



TOWN COUNCIL REGULAR MEETING MINUTES
TUESDAY, October 13, 2020, • 6:30 pm.

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10 **1. CALL TO ORDER** Mayor Hellyer called the meeting to order at 6:30 pm. Mayor Hellyer, Mayor Pro Tempore Scoles,
11 Councilmembers Dietrich, Drake, Holder, Pellegrino, and Keating were in attendance. Others present Interim Administrator
12 Duckett, Town Attorney Crosby, and Town Clerk Sheri Medina.

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14 **2. INVOCATION; PLEDGE OF ALLEGIANCE**

- 15 A. Invocation: Franklin Ward of Timberland Baptist Church gave the invocation
16 B. Pledge of Allegiance: Mayor Hellyer led in the Pledge of Allegiance.

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18 **3. PUBLIC HEARING** – Authorizing amended lease between Surfside Beach and Atlantic Restaurant Group.

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20 Councilmember Keating stated that the purpose of a public hearing is to obtain public input on important decisions. The
21 public should have information for such public hearing to understand how the decision is made. In this case, they have no
22 information other than we intend to execute a lease for space on the Pier when the building is built.

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24 Mrs. Crosby stated that a public hearing is required by state code. It is not required for public comment during a public
25 hearing. There is a time for public comment already on the agenda. There has been notice of this public hearing.

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27 Councilmember Keating stated that the essential purpose of a public hearing is to get public input through comments. How
28 can they do that if the public does not have the specifics. Ms. Crosby said it is up to the Council to release or keep the
29 specifics confidential.

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31 Mayor Hellyer commented that it is confusing as to why the public does not have all the information. Mrs. Crosby stated it is
32 public knowledge. Councilmember Keating stated that we are failing if we are not discussing the specifics and the risk that the
33 Town is taking in agreeing to this lease.

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35 Mayor Hellyer asked for Public comment

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37 1. **Judy Henion**, 11th Ave North. It is abhorrent for a council to make a lease on property owned by the Town and not
38 making us aware of what you are anchoring us to. How can you sit up there and say that you are doing the right thing?
39 There have been comments made publicly by Councilmembers of removing ARG from the Pier. This owner has been
40 holding the town hostage. Are we yielding to Blackmail?

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42 **4. MOTIONS RELATING TO AGENDA - None**

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44 **5. MINUTES APPROVAL**

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46 Councilmember Keating made a motion to accept the meeting minutes for September 22, 2020, Councilmember Drake
47 seconded. All voted in favor. **Motion Carried.**

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49 **6. PUBLIC COMMENTS – Agenda Items Only**

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51 1. **Cecil Chandler**, Surfside Drive. Mr. Chandler spoke about the Halloween Car show sponsored by the Myrtle Beach Car
52 Club. In the past, there have as many as 90 cars in the show. We have raised \$11,000 last year for our charities. I am
53 looking to get approval for this year's event so I can buy trophies and move on with it.
54 2. Email comments read by the Clerk.

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56 **7. COMMUNICATIONS**

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58 A. Presentation by Greene Finney, LLP (Auditor). Presented by Emily Sobczak, Partner
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60 B. Discussions of Town Events
61 1. Car show

This agenda is published pursuant to the Freedom of Information Act Section 30-4-80(A) and (E). The public is invited to attend all meetings and events.

2. Veteran's Day
3. Living History Day, November 7, 2020
4. Turkey Trot
5. Christmas Parade
6. Tree Lighting

Debbie Ellis stated Myrtle Beach Car Club gives the Car Show. All monies are donated to Charities. It is a simple event. The Veterans Day Service will be held. The Historical Society has canceled the Living History Day event. The Turkey Trot is not a town event. Mike Shank and Festival Promotions run it. He has gotten approval from the state to have the event. The trot will only be 3.1 miles, not the usual 6.2 miles. There will not be more than 400 participants. The runners will start at different intervals. The Turkey Trot should only last an hour and a half. He will follow all protocols from the state. The tree lighting has been canceled by many towns already. I have reached out to the schools to see if the children will sing, but they have not responded at this time. Ms. Ellis stated that she believed we could have a Christmas Parade. Everyone must ride, not walk.

Councilmember Pellegrino stated that he does not see a reason as to why we should not have these events if everyone chooses to distance and wear masks. Councilmember Keating stated that the Consensus contract should be agreed upon reasonably quickly; following that, they will be using the pier parking lot for mobilization, so it will not be available for the car show, and some of the other events that used to meet there. Ms. Ellis stated that the car show would be moved to the Yaupon Parking lot.

Councilmember Holder stated he agrees with all the events. The only one I have questions is about the tree lighting. If everyone else has canceled. Councilmember Dietrich also agreed. Councilmember Drake stated his concerns were with the Car Show, but if distancing and masks are used, it should be okay. But the Tree lighting and Parade are a must. Councilmember Scoles agreed with all but the tree lighting because it has been jam-packed in past years, but if Police Chief Hofmann can control everything, I am ok with it.

After further discussion, separate votes were taken on each event.

1. **Car show.** All voted in favor
2. **Veteran's Day.** All voted in favor
3. **Living History Day,** November 7, 2020. Canceled
4. **Turkey Trot.** All voted in favor.
5. **Christmas Parade.** All voted in favor.
6. **Tree Lighting.** All voted in favor.

8. BUSINESS

A. **FIRST READING - ORDINANCE #20-0224** - An Ordinance of the Town of Surfside Beach Authorizing amended lease.

Councilmember Holder asked for approval of Ordinance 20-0224, an Ordinance authorizing amended lease. Councilmember Pellegrino second.

As I said before, Councilmember Keating stated that it's just not right that we have such a significant decision with the public having no information on the lease or the conditions.

Councilmember Pellegrino stated there are always risks, but the current contract protects the town very well. It also has a tremendous financial benefit.

Councilmember Drake asked who is involved in the Atlantic restaurant group and who will be involved down the road. The terms are unreal.

Councilmember Keating stated she disagrees with Mr. Pellegrino's assessment of the contract as written. We should have some way to get out of the contract if the terms change in the future.

Mayor Hellyer stated this has been in the works for years. The source of the problem is that we did not have an out in the original lease. I am concerned with not having an out on the new lease.

Councilmember Holder, Dietrich, Pellegrino, and Scoles voted in favor. Councilmembers Keating, Drake, and Mayor Hellyer voted against. **Motion carried.**

Councilmember Dietrich called a point of order to suggest a special meeting on Tuesday, October 20, for the second reading of Ordinance 20-0224 at 6:30 pm. All agreed.

125 **9. PUBLIC COMMENTS – Town Services or Business Conducted**

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127 1. Email comments read by the Clerk.

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129 **10. TOWN COUNCIL DISCUSSION AND/OR COMMENTS**

- 130 1. Councilmember Holder, I want to thank everyone for coming out tonight. The restaurants are open to full capacity now.
131 We voted for the contract; it will allow us to move forward, and going to court is not the answer.
132 2. Councilmember Keating - Thank everyone for being here and calling in. Thank you to Chad and Elizabeth from "I'm fired
133 up" for streaming the meeting. I am glad to see that we are getting our community events back, bringing people
134 together. It will be nice to get out as a community again. I hope the contract with Consensus will come to closure quickly
135 so we can start the demolition and get the pier project visibly moving forward. Thank you.
136 3. Councilmember Dietrich – Thanks for coming out and over the phone. This is long overdue. We finally got it where it
137 needs to be. It's time to get it done. Thanks for coming out.
138 4. Councilmember Pellegrino – Thanks for participating. I want to thank Director King for a nice clean audit. The disaster
139 fund has grown. We are in a very stable place. Thank you to Mr. Duckett and the entire staff. I am very confident that by
140 the end of the month, we will have two signed contracts. It has been a long time.
141 5. Councilmember Drake, I would like to thank everyone who came out tonight. We are moving forward with the Pier. I am
142 afraid I have to disagree with the contract, but it is what it is. I hope everyone is well. See you next week.
143 6. Councilmember Scoles, I want to thank everyone who came out and called in. It's good to see that we are moving
144 forward with the Pier. It will generate a lot of revenue. I also want to thank our administration for all the hard work they
145 have put in to move this project forward. Also, I would like to thank our financial Director she does a fantastic job. Be
146 safe and see you next week. Also, thank you, Mrs. Crosby, for all your time and hard work you have put into this also.
147 7. Mayor Hellyer, I voted no for the lease because I feel it is not good for the town. But we do need to move forward with
148 the Pier. Our FEMA extension is until June, but we have to reapply in April. I want to thank Mr. Duckett for keeping us
149 informed. Have a good night.

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151 **11. ADJOURNMENT** Councilmember Dietrich made a motion to adjourn at 7:35 pm. Councilmember Holder second. All voted in
152 favor. **Motion Carried.**

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154 **Surfside Beach Town Council**

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158 Robert Hellyer, Mayor

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161 David L. Pellegrino

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163 Bruce H. Dietrich, Town Council

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165 Cindy Keating, Town Council

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167 Michael Drake, Town Council

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169 Debbie Scoles, Mayor Pro Tempore

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171 Paul Holder, Town Council

172 Attest: _____
173 Sheri L Medina
174 Town Clerk

175 Clerk's Note: This document constitutes summary minutes of the meeting that was digitally recorded, and is not intended
176 to be a complete transcript. Appointments to hear recordings may be made with the town clerk; a free copy of the audio
177 will be given to you, provided you bring a new, unopened flash drive. In accordance with FOIA §30-4-80(A) and (E),
178 meeting notice and the agenda were distributed to local media and interested parties via the Town's email subscription
179 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 Town's LED marquee.