



TOWN OF SURFSIDE BEACH
115 US Highway 17 North, Surfside Beach, SC 29575
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TOWN COUNCIL SPECIAL MEETING SURFSIDE BEACH FIRE STATION WEDNESDAY, APRIL 17, 2013 ♦ 6:30 P.M.

A G E N D A

1. **CALL TO ORDER** – Mayor Douglas F. Samples
2. **PUBLIC COMMENTS – AGENDA ITEMS**
3. **BUSINESS**
 - A. A-Tax Funding Recommendations, Finance Director King
 - B. First Reading Ordinance #13-0747, FY2012-2013 Budget Amendments, Finance Director King
 - C. Second Reading Ordinance #13-0744 §9-16, ¶(a) Decals and Exemptions, Administrator Fellner
 - D. First Reading Ordinance #13-0745, amend Chapter 9, Motor Vehicles and Traffic (*Except §9-16, ¶(a), which is addressed in Ordinance #12-0727, Item B above*), Councilmember Smith
 - E. First Reading Ordinance 13-0746 to amend §8-36 Fireworks, ¶(f), Administrator Fellner
 - F. Workshop – C-3 Zoning District §17-395 and §17-420, Parking Requirements, Director Morris
 - G. Meeting Minutes Preparation, Councilmember Kohlmann
4. **ADJOURNMENT**



**SURFSIDE BEACH TOWN COUNCIL
SPECIAL COUNCIL MEETING MINUTES
APRIL 17, 2013 ♦ 6:30 P.M.
SURFSIDE BEACH FIRE STATION CONFERENCE ROOM**

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1. **CALL TO ORDER.**

Mayor Samples called the special meeting to order at 6:30 P.m. Mayor Samples, Mayor Pro Tempore Mabry, and Councilmembers Dodge, Kohlmann, Johnson, Smith and Stevens were in attendance. A quorum was present. Others present: Administrator Fellner, Finance Director King, Planning Director Morris, Police Chief Keziah and Town Clerk Herrmann.

Mayor Samples asked everyone to observe a moment of silence to remember those killed and wounded at the Boston Marathon.

2. **PUBLIC COMMENTS – AGENDA ITEMS**

Mr. Bert Krassin, vice chairman of the business committee, said all the businesses in town are having problems because of the parking meters. As it is now, vendors have difficulty parking to provide their services. He suggested giving two colored stickers to vendors that have a town business license to park between 7 a.m. and 7 p.m., Monday through Friday. If the businesses needed more than two stickers, he suggested a charge for additional stickers. He thanked council for considering the suggestion and addressing the matter.

Mr. Mil Servant, Surfside Realty, said the meters affect their ability to service the rental properties. Often vacationers arrive early in the day and are allowed to park at the home they are renting, while the service vendors are performing their jobs. This takes up the parking at the house and leaves the vendors to park on the boulevard. There is a finite amount of time for cleaning and servicing the rental homes, and condos, which on some days included up to 500 units. It would be beneficial if a plan could be developed to allow vendors to park. He said Mr. Krassin's suggestion was good, but in his business, the main activities are on Saturdays and Sundays, the check out days.

3. **BUSINESS.**

A. A-Tax Funding Recommendations, Finance Director King.

Ms. King said the accommodations tax committee met on April 10, 2013 and recommended the purchase of the following from the Fiscal Year 2012-2013 accommodations tax funds in the total amount of \$47,800, which included two shower towers, two John Deere Gators, one used 4-wheel drive sports utility vehicle, and ruggedized 2-way radios.

Mr. Smith moved to fund the recommendations as presented in the total amount of \$47,800 using FY2012-2013 accommodations tax funds. Ms. Mabry seconded. All voted in favor. **MOTION CARRIED.**

B. First Reading Ordinance #13-0747, FY2012-2013 Budget Amendments, Finance Director King.

Ms. King presented the budget amendments outlined on the ordinance. The general fund items were for the newsletter, professional services for the coyotes, turn out gear for the fire department, claims paid for injured employees, increase in workers compensation premiums, and insurance not budgeted; capital project changes include paving and refurbishing council chambers for mold remediation. Hospitality funds include three radios for the police, addition meters and pay stations, and additional signs and landscaping for parking. Accommodation tax funds include the items just approved in the last business item; and the pier fund has capitalized assets: pilings/wrap; deck expansion, pay stations, and depreciation expense.

56
57 Mr. Smith moved to adopt first reading of Ordinance Number 13-0747. Ms. Mabry seconded. All
58 voted in favor. **MOTION CARRIED.**
59

60 **C. Second Reading Ordinance #13-0744, §9-16, ¶(a) Decals and Exemptions, Administrator**
61 **Fellner.**
62

63 Ms. Fellner explained that the ordinance was amended to state the language submitted by Mr.
64 Smith and would clearly identify the free parking decal process for both residents and nonresidential
65 property owners.
66

67 Mr. Smith moved to adopt second reading of Ordinance #13-0744. Ms. Kohlmann seconded.
68 Mayor Samples, and Councilmembers Dodge, Johnson, Kohlmann, Smith and Stevens voted in favor.
69 Mayor Pro Tempore Mabry voted against. **MOTION CARRIED.**
70

71 **D. First Reading Ordinance #13-0745, amend Chapter 9, Motor Vehicles and Traffic**
72 **(Except §9-16, ¶(a), which is addressed in Ordinance #12-0727, Item B above), Councilmember**
73 **Smith.**
74

75 Mr. Smith moved to adopt first reading of Ordinance #13-0745. Mr. Stevens seconded.
76

77 Mr. Smith said changes in the ordinance addressed golf carts, and jurisdiction over parking in
78 regards to the contract with Lanier Parking Solutions. He appreciated Ms. Fellner's efforts on this
79 ordinance.
80

81 Mayor Samples felt there were still areas that needed to be addressed in the ordinance with
82 respect to the service vendors and businesses in town. He could support adopting first reading, but felt
83 that more work was necessary prior to adopting second reading.
84

85 Ms. Fellner said that Mr. Smith and she had reviewed the ordinance and compared the town's
86 code to codes from other municipalities. She believed there was a lot of information to be shared prior to
87 second reading, in addition to addressing the business vendors' needs. Ms. Fellner suggested that
88 Carrie Loomis from Lanier Parking Solutions meet with council and the business community so a mutually
89 beneficial solution could be reached.
90

91 Mr. Stevens said the business committee discussed the service vendors' needs at its meeting last
92 night, and he agreed with Ms. Fellner's recommendation for another meeting with the parties involved.
93

94 Mr. Johnson moved to suspend rules to allow discussion. Ms. Mabry seconded. All voted in
95 favor. **MOTION CARRIED.**
96

97 Mr. Servant said his service vendors begin as soon as the sun rises in the morning and sometime
98 are still working at dark. People are arriving and leaving the rental houses while the crews are working
99 around them. The people coming to check in are told to park their cars at the houses and go enjoy the
100 beach while the crews finish up. So, there may or may not be parking at the houses where the service
101 crews can park. There are linen trucks making deliveries, landscaping crews, inspectors and others that
102 need to park, but there is no place for them at the property when the tenants are still there.
103

104 Mr. Johnson said whatever the solution is, it would have to include 7-days a week.
105

106 Mr. Gene Maruca, Old Colony Realty, said his crews have the same problem as Mr. Servant's.
107 There are service vehicles on the boulevard every day of the week during the summer. There is no place
108 for landscapers to pull off the boulevard onto condo property or residential property, because the trailers
109 are so big; the same applies to the linen trucks. Earlier he heard service companies would be limited to
110 two stickers. Mayor Samples said that was a suggestion from the business committee. Mr. Maruca said
111 some companies have 20 or 30 vehicles; two stickers would not be much good to them.

112
113 Mr. Stevens asked Mr. Maruca what his check in day is and when the service vendors began
114 work. Mr. Maruca said on Saturdays, his check out/check day, landscapers and pool service companies
115 are at the properties working while vacationers are getting ready to leave and while they are arriving. Mr.
116 Stevens asked what percentage of guests showed up at 10 o'clock. Mr. Maruca said everybody wants to
117 get in as early as possible.
118

119 Mr. Johnson believed council was "behind the 8-ball," because the season was here and the
120 problem needs to be addressed. He asked what could be done and whatever the solution is it must be
121 done quickly, because vendors are getting ticketed now. Personally, he would allow every company to
122 have a free parking sticker because the town wants to encourage and attract business. That, in his
123 opinion, would be business friendly.
124

125 Ms. Mabry said she talked about how the summer tourist industry operates at the last meeting.
126 Businesses like Dunes and Surfside realty companies take reservations, and have choices about where
127 to place their customers. The town is begging everyone to put their customers in Surfside Beach. Now
128 the town is not accommodating the service industries that work in tourism. All the rental companies have
129 properties in other areas and they can place their customers in those other locations. She was begging
130 to keep them in Surfside; it is how the town makes its money. All the businesses are not on Highway 17.
131 Ocean Boulevard is a business. The accommodations tax dollars came from Ocean Boulevard. She said
132 that council may want to consider that when rushing through ordinances with little meaning and little
133 thought that create huge problems.
134

135 Mayor Samples said unless there was objection, before the workshop is scheduled with Lanier,
136 that staff meet with the realtors and vendors to ascertain reasonable suggestions to resolve this problem.
137

138 Mr. Maruca asked if it was possible for council to exempt service vehicles from meter fees. There
139 were more than just cleaning crews; there are cable companies, electricians, plumbers, and more. Mayor
140 Samples appreciated the comment, but council has to clearly articulate to Lanier Parking Solutions who
141 will implement council's directive. There are financial incentives for Lanier to do exactly what they are
142 instructed to do.
143

144 Mr. Johnson moved to reconvene regular session. Ms. Mabry seconded. All voted in favor.
145 Motion carried.
146

147 Ms. Fellner suggested meeting Monday, May 6th at 6:30 p.m. Council concurred.
148

149 Mayor Pro Tem Mabry, and Councilmembers Dodge, Johnson, Kohlmann, Smith and Stevens
150 voted in favor. Mayor Samples voted against. **MOTION CARRIED.**
151

152 **E. First Reading Ordinance #13-0746 to amend §8-36 Fireworks, ¶(f), Administrator**
153 **Fellner.**
154

155 Ms. Fellner said this ordinance simply removed the term "ordinance summons" and replaced it
156 with "traffic ticket," which is the correct document on which citations are issued for fireworks violations.
157

158 Mr. Johnson moved to approve first reading of Ordinance #13-0746. Mr. Smith seconded.
159

160 Mr. Smith asked if it was easier to collect fines with a traffic ticket. Chief Keziah said the violator
161 cannot be arrested for a fireworks offense, so the traffic ticket form is used. Mr. Smith asked how much
162 the fine amount was. Chief Keziah said up to \$500 plus court costs totaling \$1,092.50. The fine amount
163 can be reduced by the judge if they appeared in court.
164

165 Mr. Stevens asked what the minimum and maximum fine amounts were. Ms. Fellner said that the
166 minimum was up to the judge; the maximum is \$1,092.50. Mr. Stevens asked if fireworks were ever

167 allowed in town and who wrote the tickets. Chief Keziah said fireworks were allowed only on July 4th and
168 primarily the beach patrol officers wrote the tickets.
169

170 Ms. Kohlmann said she understood now why many summonses were not issued, because that
171 would be a good way to run off the tourists. She never knew the fines were so high.
172

173 All voted in favor. **MOTION CARRIED.**
174

175 Mayor Samples called for recess at 7:17 p.m. and reconvened the meeting at 7:24 p.m.
176

177 **F. Workshop – C-3 Zoning District §17-395 and §17-420, Parking Requirements, Director**
178 **Morris.**
179

180 Mayor Samples opened the workshop at 7:24 p.m.
181

182 Ms. Morris presented a slide presentation and the consideration paper for the amendments,
183 copies of which are on file. She said the parking committee and the planning and zoning commission
184 both unanimously recommend the amendments. The FEMA regulations require that any of the
185 businesses in the C-3 district be elevated if they are remodeled more than 50-percent or destroyed. The
186 recommended amendments will require owners to use at least 80-percent of the allowable parking
187 beneath the buildings. In every single case the parking will increase over what is currently available. The
188 change to a percentage of allowable parking insures that new construction has as many parking spaces
189 as possible. The recommendation is that businesses on the west side of the boulevard between Surfside
190 Drive and 1st Avenue South have one-way in from Ocean Boulevard and exit onto Yaupon Drive, which
191 will maximize parking and also keep traffic from crossing the boulevard in the busy area. The public
192 works director could not find any problems with those cars exiting onto Yaupon Drive.
193

194 Mr. Smith asked what the normal lot size in the district. Ms. Morris said 6,000 square feet. Mr.
195 Smith asked if adjacent properties could share a driveway. Ms. Morris said yes, as long the parking is
196 one-way and the fire department approved. Mr. Smith asked if the buildings could be bigger if a driveway
197 was shared. Ms. Morris said the set back requirements would still have to be met, so the building would
198 not be any larger.
199

200 Ms. Morris explained that the code already states that offsite properties that are used for business
201 parking must be kept for that purpose until other parking is provided, and that will not change. The lot
202 used for parking at Neal's & Pam's is actually zoned residential, but is used parking as long as the
203 building exists. Once the building goes away, the grandfather provision expires. Several examples were
204 given of parking for the various businesses that are currently located in the district. Parking spaces were
205 calculated at 9-foot x 18-foot spaces.
206

207 Mr. Ott asked if the number of handicapped parking spaces increased along with the number of
208 other spaces. Ms. Morris said that is required based on square footage of the building, as well.
209

210 Ms. Morris explained that requiring 80-percent of allowable spaces would leave space for elevator
211 shafts, stairs, and other uses underneath the building. The current code would require 72 parking spaces
212 for the pier, not including the two buildings on the pier. The restaurant based on square footage would
213 require 34 parking spaces; the retail store would require 60 spaces. The lots are too small, and the
214 proposed amendments would allow for commercial redevelopment and future development. Otherwise,
215 the property will probably revert back to R-1 use, because commercial development could not meet
216 parking requirements.
217

218 Ms. Kohlmann thanked Ms. Morris for the presentation, and liked the presentation.
219

220 Mr. Smith asked about liquor store requirements. Ms. Morris said liquor stores only require
221 spaces per employee; the new guidelines require many more spaces. If the code remains as it is, a liquor
222 store would only have to have three or four spaces. Mr. Smith asked if arcades and billiard parlors were

223 similar, and believed those businesses should be discouraged from the district. Ms. Morris said they were
224 similar.
225

226 Ms. Mabry said this was a wonderful presentation and she believed in development. It was
227 important that the town maintain its amusement area, even though it was small. People want to go to the
228 pier, out to eat, and shop. She believed this was a great way to promote redevelopment and have the
229 best use of the property.
230

231 Mayor Samples said the reality is that for the benefit of the town, the town has a zoning
232 ordinance. The world is changing and expectations are higher. He personally he believed Town Council
233 should support the recommendation, because when the existing buildings are destroyed, residential
234 development will occur, because commercial businesses would not be viable.
235

236 Mr. Stevens read portions of an article from *The Myrtle Beach Herald* in which Ms. Morris
237 received high accolades. She was commended for the manner in which she dealt with new business
238 owners in town. He said kudos to her.
239

240 Mr. Servant commended the town for forward thinking, and believed it would encourage current
241 owners to improve their properties now.
242

243 Mr. Johnson said that the parking committee and the planning and zoning commission
244 recommended approval of the amendments.
245

246 Mr. Ott asked if the additional parking under the buildings would impact metered parking at the
247 pier, and whether the private owners could install their own meters. Mayor Samples said the idea is that
248 the business parking would be private.
249

250 Mayor Samples asked Ms. Morris to present the ordinance for second reading at the next regular
251 meeting, and closed the workshop at 7:46 p.m.
252

253 **G. Meeting Minutes Preparation, Councilmember Kohlmann.** 254

255 Ms. Kohlmann said believed council concurred to requiring verbatim meeting minutes. She paid
256 attention during the workshop with Mr. Taylor from the Municipal Association when he said suggested to
257 allow the clerk to prepare summary minutes. She believed summary minutes should be prepared for a
258 trial period, and if they are not satisfactory, the council can revisit the preparation style. She reminded
259 everyone that any councilmember may stated "for the record" when they have something they want
260 verbatim. She said the minutes should avoid just quoting one councilmember. She asked if council
261 would concur to having the clerk prepare summary minutes.
262

263 Mayor Samples agreed.
264

265 Mr. Smith said that council comments and public comments should remain verbatim.
266

267 Mr. Johnson concurred.
268

269 Mayor Samples asked if there was consensus for Ms. Kohlmann's recommendation. **All**
270 **members CONCURRED.**
271


272 Mr. Smith asked when staff would be instructed about the parking decals regulations. Ms. Fellner
273 said that had already been done, because it was clearly council's intention when first reading was
274 adopted. Mr. Smith asked how those whom had already registered their carts would be notified to get a
275 parking decal. Ms. Fellner said a letter will be sent, hopefully by this coming Friday, and then time will be
276 given for them to respond before Lanier is directed further. Mr. Smith asked her to keep council informed.
277

278 Mr. Ott believed golf carts should be registered prior to parking stickers being issued. Ms. Fellner
279 said they are required to be registered first.
280

281 Mayor Samples introduced Mr. Al Lauer who was appointed to the planning and zoning
282 commission at the last council meeting. He thanked everyone for attending.
283

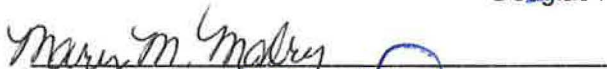
284 4. **ADJOURNMENT.** Mr. Smith moved to adjourn the meeting at 7:53 a.m. Ms. Mabry
285 seconded. All voted in favor. **MOTION CARRIED.**
286

287 Prepared and submitted by,


288 
289 _____
290 Debra E. Herrmann, CMC, Town Clerk

291 Approved: May 14, 2013

292 
293 _____
294 Douglas F. Samples, Mayor

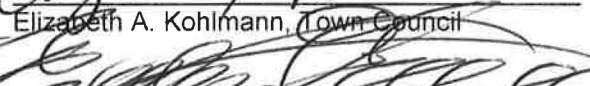
295 
296 _____
297 Mary M. Mabry, Mayor Pro Tempore

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299 _____
300 Mark L. Johnson, Town Council

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302 _____
303 Roderick E. Smith, Town Council

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305 _____
306 Ann Dodge, Town Council

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308 _____
309 Elizabeth A. Kohlmann, Town Council

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311 _____
312 Randle M. Stevens, Town Council

313 Clerk's Note: This document constitutes summary minutes of the meeting, which was audio taped. This meeting was transcribed by Town Clerk
314 Herrmann. In accordance with FOIA, meeting notice and the agenda were distributed to local media and interested parties. The agenda was posted on
bulletin boards outside Council Chambers and in the Town Hall reception area. Meeting notice was also posted on the Town marquee. When (**) is
used, a section of the transcription is inaudible. Public Comments and Council Comments made during Special Meetings are edited.

State of South Carolina)
County of Horry)
Town of Surfside Beach)

*Resolution of the
Accommodations Tax Advisory Committee*

WHEREAS, the Accommodations Tax Advisory Committee met on April 10, 2013 in a duly called meeting where a quorum of its members were present, after due deliberation approved by motions recommendations to the Town Council of the Town of Surfside Beach for the following:

Departmental Funding Requests	FY2012-2013 Funds Description	Funding Amount
Public Works	2 Shower Towers	\$2,700
Police	2 John Deere Gators	\$20,000
Police	1 Used 4-wheel Drive Sports Utility Vehicle	\$20,000
Police	Ruggedized 2-way Radio	\$3,100

NOW, THEREFORE, BE IT RESOLVED, that the Accommodations Tax Committee for the Town of Surfside Beach hereby recommends approving the above stated expenditures to the Town Council of the Town of Surfside Beach.

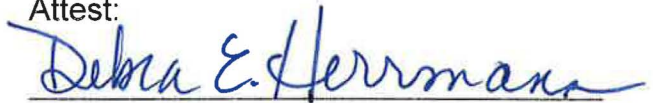
BE IT FURTHER RESOLVED, that the Accommodations Tax Committee hereby recommends that said funds be expended from the Fiscal Year 2012-2013 budget.

BE IT SO RESOLVED. Signed, sealed and adopted this 11th day of April 2013.



Bruxanne Hein, Vice Chairman

Attest:



Debra E. Herrmann, CMC, Town Clerk