SURFSIDE BEACH TOWN COUNCIL MEETING MINUTES
REGULAR MEETING OCTOBER 9, 2018 • 6:30 P.M.
TOWN COUNCIL CHAMBERS

Executive Session – 5:45 p.m.

Mayor Childs called Town Council to order at 5:45 p.m. on Tuesday, October 9th, 2018 for the purpose of entering executive session pursuant to the Freedom of Information Act § 30-4-70(a)(1) to discuss the appointment of a person or persons to a public body, and pursuant to FOIA § 30-4-70-(a)(2) to discuss other matters of attorney-client privilege. Mayor Childs, Mayor Pro Tempore Pellegrino, and Councilmembers Dietrich, Johnson, Ott, Scoles, and Stevens were in attendance. A quorum was present. Others present: Town Attorney Crosby; Town Administrator Pieper, and Town Clerk Herrmann. Mr. Stevens moved to enter executive session at 5:45 p.m. Mr. Ott second. All voted in favor. MOTION CARRIED. Mr. Johnson moved to reconvene regular session at 6:23 p.m. Mr. Stevens second. All voted in favor. MOTION CARRIED. Mayor Childs said for the record that no action was taken during executive session. Any action will be taken during the regular meeting under item 7, Business. Mayor Childs declared the session adjourned at 6:23 p.m.

Town Council Meeting – 6:30 p.m.

1. CALL TO ORDER. Mayor Childs called the regular meeting to order at 6:30 p.m. Mayor Childs, Mayor Pro Tempore Pellegrino, and Councilmembers Dietrich, Johnson, Ott, Scoles, and Stevens were in attendance. A quorum was present. Others present: Town Attorney Crosby; Town Administrator Pieper; Town Clerk Herrmann, and Planning, Building & Zoning Director Morris.

2. INVOCATION AND PLEDGE OF ALLEGIANCE. A. Invocation: Reverend Kirk Lawton, Ocean Lakes Campground Ministries, was unable to attend. Mr. Pellegrino gave the invocation. B. Pledge of Allegiance: Mayor Childs led the Pledge.

3. AGENDA APPROVAL. Mr. Stevens moved to adopt the agenda as presented. Mr. Ott second. All voted in favor. MOTION CARRIED.

4. MINUTES APPROVAL. Regular Meeting September 25, 2018 and Workshop September 27, 2018. Mr. Stevens moved to adopt the September 25, 2018 regular meeting minutes and the September 27, 2018 workshop minutes as presented. Mr. Dietrich second. All voted in favor. MOTION CARRIED.

5. PUBLIC COMMENTS. Agenda Items Only.

Mr. Bill Kinken, North Dogwood Drive, was concerned about the overlays for both Highway 17 and the pier. Before council votes, he hoped it had the best solutions. In his opinion, a professional planner should have been consulted. A year is not enough time to allow improvements on Highway 17.

Ms. Liz Bradley, Juniper Drive, commented that all bags marked 'biodegradable' are mostly not biodegradable components, and could take up to 900 days to break down, and create problems in landfill shredders. They have to be recycled at specific locations, which most people do not know.

6. COMMUNICATIONS.

A. Administrator’s Report. Administrator Pieper said operations had returned to normal since Hurricane Florence. He thanked staff and volunteers for the great job on the Family Festival. It was a
very successful event. The resolution for Work Place Safety is the town’s commitment to provide a safe
work place for its employees; he encouraged council to adopt it, because it is an annual requirement of
the insurance provider.

7. BUSINESS.

A. Ordinances:

i. Second Reading Ordinance #18-0874 Establish Entertainment District, Director Morris. Mr. Ott moved to adopt second reading of Ordinance #18-0874 as presented. Mr. Dietrich and Mr. Stevens second. Ms. Morris presented the decision paper and ordinance, copies of which are on file. Mayor Childs moved to amend Ordinance #18-0874 to include the applicable language set forth on Exhibit A and that Exhibit A be incorporated into the ordinance. Mr. Dietrich and Mr. Ott second. Mr. Johnson called point of order and asked if the mayor could offer motions. Mayor Childs said yes. Mayor Childs, Mayor Pro Tempore Pellegrino, and Councilmembers Dietrich, Ott, Scoles and Stevens voted in favor. Councilmember Johnson voted no. _MOTION TO AMEND CARRIED._ All voted in favor of the primary motion as amended. _MOTION CARRIED AS AMENDED._

ii. Second Reading Ordinance #18-0875 Amend Future Land Use in the Comprehensive Plan, Director Morris. Mr. Ott moved to adopt second reading of Ordinance #18-0875 as presented. Ms. Scoles and Mr. Stevens second. Ms. Morris presented the resolution of the planning commission, the decision paper and ordinance, copies of which are on file. All voted in favor. _MOTION CARRIED._

iii. Second Reading Ordinance #18-0876 Rezone C3 to C4, Director Morris. Mr. Ott moved to adopt second reading of Ordinance #18-0876 as presented. Mr. Stevens second. The decision paper and ordinance copies are on file. All voted in favor. _MOTION CARRIED._

iv. Second Reading Ordinance #18-0878 Obstructions Prohibited [In Rights-of-way], Administrator Pieper. Mr. Stevens moved to adopt second reading of Ordinance #18-0878 as presented. Mr. Ott second. Mr. Pieper presented the decision paper and ordinance, copies of which are on file. All voted in favor. _MOTION CARRIED._

v. Second Reading Ordinance #18-0880 Amend Single Use Plastic Bags, Administrator Pieper. Mr. Stevens moved to adopt second reading of Ordinance #18-0880 as presented. Mr. Ott second. Mr. Pieper presented the decision paper and ordinance, copies of which are on file. Mr. Pellegrino said enforcement should ensure the biodegradable bags actually biodegrade, and as stated at the last meeting, biodegradable bags do nothing to protect wildlife. He believes this amendment defeats the intent of the ordinance. Mr. Ott reminded councilmembers that the ordinance would be reviewed at the one-year anniversary to determine its value. Mayor Childs and Councilmembers Ott, Scoles and Stevens voted in favor. Mayor Pro Tempore Pellegrino and Councilmembers Dietrich and Johnson voted against. _MOTION CARRIED._

vi. Second Reading Ordinance #18-0881 to Establish Overlay in Entertainment District, Director Morris. Mr. Stevens moved to defer second reading of Ordinance #18-0881. Mr. Ott second. All voted in favor. _MOTION CARRIED._

vii. First Reading Ordinance #18-0879 to add C4 Entertainment District to Chapter 14, Flood Prevention, Director Morris. Mr. Ott moved to adopt first reading of Ordinance #18-0879 as presented. Mr. Stevens second. Ms. Morris presented the decision paper and ordinance, copies of which are on file. Mayor Childs moved to amend Ordinance #18-0874 to include the applicable language set forth on Exhibit A and that Exhibit A be incorporated into the ordinance. Mr. Ott second. Mayor Childs, Mayor Pro Tempore Pellegrino, and Councilmembers Dietrich, Ott, Scoles, and Stevens voted in favor. Councilmember Johnson voted against. _MOTION TO AMEND CARRIED._ Mayor Childs, Mayor Pro
Tempore Pellegrino, and Councilmembers Dietrich, Ott, Scoles, and Stevens voted in favor. Councilmember Johnson voted against. **MOTION CARRIED AS AMENDED.**

**B. Resolution #18-194 Workplace Safety, Administrator Pieper.** Mr. Stevens moved to adopt Resolution #18-194 Workplace Safety. Mr. Ott second. All voted in favor. Mr. Pieper explained this resolution is presented annually for approval and the town gets credit on its insurance program for actively supporting a safe work place. All voted in favor. **MOTION CARRIED.**

**C. Resolution from Keep Surfside Beach Beautiful Committee to Declare a Seat Vacant, Mayor Childs.** Mayor Childs explained that the committee spoke with Ms. Lauer prior to adopting the resolution. Mr. Stevens moved to accept the resolution and declare the seat vacant. Ms. Scoles second. All voted in favor. **MOTION CARRIED.**

**D. Method by which PB&Z Department receives Complaints, Administrator Pieper.** Mr. Pieper presented the decision paper, a copy of which is on file. Mr. Stevens moved to direct that the planning commission consider repealing Section 17-209 at its November 6, 2018 meeting and that its recommendation be added to the December 11, 2018 council meeting agenda for Town Council’s consideration. Mr. Ott second. All voted in favor. **MOTION CARRIED.**

**E. Appointments.** i. Construction Board of Appeals (3 vacancies), Mr. Orlando Arteaga; ii. Keep Surfside Beach Beautiful (2 vacancies), Ms. Julie Faber, Ms. Linda Woodlief, and iii. Planning Commission (1 vacancy) Mr. Robert Hellyer, Mr. Jeff Hines, Mr. Hans Neugebauer. Mr. Ott moved to appoint Mr. Arteaga to the Construction Board of Appeals, Ms. Faber and Ms. Woodlief to the Keep Surfside Beach Beautiful committee, and Mr. Hellyer to the Planning Commission. Mr. Stevens second. All voted in favor. **MOTION CARRIED.**

**F. Motions and/or directions resulting from Executive Session held at 5:45 p.m.** Mayor Childs said there were no motions or directions resulting from executive session.

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

Mr. Stevens said, “I want this on the record and it should be, it’s verbatim. On Monday, September 3rd at 10:46 p.m. an heroic event happened in the Town of Surfside Beach. Surfside Beach Fire Department responded to a fire at 12 Myrtle Drive off of Surfside Drive. Surfside Beach Firemen Captain Sacra and Engineer Miller, with two ‘l’s, and Horry County Paramedic DuBarr and EMT Hyatt responded to the fire within two to three minutes tops. Upon arriving at the scene Engineer Miller wearing a self-contained breathing apparatus battled through thick, toxic smoke and discovered a male weighing 220 pounds laying on the floor unconscious. Engineer Miller physically dragged the 220 male, pound male out of the toxic smoke-filled house. The Horry County Paramedic DuBarr and EMT Hyatt started medical treatment. The male was taken to the hospital in the ambulance and was treated for smoke burns to his lungs and was released from the hospital about two weeks ago. The quick and rapid response by Surfside Beach Fire Department by Captain Sacra and the removal of the male from the toxic smoke-filled residence by Engineer Miller saved this man’s life. The Horry County Paramedic DuBarr and EMT Hyatt stabilized the man’s condition until they got to the hospital and the man received expert medical treatments from doctors. This man is now walking around alive because of the expertise, the training, and the quick response of the Surfside Beach Fire Department and the Horry County Ambulance Service stationed at the Surfside Beach Fire Department. This is a prime example of why all citizens in the Town of Surfside Beach should be thankful we have some of the finest people serving in our Surfside Beach Fire Department. I, as a councilman, wish to thank Captain Sacra, Engineer Miller for his heroic feat, and the Horry County Paramedic DuBarr and EMT Hyatt for their service to the sound, to the citizens of this town. God bless all these four heroes who saved a life in the Town of Surfside Beach. I believe that all four men should be publicly recognized for their heroism at the next council meeting. I am asking for a consensus from council to do this.” Town Council CONCURRED.
9. PUBLIC COMMENTS. General Comments.

Ms. Mary Ellen Abrams, 13th Avenue North, said the ordinance was adopted to limit the use of single use plastic bags, but the recyclable bags being given by one town grocery store is not allowed in the blue recycle bins. She said the town should do additional education about proper recycling so people will know what can be put in the town's blue recycle bins.

10. TOWN COUNCIL COMMENTS.

Mr. Dietrich thanked Mr. Stevens for the information on the fire rescue. In his opinion, the plastic bag issue is not being communicated well, and should be addressed moving forward. There is a problem defining what is recyclable and invited anyone with comments to contact him.

Mr. Johnson was amazed that council received a two page Exhibit A that was adopted as amendments. He served on planning commission for several years. If it wasn’t State mandated, he was sure this council would abolish that commission, because all of its suggestions are being changed.

Ms. Crosby asked Mayor Childs as a point of clarification to the Exhibit A amendments that were referenced by him and Mr. Johnson, whether his amendments in Exhibit A were reduced to writing and distributed to the clerk to council and councilmembers. Mayor Childs responded yes. (Clerk's Note: Exhibit A was distributed at the meeting to councilmembers, staff, the public, and the news media.)

Mr. Ott agreed the plastic bag ban was difficult. He didn't want to punish the town's businesses, but in many large cities, they prohibit the plastic bags or the customer pays for a one. This is a cultural change, and it will eventually come to be that everyone carries their reusable bags or stores have compliant bags. We will see what the impact is when council reviews the ordinance [in January 2019.]

Mayor Childs believed the point about the biodegradable bags is that there is no standard set; it is a gray area. Until standards are set, there is no way to address the issue effectively.

Mr. Pellegrino explained he voted against the amendment on the plastic bags, because it there was a discussion about bags causing wildlife harm when council originally adopted the ban on single use bags. The ordinance should be enforced as adopted. The ability of the firefighters and paramedics to save the victim's life was a demonstration of the excellent training staff receives. The Family Festival was very successful; thank you to all involved. The Exhibit A amendments for the entertainment district were received today. I was going to vote against the ordinance, because I thought it was too strict. The amendments offered resolved many of my questions. I supported the ordinance, which will allow investors to develop property that will bring in more revenue for the town. Stormwater plans have to be developed to comply with CRS and FEMA.

Ms. Scoles said she appreciates the fire department, and all other departments as they all do a fine job. She encouraged everyone to be prepared for the Tropical Storm Michael that is heading this way.

Mr. Stevens emphasized the importance of appreciation the fire department staff, and that the town provided training and equipment to enable Engineer Miller to save a life. The town must take a stand to be business friendly. Manufacturing, coal, and oil business are flourishing again in the country, and unemployment is at a 50-year low. This happened in the last two years. We need to do the same thing in Surfside Beach. The entertainment district must be valuable to the
investors, because it will benefit the town and its citizens in the long run with more hospitality tax
revenue. The same principle needs to be applied to the Highway 17 overlay to encourage
businesses to develop. The Ralph Magliette Senior Citizens Fair is Friday, October 19 from 10:00
a.m. to 2:00 p.m. at the fire station. Thank you again to the Keep Surfside Beach Beautification
Committee for the “It’s a Wonderful Life” holiday season initiative for the town, and encouraged
everyone to participate.

11. ADJOURNMENT. Mr. Johnson moved to adjourn the meeting at 7:14 p.m. Mr.
Dietrich second. All voted in favor. MOTION CARRIED.

Prepared and submitted by:

_____________________________________________
Debra E. Herrmann, CMC, Town Clerk

Approved:  October 23, 2018

Surfside Beach Town Council

_____________________________________________
Robert F. Childs, III, Mayor

_____________________________________________
David L. Pellegrino, Mayor Pro Tempore  Bruce H. Dietrich, Town Council

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Mark L. Johnson, Town Council  Ron Ott, Town Council

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Debbie Scoles, Town Council  Randle M. Stevens, Town Council

Clerk’s Note:  This document constitutes action minutes of the meeting that was digitally recorded.
Appointments to hear recordings may be made with the town clerk; a free copy of the audio will be given
to you provided you bring a new, unopened flash drive. In accordance with FOIA §30-4-80(A) and (E),
meeting notice and the agenda were distributed to local media and interested parties via the town’s email
subscription list. The agenda was posted on the entry door at Town Council Chambers. Meeting notice
was also posted on the town website at www.surfsidebeach.org and the marquee.