



**SURFSIDE BEACH TOWN COUNCIL MEETING MINUTES
REGULAR MEETING JANUARY 26, 2016 ♦ 6:30 P.M.
TOWN COUNCIL CHAMBERS**

1. CALL TO ORDER.

Mayor Samples called the regular meeting to order at 6:30 p.m. Mayor Samples, Mayor Pro Tempore Pellegrino, and Councilmembers Childs, Johnson, Mabry, and Stevens were in attendance. One seat is vacant. A quorum was present. Others present: Administrator Fellner; Town Clerk Herrmann; Finance Director King; Fire Chief Otte; Planning Building & Zoning Director Morris; Police Chief Keziah; Public Works Director Adair, and Events Supervisor Ellis.

2. INVOCATION AND PLEDGE OF ALLEGIANCE.

A. Invocation: Pastor Brent Thompson, LC3 Church, gave the invocation.

B. Pledge of Allegiance: Mayor Samples lead the Pledge.

Mayor Samples said that the 2016 Election candidate filing was completed. Between now and the election, candidates will be invited to introduce themselves at the meetings. Candidates present:

Special Election Town Council: Steve Shore and Stan Wrobel.

General Election Town Council: Mark Johnson, Mary Beth Mabry, Ron Ott, Wanda Spanmath, Randle Stevens, Holly Watson, and Stan Wrobel.

General Election Mayor: Bob Childs and Doug Samples.

3. AGENDA APPROVAL

Mr. Stevens moved to adopt the agenda as presented. Mr. Childs seconded. All voted in favor. **MOTION CARRIED.**

4. MINUTES APPROVAL

A. Regular Meeting January 12, 2016, and B. Special Meeting January 16, 2016.

Mr. Childs moved to adopt the January 12, 2016 regular meeting minutes and the January 16, 2016 special meeting minutes as presented. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED**

5. PUBLIC COMMENTS – Agenda Items Only. (3-minutes per speaker)

Harry Kohlmann, South Ocean Boulevard, speaking about the sanitation extra fee. I brought this up about four years ago. The town has a remedy, but it has not been used to the fullest extent. If cans were overflowing, add extra cans. Three pickups are more than enough. In my opinion, there no reason to punish 500 people for maybe a dozen homes that have cans overflowing. Why can't we have a Saturday pickup and why can't that be done at nine o'clock in the morning. The landfill closes at 2:30. I followed a garbage truck in the rental area last week. The whole rental area was collected in three hours. I understand there is less garbage now. But the town has at least two side loaders and one rear loader. Put out the cans anytime you want in the morning; use two trucks and get the whole area done in three hours, which will be plenty of time to get to the landfill. Collections from Sunday could be left in the trucks overnight, with a special exemption from DHEC (Department of Health and Environmental Control.) Perhaps the town could get an exemption for 36 hours. Staff did not add trash cans where needed, so the town's answer is add an extra day and charge more money. We need can do answers; we need can do people on staff. Thank you.

Town Council Regular Meeting
January 26, 2016

58
59 Chris Fisher, St. Somewhere Gifts and Accessories, 351 Highway 17 North, hit on a few points and
60 would email everyone with more details. Most of my issues deal with the sign ordinance. There were
61 several issues regarding the length of time it took for me to get his business license, and sign permit. The
62 approval signatures were on the sign paperwork, but I was told by business licensing that a license could
63 not be issued because I applied for a sign. I was told a sign was not required to open the business. I
64 withdrew the sign permit; got a business license, and then reapplied for a sign. The sign company told me
65 that the sign should be approved within 48 hours; subsequently I was told it was up to a week; then up to
66 two weeks. There is no policy for response time. Ms. Morris said it was up to her how long it would take.
67 Being without a business license and without a sign for two weeks was pretty detrimental to my business.
68 We have a sign sitting on the ground at the back of our building that I'm told it cannot be put on the
69 building. I was told the sign could remain in the back with a tarp over it, or to bring it inside. *(Time*
70 *ended.)* He assumed there was a beautification committee that could tell him what to do.

71
72 I'm Cecil Chandler, Hollywood Drive. This week I saw the work start on Surfside Drive and knew
73 nothing about what was going on until today. Are you talking about rezoning all of Surfside Drive to allow
74 businesses? All I know is you're putting parking all the way down and you can build a house and put your
75 business under it. Is that right? That's what I was told. Mayor Samples referred Mr. Chandler to the
76 administrator, and said the quick answer was no. Mr. Chandler asked if parking was going all the way
77 down.

78
79 Mayor Samples called for a motion to suspend rules to allow a response to Mr. Chandler's
80 questions. Mr. Childs moved to suspend rules. Ms. Mabry seconded. All voted in favor. **MOTION**
81 **CARRIED.**

82
83 Mayor Samples said there would be 66 parking places from about Hollywood Drive to the pier.
84 This is to provide some additional parking for the Farmer's Market, and other functions at the passive
85 park area. The area is being curbed and guttered as part of an approved project that has been on the
86 books since 2014. Was the project articulated and expressed as well as it could have been? Probably not
87 in term of contacting residents affected by the project.

88
89 Mr. Chandler said he understands that you can build a house like in Market Commons with a
90 business downstairs and a house upstairs. Mayor Samples said an ordinance is being considered at this
91 meeting to allow that type business/housing in the C2 District only. Ms. Morris said the C2 business
92 district is from Poplar Drive to Highway 17, and Pine Drive to 4th Avenue South.

93
94 Ms. Mabry said currently parking is allowed on Surfside Drive. Nothing is being changed in that
95 regard, but the project will make the corridor to the beach much more attractive, and also allows the town
96 to install major piping for stormwater drainage. This was first discussed at the 2014 Vision Meeting; it
97 was approved in the 2015-2106 Municipal Budget [for which there was a public hearing and two
98 ordinance readings,] and the bid award was approved by Town Council [at the November 20, 2015
99 meeting.] Council considers project for a year to two years in the future. The information might be
100 familiar to Council, but be new for residents. Perhaps ongoing projects could be published on the town
101 website to help inform the public.

102
103 Mr. Stevens researched the project and said it was brought up April 30, 2014 and was discussed
104 several times in the vision meetings. The biggest problem was that he did not believe a public hearing was
105 ever held by Town Council that would inform the town citizens. He always thought the project was just to
106 pave Surfside Drive, but after the research he understood that it included curbing and paving. In his
107 opinion, the project should have been discussed in council meetings with a time for the public to make
108 comments, and the residents on Surfside Drive should have been told what is being done.

109
110 Mr. Johnson said the planning and zoning commission meets in council chambers, so any public
111 hearings are held in chambers. Mr. Johnson moved to reconvene regular session. Ms. Mabry seconded.
112 All voted in favor. **MOTION CARRIED.**

113

114 Tammy Stanton said I am the sole proprietor of New for You Consignments. The building owner
115 has applied for a pole to be erected for signage. She has been trying to get that permit for two years. My
116 store front is hidden because the building next door juts out. I have a small banner on the old location
117 which is a few doors down from the new location that I would like to leave up for a while so customers will
118 know the new location. I would appreciate Town Council's consideration of the signage to help the small
119 business owners.

120
121 Holly Watson, North Oak Drive, I am confused about the business committee. I understand we
122 have business organizations already in the town. I see on the agenda that we are trying to increase the
123 membership to nine to represent the business community. My concern is that we already have
124 professional business organizations in the town. If the presidents can't come to a liaison or come before
125 Town Council with their concerns, I feel like the small business owner that is not in the loop or friends
126 with some members may be left out of the situation. My question is why do we even have a business
127 committee to represent our town's businesses when we already have two stand-alone organizations that
128 do the same thing? If they have concerns, they can come to Town Council. My concern is that we're
129 appointing people to represent business owners when they already have organizations looking out for
130 their best interest. I would personally prefer that we have one council liaison and no committee, since you
131 can go directly to the business organization's president, with their members behind them. Thank you.

132
133 **6. COMMUNICATIONS**

134
135 **A. Presentations.**

136
137 **ii. Blake Lanford, Regional Director, Waccamaw Marketing Cooperative, 2015**
138 **Famers Market Report.**

139
140 Mr. Lanford explained that the Cooperative had hired Samantha Tipton last August as executive
141 director of the Famers Market program, which is a 501(C)3 corporation. An active board governs its
142 operations. Ms. Tipton will now be the town's contact regarding the market.

143
144 Ms. Tipton presented the 2015 Farmers Market report, a copy of which is on file. Of note,
145 Surfside Beach has the largest, most successful market of all those in the area with an average of 15
146 vendors each day, and 51 individual vendors during the season. Plans are underway to enhance the
147 market that will be presented when finalized. Moving the market to the Passive Park was beneficial for
148 the market, the vendors, and the public, because it is a larger area, has a natural tree canopy, and more
149 parking.

150
151 Mayor Samples asked if the market sold only South Carolina products. Mr. Lanford said the
152 market tries to offer only South Carolina products; guidelines are in place to dictate the range that
153 vendors can source materials. However, due to seasonal and customer demands products from other
154 areas may be offered, like oranges or bananas. Mayor Samples thanked Mr. Lanford and Ms. Tipton.
155 The market has been well received in town; there have been many positive comments from the public.

156
157 Mr. Johnson asked that any plans to enhance the market be presented to the town. Mr. Lanford
158 said that would be done.

159
160 **ii. Employee Anniversary Award, Sabrina Morris, 5 years.**

161
162 Mayor Samples presented Ms. Morris with a certification, pin, and awards check. *(Applause.)*

163
164 **B. Department Reports.**

165
166 **i. Events and Recreation.** Supervisor Ellis presented the departmental report, a copy of which
167 is attached and made a part hereof by reference.
168

Town Council Regular Meeting
January 26, 2016

169 Mayor Samples said a workshop was held regarding special events last week. He appreciated
170 councilmembers attending, and Ms. Ellis and staff for providing a lot of information. There were no other
171 questions or comments.

172
173 **ii. Finance.**

174
175 Director King presented the departmental report, a copy of which is attached and made a part
176 hereof by reference. Tax receipts from Horry County are down significantly; but county staff and she
177 agree that the town is \$1.570 million in real estate taxes. A mortgage servicer failed to submit its payment
178 until January, which was \$497,000. She expects that the revenue will be received by next month's report.
179

180 Mayor Samples asked Ms. King to contact either he or the administrator, if they needed to contact
181 the county.
182

183 Ms. King said the state payment for accommodations tax revenue was less for September to
184 December 2015 due to the "Robin Hood" clause, which is when the State takes money from those who
185 bring in the revenue, and disburses pro rata shares in the first quarter the respective fiscal years to the
186 upstate municipalities that do not have much tourism. At the end of the year, the amounts given upfront
187 are evaluated. If those towns received too much money, then the town would receive some of that excess
188 revenue back. The town's tourism revenue was up. The net from Lanier Parking Solutions for all of the
189 2015 season was \$233,150. Year to date for the fiscal year, July to December is \$148,300.
190

191 Mayor Samples asked Ms. King to continue checking on the property tax payments. There were
192 no other questions or comments.
193

194 **iii. Fire.**

195
196 Chief Otte presented the departmental reports for November and December 2015, copies of which
197 are attached and made a part hereof by reference. A grant request was filed to fund purchase of new
198 radios to comply with the mandate. Staff uniforms are being phased in to white button down shirts for
199 the chief and captains; light blue shirts for engineers, and a different blue color shirt for volunteers. Staff
200 will be allowed to wear Polo shirts that are much cooler and more comfortable for the summer weather.
201

202 Mayor Samples asked if the shirts were budgeted. Chief Otte replied yes, the transition will be
203 done in this year's and next year's budget. There were no other questions or comments.
204

205 **iv. Police.**

206
207 Chief Keziah presented the departmental report, a copy of which is attached and made a part
208 hereof by reference. As a community outreach, he is providing a defensive driving class free of charge for
209 town residents. Some insurance companies will give a discount to those completing the class. More
210 details will follow.
211

212 Mayor Samples asked how the driving class would be advertised. Chief Keziah said through social
213 media, the town's email subscription list, and press releases to local media.
214

215 Ms. Mabry said K9 Biko was working hard; where was K9 Viking? Chief Keziah said Viking's
216 handler was on vacation, and they had been working on certification training. But, Ms. Mabry would be
217 very pleased with next month's report. Ms. Mabry was very pleased with what they do.
218

219 Mr. Stevens thanked Chief Keziah for the defensive driving class for the senior citizens committee.
220 He asked when the next Citizens Police Academy start. Chief Keziah said a post was done today on the
221 Facebook page; he expects a class beginning in April. Mr. Stevens said the academy is well worth
222 attending. The course explains why and how the department operates.
223

224 Mayor Samples said the police staff do a great job. There were no other questions or comments.
225

226 **v. Planning, Building and Zoning.**
227

228 Director Morris presented the departmental report, a copy of which is attached and made a part
229 hereof by reference.
230

231 Mr. Childs thanked Ms. Morris again for the explanations and photographs in the report, which
232 made the violations clear.
233

234 Ms. Mabry asked if a public hearing notice button could be added in a more prominent location
235 on the town website and mobile app so the public could quickly determine whether they needed to attend.
236 Ms. Morris said the event, time and date are placed on the calendar and she believed there was a place for
237 a description that could be included.
238

239 Mayor Samples said the town publishes a newsletter every three to four months. He thought the
240 town needed to do a better job in promoting upcoming projects, i.e. letters to residents and businesses. It
241 was a lot of work, but a schedule major projects should be published by every director that could be
242 printed in the newsletter, which is not computer driven.
243

244 Mr. Stevens agreed. The planning commission recommends ordinances to Town Council, so it
245 would help tremendously for the public to be informed in every way possible. Even councilmembers
246 overlook or forget projects. The public wants transparency; the more information that can be provided
247 the better. Ms. Morris agreed; the department complies with State Law insofar as advertising, and said it
248 could certainly do better. Earlier it was mentioned that the Surfside Drive street project was sent to the
249 planning commission. That was not required to go before the planning commission and was not
250 presented to it. The street is a public street that falls under Town Council's authority.
251

252 Mayor Samples said infrastructure is important to all of us. This town over its 50 year history has
253 done pretty well in building its infrastructure. We want to continue to maintain and improve it so we
254 remain competitive. We also want to ensure that we can pay for those projects. The town has great
255 people doing the work, so this is not a staff criticism. There are some projects underway now that are an
256 inconvenience, but construction always is. He asked for everyone to be patient, and when the projects are
257 done, we hope you will be pleased with the outcome. There were no other comments or questions.
258

259 **vi. Public Works.**
260

261 Director Adair presented the departmental report, a copy of which is attached and made a part
262 hereof by reference. Mr. Adair apologized for not providing better advertising for the Surfside Drive road
263 project. Everyone in the area was delivered a flyer at their door about road paving project, as did
264 everyone on Ocean Boulevard about the underground wiring project when it was in the engineering phase.
265 The monthly report was corrected to state "In *December* we collected 324.25 tons of solid waste" instead
266 of "In October ..."
267

268 Mr. Childs asked what the cost was to replace the skateboard park fence. Mr. Adair said about
269 \$3,000; replacement was necessary because a lower-gauge steel and smaller line post were used that were
270 damaged from the skateboarders using the fence to slow down and stop. Eyewitness accounts document
271 that was how the fence damage was caused. Because the fence was no longer safe, replacement was
272 needed.
273

274 Mr. Stevens asked where the drainage work was done. Mr. Adair said that was a 45-foot open
275 ditch that was dug about 30-years ago on Cedar Drive between Surfside Drive and 1st Avenue North. The
276 ditch was a catch pot for leaves and debris that went directly into the drainage system. The ditch is in the
277 Myrtle Basin where there are many water quality problems, so the ditch was piped.
278

279 Mr. Pellegrino thanked Mr. Adair for the oversight for paving town streets. Compared to last
280 round, this schedule is much more organized, and the areas were kept much cleaner. Overall, he thought
281 it was a big step in the right direction.
282

Town Council Regular Meeting
January 26, 2016

283 Mayor Samples also said thank you, he too appreciate the work. There were no other questions or
284 comments.
285

286 **C. Administrator's Report.** Ms. Fellner reported
287

288 P25 Communications System. This morning Horry County approved documents awarding the P-
289 25 Communications System to Motorola. Contract negotiations are still underway and should be complete
290 soon allowing for design and construction to commence in short order. While final details are being
291 ironed out, the negotiated price for the system will be below the \$16 million originally projected for
292 construction only and allowed the County to pre-pay 10 years of maintenance. The county promises this
293 will substantially lower the annual operating budget impact for both the municipalities and the county.
294

295 RIDE III Sales Tax Commission. During March the town will host a RIDE 3 Sales Tax
296 Commission Public Information session. Sessions are also being held in North Myrtle Beach, Myrtle
297 Beach, Carolina Forest, Conway, and the Aynor/Loris area. A definitive date and time will be published
298 when known.
299

300 Beach Renourishment. A small delegation will be going to Washington, DC Thursday to join
301 Congressman Rice's staff for meetings with the Office of Management and Budget and the Army Corps of
302 Engineers. The focus will be to encourage the Corps and Administration to include the renourishment of
303 our beaches in the Corps' FY 2016 Work Plan. An update on the progress should be available by the next
304 council meeting.
305

306 Consensus Items. There were no consensus items.
307

308 Responses to public comments from the January 12th Town Council Meeting.
309

310 *Comment:* Why worry about one of our garbage trucks sitting for a couple of nights before being
311 tipped when many dumpsters are only tipped once a week.

312 *Response:* DHEC regulation #61-107.5 Section F.3 states, "All vehicles used to collect and/or
313 transport putrescible solid waste shall be emptied on a daily basis, unless an exemption is requested and
314 approved by the Department." The town has begun communication with DHEC to ascertain whether an
315 exemption will be given, since we must leave refuse on trucks at minimum, Sunday into Monday. Tipping
316 refuse trucks the same day of service is a best practice throughout the industry. The reason is heat
317 generated by decomposing waste and/or smoldering material has been known to cause truck fires and a
318 \$300,000 truck is more valuable than a \$1,500 dumpster. Clearly, the town would be exposed to an
319 unnecessary liability.
320

321 *Comment:* Many cyclists ride Ocean Boulevard. A bike path is needed for both them and the golf
322 carts with respect to safety concerns. Why will the town not provide this?

323 *Response:* This is one of the sustainable projects that Clemson will be looking at, hopefully this
324 coming fall.
325

326 *Comment:* A business committee member believes the sign ordinance should be reviewed,
327 simplified and significantly shortened by the planning and zoning commission or an independent
328 commission.

329 *Response:* The business committee can bring specific concerns to their liaison via motion to be
330 brought before council. At that time council may or may not direct staff to pass these along to the
331 planning commission for review. The planning commission can also be directed to perform a
332 comprehensive review of the entire chapter or to request that an independent zoning expert that has
333 familiarity with the town be assigned the scope of work under the direction of the planning commission.
334 Town Council is still exploring this issue and has drawn no definitive conclusions to date.
335

336 *Comment:* A resident stated that he had been on the board of zoning appeals for over a decade
337 and when the same issue keeps coming before the board, the associated ordinance needs to be tweaked.

338 *Response:* The board of zoning appeals did, in fact, hear four appeals regarding signs in the last
339 four years. The general rule of zoning is if a variance request comes before the board of zoning appeals

Town Council Regular Meeting
January 26, 2016

340 more than a few times and there is justified hardship, the matter should be reviewed by the planning
341 commission for amendments. Two of the requests were for different reasons and one was denied
342 triggering no review of the ordinance. Two of the requests involved existing, non-conforming abandoned
343 signs that were located less than 10 feet from the front property line. After the second hearing, the board
344 of zoning appeals requested staff revisit the ordinance with the planning commission. At the time an
345 abandoned sign was defined as a sign not in use for 6 months or longer. The planning commission
346 studied the existing signs within the town and found the ordinance should be revised to define abandoned
347 signs as not being in use for one (1) year or more. Council adopted that amendment in June of 2012. The
348 board of zoning appeals has not had a request for an abandoned sign since the change. This is the way the
349 check and balance system is designed to work between the board of zoning appeals and the planning
350 commission.

351
352 *Comment:* A local business-owner described a number of challenges they had with the current
353 sign ordinance, the associated penalties and the enforcement procedure.

354 *Response:* Staff received a call inquiring about a permit for signage being placed on Highway 17
355 North, and after checking the files found a permit had not been issued for any signage at that address.
356 The code enforcement officer stopped by the business and asked the sign contractor to see the sign
357 permit. They admitted they had no permit and a stop work order was issued. The same caller called back
358 a few days later to inquire about the window signs/tinting. The violations covered two sections of the
359 zoning ordinance. The first being signage on the window without a permit. Permits are required for all
360 window signs within the town. The second violation was tinting, which encompasses all of the buildings
361 within the Design Overlay District, which included this business. Under section 17-211 violations of the
362 zoning ordinance are declared a misdemeanor under the laws of the state and are punishable by a fine of
363 \$500.00 plus court fees which totals a sum of \$1092.50. Each day such unlawful erection, construction,
364 reconstruction, alteration, conversion, maintenance, or use continues is deemed by law as a separate
365 offense. Since the Design Overlay was adopted by council, staff has no choice but to enforce the
366 ordinance.

367
368 *Comment:* A business owner wished to make council and the public aware that another business
369 owner in their complex was publically saying that they paid off the town to accomplish any ends they
370 might desire. The speaker asked that everyone be treated equally.

371 *Response:* The business to which the business owner was referring did, indeed, have a building
372 permit to install a hot water heater and remove a portion of a non-loadbearing wall. The work was
373 performed by a licensed contractor. There were violations of the zoning ordinance at this location, which
374 were addressed. The accusations were spurious in nature without any basis in fact. The planning,
375 building and zoning department strives to enforce all of the ordinances that town council has passed and
376 to administer enforcement in an equal and non-biased way.

377
378 *Comment:* A business owner stated that their "jet-view cling" signs were not vinyl and the
379 ordinance only says vinyl signs do not comply. Therefore, their businesses window signs should be
380 considered compliant.

381 *Response:* All window signs require a sign permit. All highly tinted or mirrored glass installed
382 after the Design Overlay District ordinance was adopted must be removed.

383
384 *Comment:* A business owner who recently was asked by the zoning officer to remove his banner
385 asks that the zoning ordinance be reviewed to be more business-friendly. He also questioned the wisdom
386 of excluding vinyl signs which obstruct the view into the building for security reasons since some
387 businesses have no windows.

388 *Response:* A banner is a special type of sign that requires the issuance of a temporary certificate
389 of zoning compliance. Each certificate of zoning compliance shall permit a special event sign no more
390 than ten (10) consecutive days. No more than six (6) such signs shall be issued per lot within a calendar
391 year. (60 days max.) Temporary wall signs shall not exceed twenty (20) square feet in area and shall be
392 firmly attached to a building or other structure on the lot.

393
394 *Comment:* There was concern that some people didn't have a computer to look up zoning
395 ordinances on the internet. They wanted the town to clarify where these ordinances are available.

396 *Response:* The Town Code in its entirety is available on the website at www.surfsidebeach.org.
397 Citizens may also visit Town Hall and see the town clerk who maintains a printed copy of the town's Code
398 of Ordinances and she will be happy to furnish them with printed copy of the pertinent code. In addition,
399 should any citizen not understand any portion of an ordinance, town staff is more than happy to explain it
400 and answer any questions.

401
402 **7. BUSINESS**

403
404 **A. First Reading Ordinances.**

405
406 **i. #16-0818 to amend §7-12 and §7-25 Summer Sanitation Service in the R3 and C3**
407 **Districts, Director Adair.**

408
409 Mr. Childs moved to defer Ordinance #16-0818 to a workshop; the time and date to be
410 determined later. Ms. Mabry seconded.

411
412 Mayor Samples said this had been discussed since last year, and it would continue to be
413 discussed.

414
415 Mr. Childs had what he considered a good substitute amendment, but after speaking with Mr.
416 Adair who had some good information, he believed it would be beneficial to have a workshop with the
417 public.

418
419 Mr. Stevens thought councilmembers should speak with the Horry County Councilmembers
420 regarding the Solid Waste Authority's landfill closing time.

421
422 Mayor Samples said it would be helpful for the landfill hours to be extended. The Authority has
423 its own board of directors, but County Council appoints the nine members.

424
425 Mr. Johnson asked if the workshop date and time could be set now.

426
427 Mr. Childs said Ms. Fellner usually contacts councilmembers to determine any conflicts.

428
429 Mayor Samples said this particular workshop should probably be held in the evenings or on the
430 weekend so Mr. Johnson could attend.

431
432 Mr. Johnson said he would be available on Presidents Day, February 15.

433
434 Mayor Samples encouraged councilmembers to work around that constraint.

435
436 All voted in favor. **MOTION CARRIED.**

437
438 **ii. #16-0819 to repeal §14-14, ¶(11) requiring Elevation Certificates for all Permits,**
439 **Director Morris.**

440
441 Ms. Morris presented the decision paper and ordinance, copies of which are on file.

442
443 Mr. Johnson moved to adopt first reading of Ordinance #16-0819 to rescind §14-14, ¶(11). Mr.
444 Childs seconded.

445
446 Mayor Samples said the ordinance is to rescind the requirement for elevation certificates, except
447 as stated in other portions of the code. Ms. Morris said, "That is correct. New additions and substantial
448 improvements [require a permit.]" All voted in favor. **MOTION CARRIED.**

449
450 **iii. #16-0820 to amend §17-395 to allow Upper Story Dwellings in the C2 District,**
451 **Director Morris.**

Town Council Regular Meeting
January 26, 2016

453 Ms. Morris presented the decision paper and ordinance, copies of which are on file. She
454 reiterated that the C2 District is that area business district from Poplar Drive to Highway 17, and Pine
455 Drive to 4th Avenue South. Staff was approached by some of the business property owners from that area
456 requesting that upper floor apartments be allowed. They want to live and work there. The planning
457 commission unanimously supports this ordinance, because it would promote walkability, livability, and
458 economic development by work here/live here.

459
460 Ms. Mabry moved to adopt first reading of Ordinance #16-0820 to amend §17-395, §17-396.5,
461 and §17-007 to allow upper story dwelling uses with conditions in the C2 Central Business District as
462 presented. Mr. Childs seconded.

463
464 Mr. Stevens asked which buildings would qualify; what are long term benefits. Ms. Morris said
465 one building owner wants to add a second story. Another building already has two stories and wants to
466 live upstairs and work downstairs. Both projects would require engineered plans before any conversion.
467 On-site parking is required, so no public parking would be used by the residents. Ms. Morris said
468 according to *Planning Magazine*, the upper floor development in a mixed use setting offers a
469 development option which can sustain long-term economic stability through strengthening the tax base,
470 job market, and commercial and residential opportunities. There is one vacant lot upon which a building
471 could be built for business with living upstairs. This might also occupancy in some of the vacant
472 buildings. Mr. Stevens asked if a public hearing was held on this topic. Ms. Morris said yes.

473
474 Mayor Samples asked for an explanation between conditional versus permitted uses; he asked
475 that Ms. Morris's comments be included in the record for future reference. Ms. Morris said "Permitted
476 uses are allowed with no conditions. Conditional uses have specific requirements; in this instance, you
477 are being allowed to have an upper floor apartment as long as you have provided a separate entrance to
478 the residential use, the upper floor dwelling shall be a minimum of 600-square feet in gross area, and on-
479 site parking shall be provided in the rear of the same property with one parking space per bedroom, which
480 is the same requirement in all residential districts. We wanted to amend, or we requested amendments to
481 the definition because we wanted in no way there be residential downstairs in this district. So, the
482 dwelling for upper story means a dwelling unit located on the second floor or higher of a building with
483 nonresidential uses located on the street level." Mayor Samples thought those restrictions and conditions
484 were essential for our town. Ms. Morris agreed. All voted in favor. **MOTION CARRIED.**

485
486 **B. Resolutions**

487
488 **i. #16-163 to adopt the 2015 Horry County All-Hazard Mitigation Plan, Fire Chief**
489 **Otte.**

490
491 Chief Otte explained that the plan was already in place, and this was an update to the existing
492 plan to include things like cyber terrorism materials, because that type activity is more apt to happen
493 today. Representatives from Surfside Beach attended two of the three planning meetings. There was time
494 allowed for public comments before the plan was adopted by Horry County. Adopting the Town's portion
495 of the plan would entitle it to Federal Emergency Agency assistance and reimbursements resulting from
496 disasters that might befall the town.

497
498 Mr. Johnson moved to approve Resolution #16-163 to adopt the 2015 Horry All-Hazard
499 Mitigation Plan. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.**

500
501 **ii. #16-164 Increase Business Committee Membership to Nine, Councilmember**
502 **Stevens.**

503
504 Mayor Samples asked the clerk to read the resolution. Mr. Stevens moved to adopt Resolution
505 #12-118 as presented. Mr. Childs seconded.

506
507 Mr. Stevens said for the record, "The business committee was founded primarily, because you
508 remember a few years ago, we had problems with, we had Nibles', we were in the paper, we had Jamin'
509 Leather, and we had Crystal Lite Café, and the fact is that the business community pays somewhere

Town Council Regular Meeting
January 26, 2016

510 between 80- to a high of over 90-percent of the revenues in this town, depending on the economy, and the
511 business committee is a group of business people, for example, Tim at Jerri Bob's, Sammy Truett at
512 Moore & Associates, Lee at Benjamin's Bagels, Joe at the barber shop, and several other business people.
513 The main reason we have this is because there wasn't anything (**) the Chamber of Commerce, which
514 does very little for the town of Surfside business community. That's the reason this business committee
515 was started. We have other business people who have experience in it, and they want to serve. We have a
516 consultant on the business committee. We have a former car dealership owner on the business committee,
517 and these people are very interested in helping the business community in getting the empty buildings
518 that you see up and down 17 filled up with business people. The way we do that is make Surfside more
519 business friendly. There's some business people out here, you've heard 'em talking. They want to see
520 Surfside more business friendly. That really helps the town when we can put all those revenues [sic.] We
521 have business people on the ocean. We have business people on 17. They all want this."
522

523 Mr. Johnson called *point of order* saying that the correct resolution number is #16-164, not #12-
524 118 as stated in the motion.
525

526 Mr. Stevens restated his motion to adopted Resolution #16-164 to amend Resolution #12-118.
527 Mr. Childs seconded. All voted in favor. **MOTION CARRIED.**
528

529 **C. South Frontage Road Paving Project, Administrator Fellner (Deferred from**
530 **January 12, 2016 meeting.)**
531

532 Ms. Fellner said Town Council heard her comments at the last meeting and asked Mr. Adair to
533 present the decision paper.
534

535 Mr. Adair said the state collects a sales tax on gas which is distributed among the counties in the
536 form of CTC (County Transportation Committee) money. Funds are allocated to municipalities by
537 appearing before the CTC and asking for project funds. Typically, he requests money for local roads,
538 because generally speaking town roads are in worse condition than the state roads. This past fall money
539 was earmarked for secondary state roads. He said if the south frontage road, which is a state road and is
540 in the worst condition of any road in town, is not paved now it will be late 2016 before it can be paved.
541 Paving that road now would require a special appropriation to pay for the project up front in the amount
542 of \$160,000 that would be refunded 100-percent by CTC since the project has already been approved.
543

544 Mayor Samples asked if the contractor had contacted Mr. Adair. Mr. Adair said the contractor
545 will honor the Horry County paving contract prices, if the work is in the queue.
546

547 Mr. Stevens moved to adopt the accelerated paving schedule for the south frontage road. Mr.
548 Childs seconded.
549

550 Mr. Pellegrino asked if the funds would have to be paid up front. Mr. Adair said yes; there are
551 more than sufficient funds in capital projects road funds to cover the cost until reimbursement is received
552 from CTC. Mr. Pellegrino asked how reimbursement worked. Mr. Adair said once the project was
553 approved at the county level, it was sent to the Department of Transportation. A pin number will be
554 issued if the project is approved, and again, it has been approved already. Once council agrees to move
555 forward, the contractor is hired, the work is completed, the paid invoice is sent for reimbursement along
556 with supporting documents, and then a check is sent to the town. Funds to reimburse the town for the
557 paving projects completed in December should be received any time now.
558

559 Mr. Childs thanked Mr. Adair for getting the money for this project. It certainly is long overdue.
560 Everybody knows the frontage road is an absolute disaster. Mr. Childs explained that he moved to defer
561 at the last meeting because two members were absent, and they needed to hear the discussion. He
562 believed Town Council was in agreement that this was a worthwhile project.
563

564 Ms. Mabry said the town was fortunate to have Mr. Adair. He has obtained well over \$1 million in
565 four years. There has never been as much paving on our roads done. It is directly because of his efforts.

Town Council Regular Meeting
January 26, 2016

566 This money does not come from the taxpayers. It is completely 100-percent funded by the grant [sic]
567 money he obtained.
568

569 Mr. Stevens said the project will begin at Glens Bay Road and end at the end of the road in front
570 of the antique shop. Mr. Adair said that was right. Mr. Stevens said in his opinion, the paving would help
571 a lot of businesses along the corridor. A couple of large businesses and several small mom-and-pop
572 businesses. Mr. Adair said the road may not hold up for two more years, because it is in such bad
573 condition. Paving it two years from now may cost more, if it has to be repaired down to the subgrade.
574

575 Mayor Samples said historically the town never represented itself at the right places at the right
576 times. We have been actively engaged. Mr. Adair has worked hard with CTC. Ms. Fellner initially, and
577 now Mr. Adair, attend the GSATS technical committee meetings, which is where the workers get together
578 with senior staff from Georgetown and Horry counties to determine what gets done in terms of roads.
579 The policy committee, which the mayors and other elected officials sit on, [approve the work proposed] at
580 the technical level. They have done a great job. It is very important to the town.
581

582 Mr. Johnson agreed with Mayor Samples and said participation is necessary to be included in the
583 projects. He appreciates everything the town has done in the past several years to participate.
584

585 Mayor Samples said the town must take care of its resources. All voted in favor. **MOTION**
586 **CARRIED.** Mayor Sample said paving of the south frontage road was approved for this current fiscal
587 year.
588

589 **D. Committee Appointment – May be deferred to execution session pursuant to**
590 **FOIA §30-4-70(a)(1) – Keep Surfside Beach Beautiful Committee (open membership), Jeff**
591 **Hines, volunteer.**
592

593 Mr. Johnson moved to appoint Mr. Jeff Hines to the Keep Surfside Beach Beautiful committee for
594 a 4-year term. Mr. Stevens seconded. All voted in favor. **MOTION CARRIED.**
595

596 **8. TOWN COUNCIL DISCUSSION** – Any matters of concern or information to be discussed.
597

598 **A. Business Committee recommendation for joint workshop with Town Council,**
599 **the Planning Commission and Staff to consider possible changes in Commercial Sign**
600 **Ordinances in C1, C2, C3, and R3 Districts. Councilmember Stevens.**
601

602 Mr. Stevens said the business committee had a long discussion about the sign ordinances. The
603 members believe the sign ordinances need to be reviewed to determine whether changes could be made
604 that were fair to the business community. One person suggested that every ordinance have a sunset
605 clause requiring it to be reviewed periodically. Mr. Stevens thought that was a great idea. We can discuss
606 it, let the business people speak, hold a hearing; the planning and zoning members could speak and the
607 business committee and council would host it.
608

609 Ms. Mabry had no problem with council and the business committee discussing the ordinances,
610 which she has said several times. However, the planning commission is a state authorized board. They
611 are not to be influenced in any way. Once you get the recommendations they go to the planning
612 commission. The planning commission reviews the recommendations independently, and then they can
613 refer them back to Town Council for action. Ms. Mabry reiterated that planning commission members are
614 not to be in the process, because they cannot be influenced. It was not wise for the town to include the
615 planning commission members in the discussions.
616

617 Mr. Stevens had no problem with that, if that is a problem. Ms. Fellner said the correct procedure
618 for this is to ask the business committee to report any specific concern by approved motion to its council
619 liaison. The liaison would report to Town Council. Ms. Fellner agreed with Ms. Mabry that the planning
620 commission should not be involved with the discussion at the business committee level. Once the liaison
621 presented information to council, Town Council would determine what, if anything, should be sent to the
622 planning commission for review. This would be the correct procedure to minimize any hint of

Town Council Regular Meeting
January 26, 2016

623 impropriety, which was what Ms. Mabry was talking about when she referred to influencing the planning
624 commission.
625

626 Mr. Childs said then the workshop would be with the business community and Town Council,
627 only. Ms. Fellner said it could be with members of council and the business community, or just the
628 liaison, or however council chooses. Ms. Fellner objected to the planning commission being present.
629

630 Mayor Samples said the signage issue was discussed some time ago when Ms. Fellner had a
631 recommendation about how signage should be addressed. Ms. Fellner said if it is council's desire to start
632 with the signage codes to simplify it and to perhaps reduce the educational level to understand some of
633 the verbiage then the planning commission needed to understand the scope of that work, and that is
634 council's desire. She did not know whether the commission members would do the work, or whether an
635 independent contractor would work under the guidance of the planning commission. Any
636 recommendations for changes would be presented to Town Council for approval. Mayor Samples said
637 that might not be the solution, but was one way this might be handled.
638

639 Mr. Johnson said legally this issue must go through the planning and zoning commission.
640

641 Mayor Samples said that it did, because it was a Chapter 17 matter.
642

643 Mr. Johnson thought the question was whether council wanted to meet with the business
644 committee, or did council want to instruct the business committee to meet with planning and zoning?
645 What does Town Council want to do at this point, because ultimately, the matter must go through
646 planning and zoning?
647

648 Ms. Mabry said the person that wrote Georgetown's signage code and Conway's signage code is
649 Sabrina Morris. She is the one that has to work with the planning commission. She hated to think the
650 town would spend money on a consultant. The signage ordinance in place was written by a planner, not
651 by Ms. Morris. It was not designed, it was cut and paste.
652

653 Mayor Samples said it was prepared by the Council of Governments.
654

655 Ms. Mabry said it was a general ordinance. The town needs something more specific that works
656 best for Surfside Beach. She thought the planning commission was capable of handling the review and
657 making recommendations. In the meantime, it would be a good idea for the business committee to review
658 the codes and make recommendations to its liaison. Ms. Mabry did not think it had to be either or, but
659 could include many different ideas coming together.
660

661 Mayor Samples thought it would be nice if the business committee could be specific about needed
662 changes that were particularly onerous. For example, he knows that the overlay architectural standards
663 states no mirrored windows. When he voted to approve that, he thought it applied to new construction,
664 because the goal for the overlay was to improve new construction building. But, there are a number of
665 triggers for the overlay. Mayor Samples said in his opinion, he did not need to reiterate the problems that
666 we all agree exists with taking an older metal sided building and trying to improve it. Discretion, not to
667 mean you get a break because you are my friend, but to apply the code in a manner that the architectural
668 standards in the design standards of the overlay [can be applied fairly.] In his opinion, new design
669 standards should not be applied to old buildings; in this case, the building was a garage. There were
670 different views among the councilmembers, and that was okay. But something needed to be worked out
671 or there may be more vacancies in the meantime. He did not think that council was up to the job of
672 reviewing the signage ordinances. He did not think that the expertise on planning and zoning resided at
673 the dais. He did not want to spend money, either, nor did he have a problem assigning what he
674 considered to be an impossible mission to the business committee. Mayor Samples said it was not an easy
675 task, because we have do have ordinances. We either need to change the ordinance or give direction by
676 public vote to modify the code.
677

678 Ms. Mabry said the council was divided on this issue. She considered it from the residents'
679 standpoint as well as the businesses'. Residents have to live here; they have made it clear what they want

680 the town to look like. The two opinions must be combined to create a balance, but they have invested, too,
681 and have a right to an opinion. When you move into town, you make a big investment. Ms. Mabry said
682 she likes a very strict overlay; more like Horry County's. The mayor has a big heart and did not want
683 anyone to be burdened. Many of the issues came up because there was no permit obtained. Nothing
684 makes her madder than to see someone pay for a sign thinking that they have a legal sign, and then
685 finding out that the sign company did not get a permit, and we cannot do one thing about it, except to say
686 we are sorry. That to her was a sin. We still must abide by the ordinances. There is a solution, and we
687 will find it and make it where it suits the residents and the business community. Ms. Mabry said she had
688 all confidence that could be done. She had confidence in the business committee and the planning
689 commission. Again, so there is no appearance of influence, she thought it would be better if council
690 backed off from the review and let them do their job.

691
692 Mr. Stevens said it got down to two words: common sense. A lot of times laws are passed and we
693 think they are the right laws. But, they are burdensome and too restrictive. I believe that anybody that
694 does anything without a permit has not read the laws, which must be done before doing anything. You
695 have to know the rules. Face it, you cannot drive down the road without a driver's license, so you are not
696 supposed to do work without a permit, which is what it really boils down to. Sometimes we can be a little
697 too burdensome to the business man. We can be too subjective on small matters. You may require an
698 engineer to check something that cost money. Like we did away with the elevation certificates. That was
699 a problem. We have to review our laws and use some common sense in making government less
700 restrictive and less burdensome to the business community and to the citizens. If this needs to be taken to
701 the business committee, I am more than willing to meet with the members as the liaison and go over it
702 "with a fine tooth comb." I asked the planning director about having a little explanation in layman's terms
703 so the average person could understand it. She agreed with him; sometimes people just do not
704 understand.

705
706 Mr. Pellegrino believed there were many ordinances that created overregulation, including the
707 sign ordinance. He agreed with Mr. Stevens. The business committee and its liaison should review the
708 signage codes and make a list of concerns for submission [to Town Council for consideration. If Town
709 Council deems the concerns appropriate, then the information should be sent to the planning commission
710 for review.]

711
712 Mayor Samples asked for concurrence that the business committee review the sign ordinances as
713 suggested by Mr. Pellegrino. **COUNCIL CONCURRED.**

714
715 **B. Any matters of concern or information to be discussed by Town Council.**

716
717 Mr. Stevens said the senior citizens committee is sponsoring a gardening event at the civic center
718 on February 18th at 10:00 a.m. Gary Forrester with the Clemson University Exchange in Conway will lead
719 the seminar about planting gardens. It is free to attend.

720
721 **9. PUBLIC COMMENTS – General Comments.** (5-minutes per speaker)

722
723 Good evening. Ron Ott. From the observation from many years back, I can see the difference in
724 the directors' reports. They've evolved greatly. The photographs and Chief Otte's report; they do things I
725 never knew they did. The detail is better and it actually shows the people what's going on. You can read a
726 lot into what's going on in this town now from those reports. What I see is that these directors have taken
727 ownership in their departments. They're not just working in there and managing. They've taken
728 ownership and you see that with Mr. Adair how he, I've always said, he's cheap with my tax dollars. That's
729 a good thing. If you look at the planning and zoning report, you see all those photographs. You see all the
730 illegal processes that were going on, and we always look at the zoning department as throwing fines out
731 there, but they're not. If you read what's going on, most of, almost all of 'em are just warnings and they're
732 making corrections, and they go on. It's not that this town is so mean that we're fining everybody. We're
733 not, and you can see that in that report. I appreciate that; to see this detail in the reports. It's actually a
734 shine over on our administrator as she's the general here. She's reaping the benefit of all these good
735 directors that she has under her. Thank you.

736

Town Council Regular Meeting
January 26, 2016

737 Harry Kohlmann, South Ocean Boulevard. I just want to speak about the; Mr. Chandler came up.
738 You were truthful, but you didn't tell the whole story, and I'm gonna tell you why. Like most of the people
739 in town, I had no idea about this parking on Surfside Drive or what was going on until I saw all the gravel,
740 and the pipes and all that and I'm the chairman of the parking committee. We weren't consulted or even
741 hinted about it. But I was thinking to myself why would you have 66 or 67 parking spaces when you only
742 have five or six people parking there. I know this town is really big on green space and trees and all this
743 and don't use too much concrete when you build a home; you've gotta have a certain amount of trees
744 when you build a home. Why were we gonna put more paving on Surfside Drive, and I couldn't figure it
745 out. And then, I saw the agenda for tonight about the mixed use on C2, and I'm thinking myself that's like
746 two or three buildings on Surfside Drive that have two stories. Why, why, what are they doing that for? It
747 doesn't make any sense. Now you're talking about they have to park in the back. That's where the
748 employees park. So if you rent out, you have a pizza place and you don't live upstairs, you let somebody
749 else who doesn't work for you park in the back, now people that work there, they're gonna park in the
750 front, because there will be less parking there. Then I'm thinking maybe those 67 parking spaces are
751 gonna be good parking. They're not gonna be good because they're going from Hollywood to the ocean, I
752 believe. Then, since I was researching about the sanitation, I looked through the website, and I'm pretty
753 good with it, because I do this all the time, and I found a visionary meeting. Town Council visioning
754 meeting, November 12, 2015, and I'm reading verbatim, *planning, building and zoning C2 Central*
755 *Business District zoning changes. Number 1, now get this folks, rezone Surfside Drive from Poplar to*
756 *Willow Drive as mixed use.* So that's from, they're gonna change where people are living, where they had
757 residential when they came, bought a house. A guy just bought a, built a big house, brick house with a big
758 garage. Well, he might be in the middle of a mini, mini Market Commons now. That's what they're gonna
759 do here. They're gonna promote walkability by continuing to encourage specialty shops, retail and
760 restaurants. So, I built a house, and now I'm gonna be next to a restaurant. That's fine. Maybe some
761 people like that. It doesn't affect me. But, if I bought a house there and it was a residential house, and
762 like you always say, you know what you were getting into... I'm down on Ocean Boulevard; you knew what
763 you were getting into. But those people on Surfside Drive didn't know what they were getting into.
764 Residential apartments only allowed on upper floors with parking on the property rear through alleyway.
765 First floor units required to have commercial storefronts. They are required. There's no other option.
766 Now, I know, it's a visionary meeting. But, if you see the steps; you're putting the infrastructure down,
767 putting 67 parking spaces. We're already changing the C2 District, the smallest district, to make it mixed
768 use, and now, I mean it could be ten years from now, but it's going pretty quick, I think folks, honestly. I
769 think it's going pretty quick. The whole council, Town Council concurred to move forwards towards
770 establishing a mixed use district as presented. They're moving forward on it folks. This is in the back of
771 somebody's mind. Step one, put the parking spaces. Step two, change the mixed use zone in C2, Poplar to
772 17. Step three, the whole Surfside Drive. Now, it might be a good thing. But, like I said, I wouldn't want
773 to be that guy who just built that big brick home on Surfside Drive. Thank you.

774
775 Good evening, Mr. Mayor and Council. My name is Randy Gantt. I bought a lot at 333 13th
776 Avenue South. That's a lot of numbers. I applied for a business per, for a building permit. Went through
777 that process. Got it all done. Went to clear the trees down there, and boy, there's where we hit a road
778 block. Cleared out the center part that I need to clear out, and I was told I couldn't clear the trees around
779 it. Have any of you guy ever seen a 100-foot pine tree go through a house? It's not a pretty sight. I got
780 trees pointing over the neighbors' houses; trees everywhere. Ms. Morris has tried to help me, but she can
781 only do here job so far. I need some help down there. If I build a house there, and a storm comes
782 through, it's either the neighbor's house; Debbie Downs, which she informed me that three months ago
783 she was told take all them [sic] trees down when she owned the property. Since I bought the property,
784 you can't do that. I'm trying to build a house. As a kid, I've been wanting to live in Surfside for years. I'm
785 trying to live in Surfside Beach; you guys ain't gonna let me. I'm not gonna put my grandchildren out
786 there for a tree to fall through the house and kill them. Ain't gonna do it. I won't be able to get insurance
787 on it. The pine trees are literally hanging over her house. The neighbor's house. They are in such an area
788 in such a way that if you don't take them down, you're asking for trouble. I was a safety director for 28
789 years. I've seen some really bad sights. It's not a good thing, folks. All I ask, and I know you guys don't
790 want people coming in here and clearing property. I'm all about trees myself. I've all about what the good
791 Lord put here. But there's a common sense factor as Mr. Stevens said a while ago. I need these trees to
792 come down. We have cleared out the center. My clearing and grading man said well, they gonna die
793 anyway. You took all the roots out the middle where you're gonna build your house. I'm told by Ms.

Town Council Regular Meeting
January 26, 2016

794 Morris you've got to get an arborist involved when I was doing the permit process. Guys, I can't afford to
795 pay an arborist to come out here and say, yeah, that one's gonna die; this one is gonna die. They're pine
796 trees. They're pine trees [sic.] They're not any kind of endangered species. There's not anything
797 endangered there. If there were, God knows, I'd leave it alone. I'm a contractor, as well. I build houses. I
798 have two more houses to build in Surfside that I have put on hold, because I'm not gonna fight this battle.
799 If I can't, if you can't sensibly clear the trees to put a decent home there that's protected that a tree's not
800 gonna fall through and kill somebody, I ain't gonna do it [sic.] That's \$600-thousand that I'm gonna pass
801 on, because it's two \$300-thousand homes. Those are jobs, taxes, and everything that I'm not bringing to
802 Surfside, because when somebody gets hurt, it's blood on my shoulders. It's not happening. I just ask
803 that you guys go back and look at that. Ms. Morris is gonna come out tomorrow, maybe we can look at
804 these things. But what has happened, I bought the property. Cleared the center of it, got ready for the
805 house, and it's gonna be a problem. These are 100-foot tall pine trees. They gonna fall [sic.] I promise
806 you. A pine tree dies from the inside out. You don't know it's dead till it's across your house. Thank you
807 guys. I appreciate it.
808

809 Chris Fisher, St. Somewhere Gifts & Accessories, 351 Highway 17 North, said Ms. Fellner
810 addressed part of this earlier, but we heard about this about a week ago and we felt that we need to bring
811 it to your attention, as well as put it on public record. It came to our attention that on 1/12 [sic] Beth
812 Morris spoke at the council meeting and made completely false statements about us and our business. At
813 1:09:54 she stated we have worked at night and she asked us not to. She absolutely has not ever spoken to
814 us about any time of the day that work was being performed. 1:09:57 she stated we could pay off Surfside
815 numerous times and could do whatever we wanted. We have never spoken to her at any time about
816 money, Surfside, work being performed at our business, or paying anyone within the town. We have
817 never told anyone we have the ability to pay the town and get things done with the business. At 1:10:37
818 she stated we accused someone of being a Hell's Angel. We have never spoken to her about any
819 motorcycle group or any persons being associated with a motorcycle group. At 1:12:23 she stated we put
820 railroad ties at the back of our business. We did not bring any railroad ties to the parking lot. They were
821 there when we leased the building. We did get permission from the owner to move the ties away from the
822 building to give us better parking there. We just want to go on record that she told absolute lies when
823 speaking about us and our business. She has come into our business and yelled at our customers for
824 parking in front of her store. We have ...
825

826 Ms. Mabry called *point of order* saying that while she appreciates the comments, no mention of
827 Mr. Fisher's name or his business was made during the January meeting. Mr. Fisher said she said it was
828 the new business directly beside her. (** two speaking at once.) Ms. Mabry said I for one did not know
829 who it was until the next day. So, I just don't think it's appropriate [to call names.] It's kind of getting to
830 be a she said, he said story. I think Ms. Fellner addressed it very well.
831

832 Mayor Samples asked Mr. Fisher if that was satisfactory. Mr. Fisher asked if he could finish with
833 a final statement. He said it did get to the final point to where we did have to get the Surfside police
834 involved. She has been served with a no trespassing and no contact notice, and while the officer was
835 serving the paperwork on her, she even accused him of being on our payroll. So, I just wanted to bring it
836 to everyone's attention again. We have no desire to have a reputation of trying to buy off council or
837 anyone else for that matter. Mayor Samples said his comments were appreciated, and sometimes some
838 unusual folks appear before council.
839

840 Mike [LaFramboise], Joker's Cycles here in Surfside. I know Randle Stevens there is starting to
841 try to fix things with the signs, which is great. I know everybody's trying to do the best they can. But, I
842 have a couple of questions. Couple of question is how many of you have been in business, beside Randle
843 Stevens? Been in a business? You've been in a business? Then you guys know how hard a business is to
844 survive and that you need advertisement to bring businesses alive. Now, your two mile stretch there's
845 plenty of vacant businesses that are not occupied at this time. One of the reasons probably is because of
846 the fact that things are so difficult for signs or can't survive because they're not being able to bring
847 business in. I know my signs, windows tint, overlay, whatever you want to call it, because it seems like it
848 changes depending on what it is for that time being. We have other businesses all the way down. I
849 understand it's been a law for five years. The overlay's been for what, 2013, so a couple of years there.
850 But in reality as you guys all know, nobody's ever enforced it. Grandfather, not grandfathered. You just

Town Council Regular Meeting
January 26, 2016

851 can't have that mixture. You've gotta have across the board. When this came about, Mayor, you even said
852 it, and a couple of others, didn't really read it. Like you guys said. If you don't read something, if you
853 really don't know it, you would've asked a lot of questions. And a lot of questions would have arrived like,
854 like you said, with new construction, exactly. My business is old. I think my lot looks better than it ever
855 did, and the other concern was with residential. I've had five people since all this has been going on stop
856 by my shop. What's the story? Why is this a problem? Looks great from what I see. So, I'm not the only
857 business here. There are five businesses here with sign problems. It might not all be identical, but we've
858 got a problem. There's 10 or 12 businesses that since I got fined that there's an issue. That's not little.
859 That's 10, 12 businesses, and I just heard yesterday that one business is gonna be leaving Surfside because
860 of problem like that. I mean are you guys gonna wait until where it's too late where people don't want to
861 be here? I mean we're in 2016. It's time to evolve. We have LED signs. I see one going up today. So,
862 you're telling me I can put up a LED on the front of my business, or on the sign that I have on the road? I
863 just saw it today, so that's why I'm asking. I swore when I read something in that 26 pages, I swore it said
864 no lighted signs like that that's real bright and contrast to the road. So, I mean, all I'm looking for is a
865 little bit, and I know we've talked and all that, but I'm talking for other businesses, too, some that couldn't
866 make it today. We've got beachwear stores. We've got restaurants. We've got every, I mean and it's just I
867 this vicinity. I know it's gonna cost money to take care of things. For one, the business committee, but
868 things can't, you can't fine people. You can't send letters out when nobody else is following the same
869 rules. The people that did this, or you had that committee that came in and kind of looked at, I mean
870 which towns did you guys go to? Towns that are already doing this or did you go to the other 80-percent
871 of towns that are not doing it? I mean I can get committees from other places that don't do this and
872 they're gonna say this is ridiculous. Where you can go here, go to Georgetown or Horry County or North
873 Myrtle Beach or what, and they might have this in play, and you guys are going with that. But this ain't
874 North Myrtle Beach. This ain't Georgetown. This is Surfside and it's a small town and Surfside provides
875 85- to 90-percent of businesses to survive here [sic] more than residents. Not saying residents are bad or
876 anything like that. But without the businesses, Surfside wouldn't exist. It really wouldn't. So, I just
877 wanted to bring that up. I appreciate that we're at least getting some headway. But, hopefully, we can get
878 more of a standard line where business can actually advertise on their windows in reason that looks good,
879 because we all need it. Because if you guys want people to be in here till next year, we gotta make money,
880 and it's hard enough these days to make money, especially in this economy. Yes, it's getting a little bit
881 better, but we're so far out of it right now it's not funny. That's all I've gotta say. *(Time ended.)* Thank
882 you.

883
884 I just wanted to mention one more thing on behalf of New for You Consignments. Tammy
885 Stanton, New for You Consignments. When I, I owned the business seven doors down and when I just
886 changed location, Surfside did help me out in getting all my paperwork done and everything in like two
887 days. So, props for that. But one thing I would like to mention to Mr. Stevens when he's gonna be in his
888 little committee and I'll be glad to be there and help in any way I can, because we, the one thing I'd like to
889 mention that [Mr. LaFramboise] didn't hit on, New for You Consignments is a, I am the only owner.
890 There are people, you've got Piggly Wiggly. You've got Burkes. You've got these big businesses. Their
891 signage cannot be the same expectancy of New for You Consignments. I am just one person trying to
892 make a living and I would ask that y'all would please try to help me, at least come into the store. That
893 would be nice. Thank you.

894
895 Carol Holt, North Yaupon. I'd like to thank council for recognizing Ms. Morris. We, as
896 newcomers to Surfside, so you can imagine the issues we encountered with the hundreds of pages of
897 ordinances and Ms. Morris and her department have been very helpful in explaining and guiding us.
898 However, as a newcomer, I also believe that for a small 2-square mile town, the majority of the Surfside
899 ordinances could be considered extreme overregulation and controlling in lots of issues. We've heard that
900 tonight. I mean, I mean we have. Examples would be numerous revisiting of current ordinances for trees,
901 signage, elevation certificates, whatever. Yes, there's, just as a side note I would like to say is there an
902 ordinance for the gardening? Because my husband would love to attend this gardening thing you've
903 having in February. Is there an ordinance? We need to know before we can do anything. Is there an
904 ordinance for that? I mean, as Mr. Stevens said, please use common sense. As a newcomer, I, we're just
905 shocked of the overregulation. It is controlling. It really is. We came from a town that is a lot, lot larger
906 than Surfside. Their regulations were pages probably a fourth of the number of pages of regulations for
907 Surfside. Thank you, Mayor. Mayor Samples asked which town. Ms. Holt replied Charleston, SC.

908
909 Hello, everyone. I'll make it quick. Patricia Magliette, Harbor Lights Drive, Surfside. I'd just like
910 to say that since my husband died, I have decided to stay in Surfside, because it's a nice place to live.
911 However, with all the ordinances we have in place now, it just kills me to think that five, 10, 15 years later
912 when I'm an old lady there's gonna be twice as many ordinances, because once a town gets in a habit of
913 having people sit up front and make ordinances and make 'em long winded, and make 'em sometimes just
914 so they feel important cause there's a new ordinance. I mean, if I'm gonna be here 15 years from now, and
915 there's more ordinances, my God, I'm gonna have to do something to my property, being an old lady, and
916 just thinking about all these ordinances and trying to read through 'em is gonna give me a stroke. I'm
917 gonna go down to the lady who's gonna help me and she's gonna start explaining it and I'm gonna be old,
918 and I'm just gonna feel like I'm gonna have a stroke because y'all are too ordinance heavy. It's gonna be
919 the death of me someday. Well, I can just pray that it doesn't get worse and that it gets a little bit better.
920 Thank you very much.

921
922 **10. TOWN COUNCIL COMMENTS**
923

924 Mr. Johnson said there are a lot of things I could say. I will be brief. Thank you for coming out.
925 Thank you for attending. We are here for the residents of Surfside Beach. I will say there is a reason for
926 many of these ordinances. For years we have had certain people that have come into this town and
927 squirmed their way around the ordinances to get what they wanted to get accomplished. So, that means
928 that. Thanks again for coming out. God bless you. We'll see you again next time.
929

930 Mr. Pellegrino said thank you for coming tonight. I do apologize. I think we could have done a
931 better job of publicizing the work that's being done on Surfside Drive. I think Ms. Fellner mentioned the
932 solution of a sign with a phone number to call and Mr. Adair mentioned a mail-out to the people who are
933 directly affected on Surfside Drive. That's something we'll certainly do next time. I received tons of calls
934 once those tractors hit the road. That's something that we talk about, like Ms. Mabry said, we talked
935 about months ago when we did the budget last year. I knew it was coming, because we put it in the
936 budget, but I didn't know when. Then I saw the tractors out there. I'm like, oh, I guess we're starting. So,
937 we certainly can improve there. It was brought up tonight that we do have good representation in state
938 and county activities now in really all of our departments. That's positive. I've only been on council for
939 two years, but that's improved a lot over that two years that I've been here. So, thank you for leading that
940 up [Ms. Fellner.] [Mr. Adair,] thank you for finding the money. You've got a nose for the money. Every
941 time I talk to you, you've found another \$200 thousand somewhere, so keep doing it! That's very positive
942 for the town. As far as regulations, in fact, we have our day two off site coming up here in a couple of
943 weeks. Back when we created that agenda, I asked [Ms. Fellner] to put on the [agenda] regulation versus
944 resources, because we have finite resources and we have a lot of regulation. I think we have too much
945 regulation. I agree with a lot of the people who talked tonight. So, that is certainly something that we are
946 going to talk heavy [sic] about at this off site coming up in a couple of weeks, because when you have all
947 this regulation you're trying to enforce, and you have limited resources that will affect the way we manage
948 our customer service. I don't care what you say. If you have a thousand rules you need to enforce, and
949 you have two people to enforce them, it's gonna take a long time sometimes. That's a problem with us
950 with our process that we need to work on. I think we're probably resourced properly, and we need to cut
951 back on the regulations side. That's my opinion. Everyone up here doesn't agree with me. So, we will
952 work on that. We will improve that. We'll move forward with that. Other than that, thank you very much
953 for coming out. Good luck to all the candidates coming up here. Start your campaigning. I'll be smiling,
954 because I don't have to campaign this time.
955

956 Ms. Mabry said I definitely loved hearing from every one of you. I do take your comments to
957 heart; every one of them. When we go to a vision meeting, I would like to say that we kind of throw
958 everything out on the table. A vision meeting is not like sitting up here and yes, we are gonna do this. We
959 take a lot of time. Sometimes things will come back three, four or five years later. Sometimes they don't
960 come back at all. They just don't fit the town. But, that's why you call it a vision meeting. That doesn't
961 mean that anything is written in stone. We do allow parking on Surfside Drive. Most people don't know
962 that, but there's no regulation that says you can't park there. We've had three businesses that may have
963 come in downtown. They were afraid to come in because of the lack of parking. And, the businesses that
964 are there are already screaming, because of the lack of parking. We are trying to find, in my mind, let me

Town Council Regular Meeting
January 26, 2016

965 just say I can only speak for me. Ms. Mabry said I would love to see where you would park some on
966 Surfside Drive, not all the way, but that you would walk down to the pier, and have dinner. Or, you would
967 walk downtown and enjoy that. Sit on a bench and merge the two together. I think that would be an asset
968 for the town. As far as mixed use in the lower part of Surfside Drive, we really haven't given that...we had
969 a presentation. We've concurred that it was a great idea, but that's as far as it's gone. Ten years from now
970 none of us are gonna be here. Maybe somebody else wants it. God bless 'em. Let 'em have it. But,
971 visioning is the reason that we do go to that; it's to throw everything out on the table and some of it sticks
972 and some of it doesn't. I'm sorry that there was such confusion as to what was gonna be on Surfside
973 Drive. I do apologize for that. We live with it. We get excited about it. We just assume that everybody
974 else is excited with us. But, clearly that wasn't so, and I do apologize for that as well. Thank you for
975 coming out, and hope to see you next time.
976

977 Mr. Stevens said I can recall sitting up here not that long ago hearing Ralph Magliette say this is a
978 little gem of a town, and it is. It's a great town, but he also, one of the things he used to talk about is that
979 we need to make government better where it's friendly to people. He believed in helping the businesses.
980 He promoted the buy local program, and those are important things. As far as Surfside Drive, we
981 should've done a lot better job in letting people know on Surfside Drive what the heck was happening.
982 Getting to sanitation. We just paved a road and it's going right in front of a powerful man in Horry
983 County Council [sic.] He's gonna get a benefit of it. We need to ask him for a favor back on the dad-gum
984 public waste thing to be open longer. So, sanitation is definitely something we've gotta take care of. All
985 we have to use is especially common sense approach to government [sic.] The common sense approach to
986 be take care of the residents and the businesses to make things better for 'em. I am ready, willing, and
987 able to get with the business committee and go over the 26 pages of sign ordinances, and do, research it,
988 and go through it with a fine tooth comb, and see what we can come up with, and hopefully, we can come
989 up with a solution that is beneficial to the business people, especially like the lady who said she owns it by
990 herself. I mean, let's face it. She's in a tough situation. She's by herself and she's got, she's not a like a
991 big, rich person like Piggly Wiggly, Burkes, and all that. So, we've gotta take care of the mom-and-pops.
992 They're our bread and butter of this world. Small businessman. So, remember that when you're out
993 shopping. Shop, buy local. This is a great town. Thank you for coming out. Glad you came here, and
994 everybody's that running for office get out there and hit the doors.
995

996 Mr. Childs said Ms. Mabry was right. Our visioning is just a wish list. I can show you last year's
997 visioning, and we didn't do three-quarters of everything on it, and the same thing with this year. It's just
998 like if every one of us in this place get together and what do you want, what do you want? That's our
999 visioning. We probably won't accomplish it or at least all of it. But that's what our vision is. It's not
1000 something that chiseled in stone and this is what we're gonna do. As far as Surfside Drive, anybody has a
1001 vision, just imagine how pretty Surfside Drive is gonna end up looking. It's gonna have curb and gutter;
1002 it's gonna have the proper drainage; it's gonna have new sidewalks; it's gonna have trees. So, when you
1003 come off of Business 17 looking down towards the ocean, it's just gonna be a beautiful sight. Our parking
1004 places will be organized. We haven't got how that's gonna be handled at this time. But, we were tarred
1005 and feathered when we did Surfside Drive, the commercial district. You'd be surprised the rumors that
1006 went around. We're gonna close it. Nobody will be able to go through there, and some of the arguments
1007 you just wondered where in the world did they come from. But, now the businesses are thriving. It looks
1008 nice. Everybody's proud of it, and the same naysayers are going well, I guess, yeah, that's not too bad after
1009 all. So, I think that Surfside Drive is gonna really work out. As far as the sign issue, there has been a lot.
1010 Mr. Stevens is very active on the business committee, and I hope that they do come up with a list and
1011 submit it to the [council.] Planning and zoning [meetings] are always open to anybody. But nobody
1012 shows up half the time. But then after these ordinances are adopted, then everybody gets up, oh, I didn't
1013 know about that. The town does the best they can do by notifying everybody that there's gonna be a
1014 meeting. Now, I know our budget hearings are held in town hall, because so many people said we don't
1015 want you to go in secret to a location to work on the budget. We want you to do it here in town hall so
1016 everybody can see what's going on. Guess what? Two people show up. So, with all the advertising we do,
1017 what we've gotta do is people have gotta, if they have a complaint, come before these committees and
1018 you'd be surprised how responsive they would be to you. But if just that small group has to make the
1019 decision, they don't have any input from anybody. They're gonna decide on exactly what they're fed, and I
1020 think a lot of the signage is the same thing. I really think there's a list that Mr. Stevens can get and they
1021 can actually target those particular issues. Then some of the ones that the town has that can't be changed,

Town Council Regular Meeting
January 26, 2016

1022 they can make you understand why they can't be changed. Why do we have a [code]; this is the reason
1023 why. I think a lot of misinformation is out there. I hope we can resolve that issue. I think we can, if we
1024 really work together. Get your input. We're up here to help everybody, believe me. This is a job that
1025 takes many hours and everybody up here puts, I think, more hours than you really realize trying to do
1026 things for the community. Thank you.

1027
1028 Mayor Samples said thank you, Mr. Childs. I couldn't agree more with you. For the record,
1029 "There's no secret plan to get rid of the fire department, okay. I know that was part of a mailer. There's
1030 no secret plan to get rid of Huckabee, Huckabee Park. Too many deed restrictions, okay, attached to it."

1031
1032 Mr. Childs asked if that went for the police department.

1033
1034 Mayor Samples said the mailers didn't mention the police department. He continued: "I
1035 apologize or regret the level of unseemliness that a recent mailing that went out. If you didn't get it, don't
1036 worry about it. If you did get it, you may have gotten, this is the second one in a series. I'm sure there are
1037 more planned. I regret that small town politics, particularly in our town, has gotten to such a hateful,
1038 that's the word I want to use, a hateful level. Rest assured, we're doing the best we can. We're not perfect.
1039 When we make mistakes we try to back up from them. I'll say I do support a review of Chapter 17 of the
1040 signage sections of the planning and zoning ordinance, if for no other reason than to simplify them so they
1041 are understandable. And, I'll go further. You've heard me talk about, we haven't done anything about it,
1042 the residential; the old residential houses on the south end for the most part. We've gotta figure out how
1043 to make our process easier so that those who wish to invest and make improvements in their homes, we
1044 enable them to do that. So it goes frankly for the businesses who occupy, let's just say older properties.
1045 But, anyway, thank you for coming out. Appreciate you paying attention those of you who lasted, and
1046 some of you may get the honor, as it is, to sit up here and do the work, and we have established much
1047 better relationships."

1048
1049 **11. ADJOURNMENT.**

1050
1051 Mr. Johnson moved to adjourn the meeting at 9:32 p.m. Ms. Mabry seconded. All voted in
1052 favor. **MOTION CARRIED.**

1053
1054 Prepared and submitted by,

1055
1056
1057 _____
Debra E. Herrmann, CMC, Town Clerk

1058 Approved: February 9, 2016

1059
1060
1061 _____
Douglas F. Samples, Mayor

1062
1063
1064 _____
David L. Pellegrino, Mayor Pro Tempore

1065
1066 _____
Robert F. Childs, Town Council

1067
1068 _____
Mark L. Johnson, Town Council

1069 _____
Mary Beth Mabry, Town Council

1070
1071 _____
Randle M. Stevens, Town Council

1072 _____
Vacant Seat

1073 Clerk's Note: This document constitutes summary minutes of the meeting that was digitally recorded.
1074 Contact the town clerk for appointments to hear recordings. Bring a flash drive to obtain a free copy. In
1075 accordance with FOIA §30-4-80, meeting notice and the agenda were distributed to local media and
1076 subscribers on the town's email subscription list. The agenda was posted on the town website and the
entry door at Town Council Chambers. Meeting notice was also posted on the Town marquee.