



TOWN COUNCIL REGULAR MEETING MINUTES
TUESDAY APRIL 28, 2020 • 6:30 p.m.

1. **CALL TO ORDER** Mayor Hellyer called the regular meeting to order at 6:30 pm. Mayor Hellyer, Mayor Pro Tempore Scoles, Councilmembers Pellegrino, Drake, Dietrich, Holder, and Keating were in attendance via telephone. Others present, Ms. Carol Coleman, WRCOG Local Planning Services Director, Attorney Crosby, Town Administrator Pieper, and Town Clerk Sheri Medina, also via telephone.
2. **INVOCATION; PLEDGE OF ALLEGIANCE**
 - A. David Pellegrino gave the invocation.
 - B. Pledge of Allegiance: The Mayor led the Pledge of Allegiance.
3. **PUBLIC HEARING** – None
4. **MOTIONS RELATING TO AGENDA** - Councilmember Drake made a motion to amend the agenda to add public comments and to defer the Rezoning. Councilmember Keating made a statement in agreement to the modification to the agenda since the Rezoning is surrounded by controversy and inconsistency, with questions on the legality of the public hearing, particular interest, ethics violations, and incomplete and inaccurate documentation. Deferral to the previously requested workshop could resolve many of these issues. We should also consider a pending ordinance doctrine to avoid this problem in the future until the workshop can be completed. Councilmember Holder stated he is not sure why people are up in arms about the Planning Commission application. To delay this, even more, is improper. He stated he is against the motion. Mayor Hellyer stated there are two motions. One is to add public comments, and one is for the Rezoning. Councilmember Keating Seconded. Councilmember Pellegrino stated he is not sure which way he is going on the Rezoning, but I do think we need to move forward with this tonight just to clear it up. We still may need a workshop. Councilmember Scoles stated she wanted to clarify what is being voted on. We have to make sure that the motion that is on the table is restated. The first vote is to add number six and number nine to the agenda. Councilmembers Drake, Keating, Pellegrino, and Mayor Hellyer voted in favor. Councilmember Scoles and Holder voted against. Councilmember Dietrich abstained. **Motion carried.** The second vote is the vote to remove the Rezoning from the agenda. Councilmembers Drake, Keating, and Hellyer voted in favor. Councilmembers Scoles, Pellegrino, and Holder voted against. Councilmember Dietrich abstained. **Motion fails.** The Mayor clarified with the Town attorney that in case of a tie, the motion fails. Mrs. Crosby stated, yes.
5. **MINUTES APPROVAL** Councilmember Keating made a motion to accept the April 14, 2020 Emergency meeting minutes, Councilmember Scoles seconded. Councilmember Scoles, Holder Keating, Pellegrino, Drake, and Mayor Hellyer voted in favor. Councilmember Dietrich abstained. **Motion carried.**
6. **PUBLIC COMMENT** Read by the Mayor. (attached)
7. **COMMUNICATIONS.**
 - A. Proclamation for Lupus Awareness Month – Read by the Mayor
 - B. Discussion – Budget – Mayor Hellyer stated the budget is on the agenda because we have questions. Still, this discussion is to discuss the timeline with a bare-bones budget. This budget will take effect on July 1. Mr. Pieper

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55 stated we could send you a timeline tomorrow, however, places are making pending resolutions until all has
56 changed to have a better understanding of the revenues. Councilmember Scoles stated at this time not knowing
57 the total picture of when we are going to open, and revenues return we should prolong this during this time frame.
58 The Mayor stated there need to be two readings. May will be the target month. Councilmember Drake stated we
59 need to check all accounts where cuts were made in personnel and other places, we need to make sure that the
60 tourist tax and revenues will return. We need a little more information on a timeline on what is happening. We
61 need to make sure we have the proper amount to pay the bills. Councilmember Keating stated we need to have an
62 understanding of where we are with the ending of this year and the forecast for the upcoming year. With the fiscal
63 year starting, we need to have our ducks in a line and make sure we are prepared. We do not have a lot of time.
64 We should go back to our previous practice and have budget meetings, so we all understand where we are going.
65 Councilmember Pellegrino stated there should be a budget workshop meeting the last week of May and the first
66 week of June. Hopefully, we will have time to have two readings. This will put a lot of pressure on Diana's team,
67 Councilmember Drake agreed with David. Everyone will have to pull together and work harder and get it done. I
68 look forward to getting the information from Mrs. King. Mayor Hellyer asked Mr. Pieper to send the information
69 from Mrs. King to all of the Council for review.
70

71 C. Discussion – Emergency Order: Short Term Rentals/ Chairs, surfing, fishing on the beach.
72 The Mayor stated there are four subjects to talk about. The Emergency Order, the short-term rentals, people
73 taking things onto the beach and will we continue to have parking for only Surfside Beach decal holders.
74 Councilmember Pellegrino stated there needs to be a discussion on the parks because they are currently locked.
75 Councilmember Keating questioned as a discussion item is it appropriate that we would ultimately end with a
76 motion and a vote. Mrs. Crosby stated, if it is not on the agenda to take action, the Council cannot take action.
77 With being in an emergency, it would be appropriate, but the agenda has to be amended to make the topic a
78 business item. Councilmember Pellegrino made a motion to move the discussion item, Emergency Ordinance, to
79 business because it is an emergency. Councilmember Keating seconded. Councilmembers Keating, Drake,
80 Pellegrino, Holder, Scoles, and Mayor Hellyer voted in favor. Councilmember Dietrich abstained. **Motion carried.**
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82 8. BUSINESS

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84 **1. SALE OF SURPLUS 1993 INTERNATIONAL FIRE TRUCK** Mr. Pieper stated the fire truck was advertised on Gov
85 Deals. A written offer was received by the apparent highest bidder. The administration is seeking approval for
86 the sale of that vehicle. Councilmember Keating made a motion to accept the offer for the 1993 International Fire
87 Truck. Councilmember Drake Seconded. Councilmember Drake, Holder, Scoles Pellegrino, Keating, and Mayor
88 Hellyer voted in favor. Councilmember Dietrich abstained. **Motion carried.**
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90 **2. ORDINANCE 20-0919 - REZONE PROPERTIES FRONTING HIGHWAY 17 FROM C1 HIGHWAY**
91 **COMMERCIAL TO PD PLANNED DEVELOPMENT. PIN NUMBERS OF THE PROPERTIES ARE 45915010046 AND**
92 **45915010048.** Councilmember Keating made a motion to defer this item until a workshop on Chapter 17 has
93 been done. Councilmember Drake Seconded. Councilmember Drake stated that the residents were told that there
94 would be a workshop in Chapter 17, and I believe we need to keep our word. Councilmember Keating stated she
95 agreed with Mr. Drake. As we are seeing on April 7th meeting, with their comment tonight, we are 100% against
96 this. This is the feedback from the residents. The comments are this was not done correctly. People have said
97 they were not noticed. There appears to be ethical issues. I support having a workshop before moving forward. I
98 do not believe this was appropriately processed. Councilmember Drake, Keating, and Mayor Hellyer voted in
99 favor. Councilmember Dietrich, Scoles, Holder, and Pellegrino voted against. **Motion failed.** Councilmember
100 Holder made a motion to adopt an Ordinance to rezone a property on Hwy 17. Councilmember Dietrich seconded.
101 Councilmember Keating stated the Ordinance number is incorrect. Town Attorney stated it is a scrivener's error.
102 Councilmember Scoles stated the date is when the Ordinance was first to be discussed. Mayor Hellyer questioned
103 Ms. Coleman as to the resident stating they did not receive notice of the project. Ms. Coleman stated they sent
104 out to everyone within 150 feet and also to the county. If an adjacent property owner did not receive a letter, it
105 could be that they have a different address than what the assessor has. The planning commission heard and
106 approved the application at the end of 2019. Councilmember Drake asked a question of Ms. Coleman, and
107 Councilmember Scoles called a point of order. Councilmember Drake asked Ms. Coleman if she thought there was
108 a conflict of interest for her since previously working for Myrtle Beach. Mrs. Coleman stated no. Ms. Coleman
109 stated that she has only been dealing with engineers and attorneys at this time with this project. The property
110 owner has to sign the application but does not have to participate. Councilmember Pellegrino stated, this is
111 ridiculous. People start conspiracy theories on misinformation and run with it. They want to put a storage

112 building, a restaurant, and outdoor boat and camper storage. They then applied for a permit. They were denied
113 because of parking. They should have been told to fix their parking, then issue them a permit. The zone allows
114 for storage buildings, whether we like it or not. The Council needs to decide whether to give a variance for
115 parking, which would encourage growth and business development or do we want to stick with C-1.
116 Councilmember Drake stated it seems to allow a storage building to be built on that parcel; it would have to be
117 smaller. I am not trying to deter business. I am just requesting a workshop to be able to get my questions
118 answered. Councilmember Pellegrino stated he agreed with the workshop. The applicant applied for this permit
119 with the old Ordinance. If they meet that Ordinance, we should give them the permit. Councilmember Scoles
120 agreed with Mr. Pellegrino. She also stated when they applied; they were told by the previous Planning Director
121 that their plan would have to go before the board. We need to discuss this tonight so that this business owner
122 can move forward. They have done everything that was asked of them. This is not very business-friendly.
123 Councilmember Keating stated that back in January, Council had an ordinance in front of them to discuss, and the
124 Council decided to hold off. Council decided that it would be better to have a workshop meeting to discuss
125 Chapter 17. The workshop meeting was never held. There is too much conflict to proceed at this time. There is
126 no problem with delaying this another 30 days. This way, we will know what we are doing. Councilmember
127 Pellegrino stated he agrees to the workshop. We have all the information. I understand some people don't want a
128 storage unit. But it is a permitted use as long as they can meet the parking. We have all the information to make
129 the decision. Councilmember Scoles stated she had done a lot of research on this project. With it coming to the
130 Council as a PD, which makes it a lot more restrictive. Mayor Hellyer asked Ms. Coleman do notices get sent out
131 and what it is. Ms. Coleman stated the letter has the property address and what is being proposed. They are
132 encouraged to call Surfside, or they could have called her direct. The mail-outs are required by Surfside Beach.
133 They do not go out certified. For a rezoning, it is just a notification process. Just to clarify, the application was
134 submitted originally on December 6, 2019. Councilmember Scoles, Holder, and Pellegrino voted in favor.
135 Councilmember Drake, Keating, and Mayor Hellyer voted against. Councilmember Dietrich abstained. **Motion**
136 **failed.**

137 **3. EMERGENCY ORDER/ SHORT TERM RENTALS/ CHAIRS, SURFING, FISHING ON THE BEACH**

138 Mayor Hellyer stated there were a few things to talk about, such as chairs on the beach, parks, parking and
139 surfing, and what can be brought on the beach. Councilmember Drake stated the Council needs to move forward.
140 The community as a whole, who may have an underlying issue, can stay home if they need to do so. Everything
141 needs to get going. Councilmember Drake made a motion to allow the existing Ordinance to run out.
142 Councilmember Keating seconded. Councilmembers Drake, Holder, Pellegrino, Dietrich, Keating, and Mayor
143 Hellyer voted in favor. Councilmember Scoles voted against. Motion carried.
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146 **9. RESOLUTIONS - NONE**

147 **10. TOWN COUNCIL DISCUSSION AND/OR COMMENTS (5 minutes per speaker)**

148 A. Councilmember Drake stated he hopes that everyone continues the social distancing. Anyone who feels at risk
149 does what is best for them. We want to keep everyone safe and in our prayers and that this virus ends as soon
150 as possible, and we can move forward and becomes stronger in the end.

151 B. Councilmember Holder thanked the two hundred people who called in. It was a tough meeting with all the
152 comments and also the background noise. I hope everyone continues to practice social distancing so we can get
153 this behind us.

154 C. Councilmember Scoles thanked everyone who called in. Also, thank you for all the emails and comments.
155 There are tough decisions to be made, and everyone has their thoughts and opinions I just ask that everyone
156 stay safe.

157 D. Councilmember Pellegrino thanked everyone for calling in, 200 hundred people is a large crowd, and I
158 appreciate the involvement. Thank you, and have a great night.

159 E. Councilmember Drake thanked everyone for showing up tonight. Thank you to the community for the 200 plus
160 people who called in.

161 F. Councilmember Keating thanked all the local residents, homeowners, and the interested public for joining in
162 on these difficult issues. It just shows that we are all standing up and speaking up for the betterment of our
163 town. I appreciate that we are all willing to join together in that common goal. We are in challenging times, we
164 all have various opinions on the severity of the COVID virus, but I believe that we all need to take personal
165 accountability and personal control of our situation. We cannot live in fear. Fear is a motivator to do the wrong
166 thing. Please stay safe. Protect yourself and your loved ones. Together we will move the town forward.
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168 G. Mayor Hellyer stated that 228 people called in and hope that everyone knows that we are listening to what
169 you are saying. The decisions that we are making are hard, and I want you to rest assured that the decisions
170 being made are for the health and safety of the residents. Also that we will be watching how things progress, and
171 if things do change, we will do another emergency Ordinance, and we will change what needs to be changed to
172 protect our residents. Thank you for coming by. If anyone has concerns about their safety, please stay at home.
173 People will deliver groceries and food. We want everyone to be safe. Have a great night.
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176 **11. EXECUTIVE SESSION- NONE**

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178 **12. ADJOURNMENT** Councilmember Keating made a motion to adjourn at 8:38 pm. Councilmember Holder
179 seconded. All voted in favor. **Motion Carried.**
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183 **Surfside Beach Town Council**
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Robert Heller, Mayor

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190 Bruce H. Dietrich, Town Council

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190 David L. Pellegrino, Town Council

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193 Cindy Keating, Town Council

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192 Michael Drake, Town Council

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195 Debbie Scoles, Mayor Pro Tempore

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194 Paul Holder, Town Council

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197 Sheri L Medina

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198 Town Clerk
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