approval. Mr. Holder second. All voted in favor. **Motion carried.**

6. **PUBLIC COMMENTS** –
 - A. **Lynn Livesay**, 10th Ave South, stated the item of Chapter 17, building height. The change is that there needs to be a 2/3rds vote to change the Ordinance. I question whether this applies to all Ordinances that come before the Council or just this specific Ordinance.
7. **COMMUNICATIONS** - None
8. **DISCUSSION** - None
9. **BUSINESS**
 - A. **PARKING RECOMMENDATIONS** – Councilmember Kinken stated there was a previous discussion regarding raising the parking fees. The Parking Committee has recommended that the fees stay at the current rates. The current rates are \$2.00 per hour and \$10.00 per day. The concern is should we raise the fees; this will push people back into the R3 looking for anywhere to park for free. These fees do not pertain to the Pier parking lot.

Councilmember Kinken made a motion to keep the parking fee at \$2.00 an hour and \$10.00 a day. Councilmember Drake second. After a short conversation, it was concluded that the motion was not needed, and Councilmember Kinken withdrew the motion.

The second recommendation is to raise the amount of non-resident stickers from 100 to 150. Since the change of pay to park in certain areas and at beach accesses, this caused more of a demand for the non-resident stickers.

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Councilmember Stamey feels that the Town should only sell 100 stickers per year.

Councilmember Keating stated with the increase in parking spaces created by the Parking Committee, and it is appropriate to increase the limit of stickers sold.

Councilmember Kinken made a motion to raise the amount of non-resident stickers from 100 to 150 and for the price to remain at \$200.00. Councilmember Holder second. Councilmembers Keating, Holder, Kreklau, Kinken, Drake and Mayor Hellyer voted in favor. Councilmember Stamey voted against. **Motion carried.**

B. MEMORANDUM OF UNDERSTANDING WITH THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT, HOMELAND SECURITY INVESTIGATIONS. (HSI)

Chief Hofmann stated this agreement would allow Surfside Beach Police Department to assist in investigations involving human trafficking and trafficking of illegal drugs. Certain Officers will receive training to assist in investigations led by HSI. The Surfside Beach Police Department will be reimbursed for the cost of the officers' overtime rates while assisting HSI in any investigation not occurring in Surfside Beach.

Councilmember Keating made a motion to authorize the Surfside Beach Police Department to enter into the Memorandum of Agreement with the United States Immigration and Customs Enforcement and Homeland Security Investigation. Councilmember Stamey second. All voted in favor. **Motion carried.**

Chief Hofmann added that a high-water vehicle had been obtained for the Police Department. He stated that we are one of the few jurisdictions on the Grandstrand that has one of these vehicles. Should we have another storm like Ian, we will be prepared.

C. RESOLUTION 23-156 – EMPLOYEE HANDBOOK –

Interim Town Administrator Clemons explained that Resolution 23-156 is to memorialize the approval done at October 25, 2023, Town Council meeting for the Employee handbook.

Councilmember Keating made a motion to accept Resolution 23-156 as presented. Councilmember Stamey second. All voted in favor. **Motion carried.**

D. FIRST READING – ORDINANCE 23-0952 – AN ORDINANCE TO AMEND CHAPTER 17, ARTICLE IV: SUPPLEMENTAL DISTRICT REGULATIONS OF THE TOWN'S CODE OF ORDINANCES.

Director Sabrina Adair stated the Planning Commission reviewed Chapter 17, Article IV of the Zoning Ordinance and was presented with suggested amendments to the code. Some of the recommendations include the following:

- Add Section 17-406 – Building Heights, Roof Pitch Limit Changes, Building Height Definition. This section requires a 2/3rd vote of a full council (not only a quorum of the Council) on height changes to the zoning ordinance.
- Section 17-408 – Add Non-Residential accessory structures to the ordinance. This amendment would allow for those uses with listed requirements as listed in Sections 17-408.1 and 17.408.4.
- Section 17-408.3 – Replace the requirements allowing only 20 percent of the rear yard for an accessory structure and increase the allowance to 30 percent in residentially zoned areas.
- Section 17-412 (b) (3) Requires that all merchandise displayed be associated with the business and products solely by the business.
- Section 17-412 (b) (4) removes ten (10) foot setbacks from the street or right of way and five (5) foot setbacks from any rear or side yard property line requirement for merchandise.
- Section 17-412(c) (4) adds merchandise being temporarily displayed shall be associated with the business use and products being sold by the business.

Director Adair clarified that the 2/3rds vote of the Council would only be for this Ordinance. It would not apply to any other brought before Council.

Councilmember Keating made a motion to accept the first reading of Ordinance 23-0952 as stipulated. Councilmember Holder second. All voted in favor. **Motion carried.**

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10. PUBLIC COMMENTS

A. Gary White, 315 B Lakeside Drive, stated Surfside Beach is the Family Beach for a reason. All changes to any zoning should be directed toward that vision. Wild Water & Wheels was part of that vision. I am against mixed-use in Surfside Beach since this will be a dangerous precedent for the whole town. It wasn't long ago that we created the E District, which was, among other things, to put mixed-use to rest. I do not want mixed-use in Surfside Beach. The Planning Commission and Council previously agreed that the best use of the land is commercial development. I do not believe any rezoning application should be amended as related to this project or any project related to mixed-use.

Interim Administrator Clemons requested a few minutes from the Council.

I want to thank the community very quickly for embracing me and Council for allowing me to be the Interim Administrator for this great community we live in. As the Fire Chief, I've always tried to do my best to protect this community. I see this decision no differently. The responsibilities may be different, but the work and the commitment will remain the same. I just wanted to say that as I embark on something that I've never done before, I love a challenge! We have incredible staff, you just heard from two of them, that I get to work with all the time as a department head, and the Mayor and Council, who do have the best interest of this town at heart.

This is something that I've received from Chief Hofmann. It is very relevant today as we transition here in Surfside Beach. It is no secret that we have vacancies. We're going to be working very hard to fill those positions because they're needed.

This was addressed to Chief Hofmann and shows the type of people you have working in our town. It says, "Chief, I just wanted to thank you for members of your department." This came from a Captain within Myrtle Beach. He says "a friend of mine called last week because she and her husband were out of town, and her son was involved in a wreck. She asked if I could go down there to check on her son and to see if he needed a ride. When I responded, I was met with our Sergeant Kirby and Officer Sail with the Surfside Beach Police Department. From beginning to end, they were both highly professional, from ensuring security, being compassionate and empathetic to the new driver impatiently waiting for the truck. These are the things that I can't help but notice and observe when I go to another agency or observe other officers in action."

He goes on to say "I have to admit, even the fire department was excellent. They went above and beyond. The fire Staff was outstanding. I believe it was A shift, Andrew, Ashley, Chris and Josh; if I am missing anyone, please forgive me. The ranking officer in the fire department was very patient. His crew remained on the scene longer than most would have to ensure that the vehicle was towed and the light damage was cleaned up. They were headed to get pizza before the incident, which they couldn't get because it was cold, and they had to wait until everything cleared up. This incident is relatively minor, but I still feel that all involved should be committed. While it may be a routine call for service, you never know who is watching, and that is so true, regardless of what department you work for. Hundreds and thousands of people who passed by route 17 businesses during this incident; others always look to take note and police and fire. Unfortunately, the press does not report on these everyday activities from officers, not the first responders, who make the difference in great impressions on that public policy."

Interim Administrator Clemons commented that at the end of the day, this email is not just about policing; it is about public works, finance, and all the departments here in Surfside Beach. I think it was relevant to share, especially as we're going through some transition. I think a lot of work goes on, and there are a lot of differences of opinion on which it should be. I don't think we celebrate our successes enough.

11. TOWN COUNCIL DISCUSSION AND/OR COMMENTS

A. Councilmember Drake, Thank you for tuning in; I appreciate it. Happy New Year to everybody. I hope everyone is doing well. The police department does an excellent job, and so does the fire department. We appreciate all of their good work. We'll see in about two weeks.

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B. Councilmember Kinken, I also wish everybody a Happy New Year, and we have a great town. We have great services, and we have good people working here. We can't thank them enough. We're very fortunate we live, and we live here for that reason. I look forward to 2023. At long last, we'll have a new pier at some point this summer. We are looking forward to celebrating that new pier. Thank you very much.

C. Councilmember Kreklau, I'd like to thank all for coming, all the ones listening online. We finally passed the first reading to restrict the height limits as a Council, which can't be changed without a five to two vote. I also would like to thank all the departments, police, fire, Public Works, finance, planning and zoning, that's all. Good night. See you next time.

D. Councilmember Keating, As well as everyone else, I thank everybody for coming. I'm encouraged that we're seeing more and more people filling this room. I appreciate most comments, feedback, and questions on Facebook, emails, and other social media. I receive questions, comments, and concerns via Facebook Messenger that never reach public knowledge. I try to respond to them and direct them to the proper department heads to resolve the issues or comments. As far as I know, we are 100% successful with having those people satisfied with the responses, the contents of the responses, and the timeliness of those responses. I want to thank our staff, especially when we are shorthanded. I want to make special thanks to Chief Clemons for volunteering; he had some arm twisting going on, but he has stepped into a big job. There are a lot of challenges, and there's a lot of chaos due to the big projects and day-to-day operations going on. A lot of things need to be addressed. He is, from all reports and people whispering in my ear, doing a fabulous job of it. Thank you very much, Chief. I appreciate that. I think we do have some critical positions open. We've probably got about four positions in the town that are open to one degree or another. We need to advertise the administrator position, and we also have the position of PIO. I understand there's some discussion about the content of that role. We need to define what those rules are, which ones will be budgeted and how we will serve the greater need of the town. I think there are a lot of moving parts. Hopefully, a lot of this will start being resolved soon so that our department heads and our staff can get proper support, such that we're not just constantly reacting to the latest email or the latest comments or fire drill that surges. With the right staffing and people in the right roles doing the right things to meet expectations, we will move forward with integrity, transparency and accountability. If we can't move forward with integrity, hold everyone accountable, and demand excellence, we can't move forward. Excellence is something we have to strive for. Yes, we all make mistakes. We're not all going to do the right things right the first time. As long as we're demanding that excellence with the highest standard of integrity and accountability, we can all grow and learn and finally achieve that level of excellence for the town, its residents and other stakeholders. Happy New Year! We'll see you in two weeks.

E. Councilmember Holder, I want to say Happy New Year to everyone. I feel that 2023 will be a great year for us. We have great things happening. We are going to finish our pier this year. I want to thank our Interim Administrator for pitching in. I enjoyed the letter you read. It's nice to hear positive feedback. We have great employees, and they are so important to us. They do a great job. Not only is it great to see we got a high-water vehicle, but we also got our fire truck back. Thank you, and have a great night.

F. Councilmember Stamey, I'd also like to wish all a Happy New Year. Thanks for coming out. We are moving forward. As you know, the old town hall is gone. There are things this Council has done. We have hired someone that I hope leads us in the right direction. This town needs to stick together; if we do, we can do great things. Have a good night.

G. Mayor Hellyer, Well, it's a brand new year, and we've got a lot of stuff to do. In my weekly update, I tell everyone what's going on. My job is to keep the town informed of all the good things. Our Council is going to work closely together to get things done. I appreciate the town and everything we have done. All the events, the pier. This is the reason everyone wants to live here. This year is going to be a better year for the town. Have a great night, and see you in two weeks.

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- 12. EXECUTIVE SESSION** - Motion to adjourn Regular Meeting and enter Executive Session pursuant to the Freedom of Information Act Section 30-4-70(a)(1) Discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, Section 30-4-70(a)(2), Discussion of negotiations incident to proposed contractual arrangements. Collins Engineering, Forensic Audit, Creech & Associates.

Councilmember Keating made a motion at 7:35 PM to enter into executive session pursuant to the Freedom of Information Act Section 30-4-70(a)(1) Discussion of employment, appointment, compensation, promotion, demotion, discipline, or release of an employee. Town Administrator. Section 30-4-70(a)(2), Discussion of negotiations incident to proposed contractual arrangements. Collins Engineering, Forensic Audit, Creech & Associates. Councilmember Drake second. All voted in favor. **Motion carried.**

Councilmember Keating made a motion to re-enter the regular session at 10:50 PM. Councilmember Kinken second. All voted in favor. **Motion carried.**

13. MOTIONS FROM THE EXECUTIVE SESSION

Councilmember Keating made a motion to accept Change Order #4 from Collins Engineering for continued engineering support of the pier project through April 16, 2023, as presented. Councilmember Drake second. All voted in favor. **Motion carried.**

- 14. ADJOURNMENT** Councilmember Keating made a motion to adjourn at 10:55 PM. Councilmember Stamey second. Motion carried. All voted in favor.

Surfside Beach Town Council

Robert Hellyer, Mayor

Cindy Keating, Mayor Pro Tempore Chris Stamey, Town Council

LaVerne Kreklau, Town Council Michael Drake, Town Council

William Kinken, Town Council Paul Holder, Town Council

Attest: _____
Sheri L Medina, Town Clerk

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