



**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

54 very successful event. The resolution for Work Place Safety is the town's commitment to provide a safe
55 work place for its employees; he encouraged council to adopt it, because it is an annual requirement of
56 the insurance provider.

57
58 **7. BUSINESS.**

59 **A. Ordinances:**

60
61
62 **i. Second Reading Ordinance #18-0874 Establish Entertainment District, Director**
63 **Morris.** Mr. Ott moved to adopt second reading of Ordinance #18-074 as presented. Mr. Dietrich and Mr.
64 Stevens second. Ms. Morris presented the decision paper and ordinance, copies of which are on file.
65 Mayor Childs moved to amend Ordinance #18-0874 to include the applicable language set forth on
66 Exhibit A and that Exhibit A be incorporated into the ordinance. Mr. Dietrich and Mr. Ott second. Mr.
67 Johnson called *point of order* and asked if the mayor could offer motions. Mayor Childs said yes. Mayor
68 Childs, Mayor Pro Tempore Pellegrino, and Councilmembers Dietrich, Ott, Scoles and Stevens voted in
69 favor. Councilmember Johnson voted no. **MOTION TO AMEND CARRIED.** All voted in favor of the
70 primary motion as amended. **MOTION CARRIED AS AMENDED.**

71
72 **ii. Second Reading Ordinance #18-0875 Amend Future Land Use in the Comprehensive**
73 **Plan, Director Morris.** Mr. Ott moved to adopt second reading of Ordinance #18-0875 as presented.
74 Ms. Scoles and Mr. Stevens second. Ms. Morris presented the resolution of the planning commission, the
75 decision paper and ordinance, copies of which are on file. All voted in favor. **MOTION CARRIED.**

76
77 **iii. Second Reading Ordinance #18-0876 Rezone C3 to C4, Director Morris.** Mr. Ott
78 moved to adopt second reading of Ordinance #18-0876 as presented. Mr. Stevens second. The decision
79 paper and ordinance copies are on file. All voted in favor. **MOTION CARRIED.**

80
81 **iv. Second Reading Ordinance #18-0878 Obstructions Prohibited [In Rights-of-way],**
82 **Administrator Pieper.** Mr. Stevens moved to adopt second reading of Ordinance #18-0878 as
83 presented. Mr. Ott second. Mr. Pieper presented the decision paper and ordinance, copies of which are
84 on file. All voted in favor. **MOTION CARRIED.**

85
86 **v. Second Reading Ordinance #18-0880 Amend Single Use Plastic Bags,**
87 **Administrator Pieper.** Mr. Stevens moved to adopt second reading of Ordinance #18-0880 as
88 presented. Mr. Ott second. Mr. Pieper presented the decision paper and ordinance, copies of which are
89 on file. Mr. Pellegrino said enforcement should ensure the biodegradable bags actually biodegrade, and
90 as stated at the last meeting, biodegradable bags do nothing to protect wildlife. He believes this
91 amendment defeats the intent of the ordinance. Mr. Ott reminded councilmembers that the ordinance
92 would be reviewed at the one-year anniversary to determine its value. Mayor Childs and Councilmembers
93 Ott, Scoles and Stevens voted in favor. Mayor Pro Tempore Pellegrino and Councilmembers Dietrich and
94 Johnson voted against. **MOTION CARRIED.**

95
96 **vi. Second Reading Ordinance #18-0881 to Establish Overlay in Entertainment**
97 **District, Director Morris.** Mr. Stevens moved to defer second reading of Ordinance #18-0881. Mr. Ott
98 second. All voted in favor. **MOTION CARRIED.**

99
100 **vii. First Reading Ordinance #18-0879 to add C4 Entertainment District to Chapter**
101 **14, Flood Prevention, Director Morris.** Mr. Ott moved to adopt first reading of Ordinance #18-0879
102 as presented. Mr. Stevens second. Ms. Morris presented the decision paper and ordinance, copies of
103 which are on file. Mayor Childs moved to amend Ordinance #18-0874 to include the applicable language
104 set forth on Exhibit A and that Exhibit A be incorporated into the ordinance. Mr. Ott second. Mayor Childs,
105 Mayor Pro Tempore Pellegrino, and Councilmembers Dietrich, Ott, Scoles, and Stevens voted in favor.
106 Councilmember Johnson voted against. **MOTION TO AMEND CARRIED.** Mayor Childs, Mayor Pro

107 Tempore Pellegrino, and Councilmembers Dietrich, Ott, Scoles, and Stevens voted in favor.
108 Councilmember Johnson voted against. **MOTION CARRIED AS AMENDED.**
109

110 **B. Resolution #18-194 Workplace Safety, Administrator Pieper.** Mr. Stevens moved to
111 adopt Resolution #18-194 Workplace Safety. Mr. Ott second. All voted in favor. Mr. Pieper explained this
112 resolution is presented annually for approval and the town gets credit on its insurance program for
113 actively supporting a safe work place. All voted in favor. **MOTION CARRIED.**
114

115 **C. Resolution from Keep Surfside Beach Beautiful Committee to Declare a Seat**
116 **Vacant, Mayor Childs.** Mayor Childs explained that the committee spoke with Ms. Lauer prior to
117 adopting the resolution. Mr. Stevens moved to accept the resolution and declare the seat vacant. Ms.
118 Scoles second. All voted in favor. **MOTION CARRIED.**
119

120 **D. Method by which PB&Z Department receives Complaints, Administrator Pieper.** Mr.
121 Pieper presented the decision paper, a copy of which is on file. Mr. Stevens moved to direct that the
122 planning commission consider repealing Section 17-209 at its November 6, 2018 meeting and that its
123 recommendation be added to the December 11, 2018 council meeting agenda for Town Council's
124 consideration. Mr. Ott second. All voted in favor. **MOTION CARRIED.**
125

126 **E. Appointments. i. Construction Board of Appeals (3 vacancies), Mr. Orlando Arteaga;**
127 **ii. Keep Surfside Beach Beautiful (2 vacancies), Ms. Julie Faber, Ms. Linda Woodlief, and iii.**
128 **Planning Commission (1 vacancy) Mr. Robert Hellyer, Mr. Jeff Hines, Mr. Hans Neugebauer.**
129 Mr. Ott moved to appoint Mr. Arteaga to the Construction Board of Appeals; Ms. Faber and Ms. Woodlief
130 to the Keep Surfside Beach Beautiful committee, and Mr. Hellyer to the Planning Commission. Mr.
131 Stevens second. All voted in favor. **MOTION CARRIED.**
132

133 **F. Motions and/or directions resulting from Executive Session held at 5:45 p.m.** Mayor
134 Childs said there were no motions or directions resulting from executive session.
135

136 **8. TOWN COUNCIL DISCUSSION.** Any matters of concern or information to be discussed.
137

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

160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212

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

Town Council Regular Meeting
October 9, 2018

213 investors, because it will benefit the town and its citizens in the long run with more hospitality tax
214 revenue. The same principle needs to be applied to the Highway 17 overlay to encourage
215 businesses to develop. The Ralph Magliette Senior Citizens Fair is Friday, October 19 from 10:00
216 a.m. to 2:00 p.m. at the fire station. Thank you again to the Keep Surfside Beach Beautification
217 Committee for the "It's a Wonderful Life" holiday season initiative for the town, and encouraged
218 everyone to participate.
219

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

222
223 Prepared and submitted by:

224
225
226 _____
227 Debra E. Herrmann, CMC, Town Clerk
228

229 Approved: October 23, 2018

230
231 **Surfside Beach Town Council**
232

233
234 _____
235 Robert F. Childs, III, Mayor
236

237 _____
238 David L. Pellegrino, Mayor Pro Tempore

237 _____
238 Bruce H. Dietrich, Town Council

239
240 _____
241 Mark L. Johnson, Town Council

239
240 _____
241 Ron Ott, Town Council

242
243 _____
244 Debbie Scoles, Town Council

242
243 _____
244 Randle M. Stevens, Town Council

245
246 Clerk's Note: This document constitutes action minutes of the meeting that was digitally recorded.
247 Appointments to hear recordings may be made with the town clerk; a free copy of the audio will be given
248 to you provided you bring a new, unopened flash drive. In accordance with FOIA §30-4-80(A) and (E),
249 meeting notice and the agenda were distributed to local media and interested parties via the town's email
250 subscription list. The agenda was posted on the entry door at Town Council Chambers. Meeting notice
251 was also posted on the town website at www.surfsidebeach.org and the marquee.