

CITY COUNCIL

6:00 p.m., Tuesday, March 21, 2017

The regular meeting of City Council was called to order at 6:30 p.m., Tuesday, March 21, 2017 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bergwerf, Bettelli, Carroll, Ferencz, Harrington, Kinghorn, and Rice, Mayor Cronin, Administrator Tucker, Attorney Halversen, Assistant Administrator Fragoso and City Clerk Copeland; a quorum was present to conduct business. Councilmember Ward was absent.

1. Mayor Cronin called the meeting to order and acknowledged that the press and public had been duly notified of the meeting in accordance with the Freedom of Information Act. Following a brief invocation and the Pledge of Allegiance, Clerk Copeland called the roll.

3. Citizens' Comments

Jim Raih, 3904 Cameron Boulevard, stated that he had worked with FEMA after the recent storms as a debris removal consultant; based on his experience with them, he indicated that the City's tree canopy over the roads and ditches need attention.

Lewis Gregory of 30 – 29th Avenue stated that he was speaking for a group of citizens who wanted to hold a farmers' market on the island. He stated that he has copied the information from the Sullivan's Island website relative to their farmers market and that it spells out everything that the City should know in order to make it happen. The Sullivan's Island market runs from April through June, so he suggested that a market on IOP follow theirs. He acknowledged that it would require some staff time, but he thought holding a farmers market on the island would enhance the quality of life for the residents.

Although no action was taken several years ago, Mayor Cronin indicated that he liked the idea and responded that the City would look into the prospect with a working group of citizens; he stated that the primary issue was to ensure that a farmers market's would not take business away from the existing businesses on the island.

2. Reading of the Journals of Previous Meetings

MOTION: Councilmember Rice moved to approve the minutes of the regular meeting of February 28, 2017 as submitted; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.

4. Reports from Standing Committees

A. Ways and Means

Mayor Cronin stated that representatives of the Stormwater Department of Charleston County attended the meeting to discuss the reasoning behind and the calculation for stormwater utility fees for non-residential properties. After hearing the presentation, the Ways and Means Committee decided not to cap increases to commercial stormwater rates as it has for residential properties.

MOTION: Mayor Cronin moved to rescind the action taken on November 16, 2016 to cap non-residential stormwater utility fees; Councilmember Kinghorn seconded and the motion PASSED UNANIMOUSLY.

From the financial report through eight (8) months of the fiscal year, the Mayor stated that the target for General Fund Revenues and Expenditures was sixty-six percent (66%); revenues were on target, and expenditures were under-budget for all departments except Mayor/Council whose over-budget condition relates to a timing issue. General Fund cash was at forty-one percent (41%) of the annual budget; total cash in the bank totaled approximately twenty-two million dollars (\$22,000,000) including five million dollars (\$5,000,000) in stakeholder funds for the beach renourishment project. Tourism collections were generally flat when compared to FY16.

In a Special Meeting earlier in the afternoon, Council continued to refine the FY18 budget.

A. The placement of mobi-mat at the beach access at 5th Avenue

Since the City does not have the funds available for matting at the 5th Avenue beach access and the cost is such that it must go out for bid, the Committee took no action; it was sent back to Committee to decide whether to tackle in FY17 or to add it to the FY18 budget.

B. Award of an unbudgeted contract to JMT in an amount not to exceed \$20,070 for construction oversight and monitoring of bulkhead repairs (Page 37, line 60
- Marina Fund Expenditures, MUNI ATAX, Paint Bulkhead, \$40,000)

MOTION: Mayor Cronin moved to award a contract in amount not to exceed \$20,070 to JMT for construction oversight and monitoring of the bulkhead repairs; Councilmember Kinghorn seconded.

The bulkhead repairs are set to begin in October.

VOTE: The motion PASSED UNANIMOUSLY.

C. Renewal of a contract to Munnerlyn Pyrotechnics in the amount of \$25,100 for the July 4th fireworks display (Page 26, line 266 – State ATAX, Programs/Sponsorships, \$35,000)

MOTION: The Mayor moved to award a contract to Munnerlyn Pyrotechnics for \$25,100 for the 2017 July 4th fireworks display; Councilmember Rice seconded and the motion PASSED UNANIMOUSLY.

D. Report in accordance with Chapter 120, Purchasing, Section 1-10-3(c) (less than \$25,000 and in budget)

- 1. Award of a sole source contract to A&H Company in the amount of \$15,216.49 to fabricate and install beach parking signs** (Page 23, line 103 – General Government, Signs, \$60,000)

2. Award of a contract to Blich Plumbing in the amount of \$19,928.17 for plumbing work at the public restrooms (Page 27, line 308
– Construction in Progress, \$109,820)

The Mayor stated that this report is a requirement from the recently amended Procurement Ordinance that allows the Procurement Officer/City Administrator to approve purchases less than twenty-five thousand dollars (\$25,000) that are included in the budget. The report will be attached to the historical record of the meeting.

E. Approval of over-budget expense of \$790 from State ATAX funds for the new pickup truck for the Fire Department

MOTION: The Mayor moved to approve the \$790 over-budget expense in the ATAX Fund; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

B. Public Safety Committee

Reporting from the meeting of March 6th, Councilmember Bettelli stated that the meeting began with a presentation from MeduCare Air and AirMedCare Network, which is an emergency helicopter service; Wes McAden was asked to return to the April meeting with a proposal that would include cost. The Police Department has sent out fifty-eight (58) letters as the City continues with its efforts to remove non-permitted encroachments in the rights-of-way; some are applying for encroachment permits from SCDOT. The City has not yet received the encroachment permit for the curb cut into the small grassy area across from the Windjammer to be used for golf cart parking. Chief Buckhannon reported that notices were sent to the two (2) property owners of the lots on Wills Way; the owner at #17 has indicated that he will clear his lot. The letter sent to the owner of #18 was returned; a new address was found and the letter was sent again. The solar signs that tell the driver how fast he is driving have been installed on 41st Avenue. The Committee also discussed a senior check-in service and the installation of parking kiosks at Breach Inlet. An internal audit was done of the Police Department by the City's auditing firm, and they discovered small discrepancies between the deposit tickets and the amount of money that actually was deposited to the bank account from the parking kiosks. The City has since installed a camera in the room where the money is stored until pickup by the armored truck service.

On February 22nd, Fire Department personnel responded to a report of storage tanks that washed up on the beach; the Coast Guard was contacted, and the tanks were safely towed away. On the 27th of February, personnel responded to a report of a gas leak at a residence on Palm Boulevard; upon investigation, they located a leak from a broken low pressure gas pipe. Personnel secured the flow of gas and used the gas meter to insure that the air was within safe levels in the home. Personnel responded to a total of forty-seven (47) calls, including twenty-three (23) EMS calls. The Knox box at the IOP Marina was brought on-line; a Knox box provides a non-destructive emergency access to commercial or residential properties. All officers received training on "Reasonable Suspicion of Alcohol for Supervisors," and all engineers received training on Intersection Safety.

In the February report of activities in the Police Department, Chief Buckhannon reported that, on February 2nd, officers responded to a collision on Front Beach; the description of the other vehicle involved was given to Mount Pleasant Police who located the vehicle and its driver at Town Center. The driver told the Mount Pleasant officer that he intended to settle up with the other driver at a later date. On February 1st, Officers Hardy and Couche participated in the Keenagers Luncheon; on February 4th, Animal Control Officer Enourato, BSO Hyleman and Communications Specialist Stewart participated in Doggie Day at the Rec where they issued eighty-four (84) dog licenses. On February 27th, the Department hosted a Meet and Greet at the Public Safety Building for residents between the Connector and Breach Inlet; approximately thirty-five (35) residents attended. The Chief also announced that the City was chosen as one (1) of the safest cities in South Carolina. Over the month, dispatchers received four thousand fifty-five (4,055) calls, and three thousand three hundred thirty-five (3,335) were for the Police Department. Two hundred thirteen (213) traffic stops were made in the month, and officers issued thirty-seven (37) tickets. Officers wrote a total of two hundred thirty-seven (237) reports in the month and made fifteen (15) arrests. The Animal Control Officer wrote eight (8) citations in the month. From the Livability Report, the Chief stated that four (4) noise reports were made in the month, but no citations were issued; residents reported five (5) coyote sightings. At this time, the Department is down only one (1) officer.

The next Public Safety Committee meeting will be at 2:00 p.m., April 3rd in the Conference Room.

C. Public Works Committee

Councilmember Ferencz, reporting on the meeting of March 1st, stated that garbage collections were approximately twenty-four tons (24 T.) greater than the same month last year, and yard debris collections increased approximately seventy-five tons (75 T.) over the same month in 2016. Although the vehicle maintenance invoicing was high for the month, the Director is confident that this line in the Public Works budget will end the year at or under budget. Several drainage issues were discussed, including Sand Dollar Drive where the City received professional advice on the condition of the pipe and responded to the resident that no action by the City was warranted. For the flapper valve on Tabby Lane, a public/private partnership was discussed. The enhancement of the handicap parking spaces on 21st Avenue has been scheduled by Charleston County. As of yesterday, Hitt Construction has submitted the pre-engineered metal building shop drawings for the NPDES project. The bid package for the Phase II Drainage Project is being compiled by Civil Site Environmental with the expectation of bidding in May for construction to begin at the end of August. Flooding on Hartnett generated discussion relative to the ditch which should be open to allow for the free flow of stormwater, but the residents are opposed to the idea because of the number of children who reside there. Director Pitts added that the resident at 26 Intracoastal Court had told him that over time erosion has occurred and the pipe needs to go back and fill added. The Director stated that the resident could build his bulkhead where it is now, but it could not extend into OCRM jurisdiction.

The Public Works Committee will hold its next meeting at 11:00 a.m., Wednesday, April 5th in the City Hall Conference Room.

D. Recreation Committee – no meeting in March

Councilmember Rice reminded everyone that the Yard Sale will be Saturday, March 25th from 9:00 a.m. till noon.

E. Personnel Committee – no meeting in March

Councilmember Harrington reported that the following personnel vacancies exist:

General Government – 1 full-time, seasonal office assistant

Public Works – 2 full-time, temporary CDL drivers

Police Department – 1 Part-time Animal Control Officer and 7 Beach Services Officers

March Safety Sweepstakes Winners

Building Department – Cathy Kennedy

Police Department – Howard McCarthy

Fire Department – Tywan Heyward

Public Works Department – Charles Williams

F. Real Property Committee

Councilmember Bergwerf stated that the first item of business for the meeting of March 6th was to be the discussion of a lease extension for Morgan Creek Grill (MCG). Mr. Clarke stated that they had intended to have all of their information ready to present at this meeting, but they have not yet finalized the documents to negotiate “a fair lease and extension.” The replacement of the walk-in freezer was also discussed, but the Committee decided to delay any action until they see what MCG is proposing in the request for a lease extension. On the public restrooms renovation, the Committee was informed that the bulk of the improvements to the interior will be complete by the beginning of the beach season. The renovations to the actual building to improve air circulation and lighting will take place after beach season. Director Kerr reviewed Liollo’s conceptual drawings with the Committee; these changes are intended to update and upgrade the facility. The challenge now is the construction of the boardwalk and shower platform; since the boardwalk has been designated an emergency access, carrying a four-wheeler, the materials continue to be discussed. The Committee also talked about restoring the three hundred sixty-five thousand dollars (\$365,000) taken out of the budget for the public restrooms in the February budget meeting; although Charleston County has volunteered to assist the City with the construction as its contribution to the cost, Director Kerr was dubious about the extent they could help. If the County is unable to contribute the labor to keep the costs down, staff wants enough money in the budget to complete the project. The report on beach restoration included that the City was in possession of the stakeholders’ money and is waiting for notification from SC PRT relative to the grant application the City submitted. From letters sent to OCRM relative to the permit, staff will be working closely with the project engineer to determine what must be done to secure the permit; of primary concern are the costs necessary to accomplish these tasks. At this meeting, Kirby Marshall of ATM reviewed the most recent changes to the marina redevelopment plan; he also informed the Committee that the recipients of Boating Infrastructure Grants (BIG) will not be announced until May, not March as in the past. Based on the need for extra materials and additions to the plan, like the restrooms, the total cost is currently estimated to be six point four million dollars (\$6,400,000). For the next meeting, Mr. Marshall was asked to delineate how the project could be phased and the cost associated with each phase. Since the permitting process is expected to take about a year, ATM now recommends that the City begin with the land-side improvements because they could be done while the permit works its way through the approval process. At the Visioning Meeting in November 2016, Council selected the Recreation Center

grounds to be the model for all City properties; to accomplish that goal, the landscaping contract, which will be re-bid this year, must be very comprehensive. Related to the landscaping contract is the decision about who will supervise the landscape work, ensuring that the vendor lives up to the contract. The current vendor has been notified that the City will not renew its contract which ends in May. The RFP for the replacement of the underground storage tanks is very technical and complicated; to ensure that the RFP properly represents what the City wants, the decision has been made to hire a consultant to write it.

The next Real Property Committee meeting will be at 9:30 a.m., Monday, April 3rd in the City Hall Conference Room.

5. Reports from City Officers, Boards and Commissions

- A. Accommodations Tax Advisory Committee** – minutes attached
- B. Board of Zoning Appeals** – minutes attached
- C. Planning Commission** – minutes attached

The Mayor stated that he hoped Council has been following the work the Planning Commission has been doing relative to septic tanks and sewer; he anticipates having their recommendations in a month or so.

Referring to the ATAX minutes and its coverage of event planned around the total solar eclipse, Councilmember Ferencz asked if the City has an estimate on how much money will be spent on the event. When she asked about the cost of the event planner, Administrator Tucker stated that the thirty thousand dollars (\$30,000) being added to the FY18 ATAX budget is for the event planner. As staff began to discuss the details of the event, they decided that the event needed more expertise than staff could offer and decided that hiring an event planner would be necessary.

At the January ATAX meeting, the Recreation Department presented an application for fifteen thousand dollars (\$15,000) in expenses related to holding the event, and it was approved. Since the City has never hired an event planner, no one knows how much they charge for their services.

Councilmember Ferencz stated that, in addition, the City will incur overtime for the services of the Fire and Police Departments; she then asked why the City was putting on this event.

Councilmember Bergwerf answered that it was because the island and all of Charleston would be full of tourists to view the eclipse.

Administrator Tucker explained that the City would most certainly spend the fifteen thousand dollars (\$15,000) first awarded by the ATAX Committee since that is approximately how much it costs for other City events.

Councilmember Ferencz added the two (2) ATAX awards for a total of forty-five thousand dollars (\$45,000) to which will be added overtime by employees. She stated that the City did not have to hold an event to get people to come to the island; they will come with or without the event.

Director Page stated that she had contacted an event planner and they had a lengthy conversation on a conference call with the Recreation Department staff. The decision has been made to hold the event on the beach, rather on the street; the planner gave staff some very good ideas, and they have a lot pending. This event will not be a party but an event to celebrate something that will not happen again for one hundred years (100 yrs.). The Director said that she has been told that the scholars will be in other areas of the Lowcountry where the view might be clearer and quieter. Staff is working with Charleston County PRC to coordinate with the County Park. Director Page assured Council that she would not spend all of the money that has been budgeted, but only what was necessary, but the City has been told to anticipate traffic that will exceed the numbers of July 4th.

6. Reports from Special or Joint Committees – None

7. Petitions Received, Referred or Disposed of – None

8. BILLS ALREADY IN POSSESSION OF COUNCIL

Second Reading of Ordinance 2017-02 – An Ordinance Amending Title 8, Motor Vehicles and Traffic, Chapter 2, Stopping, Standing and Parking of Vehicles, of the City of Isle of Palms Code of Ordinances to Provide for an Exception to the to the General Prohibitions on Parking for Vehicles with Attached Boat Trailers under Certain Circumstances; to Provide for a \$25.00 Penalty for Violation of Any Regulation Related to Paid Parking; to Amend the Definitions; to Amend the Provisions for Issuance of Resident Parking Permits and Special Permits; to Provide for Obedience to Specific Parking Regulations; to Amend the Areas Designated as Resident Parking Districts and Beach Parking Zones; to Amend the Penalties for Violations; and to Provide Additional Exemptions to the Resident Parking Permit Requirements.

MOTION: Mayor Cronin moved to approve for Second Reading and to suspend the reading of Ordinance 2017-02 with a modification to the wording of resident to residence in Section 8-2-25(a); Councilmember Bettelli seconded.

Councilmember Ferencz stated that this amendment allows for overflow parking from the marina “to spill” on to 41st and Waterway if the driver is a resident.

Administrator Tucker stated that the amendment clarifies where there is unregulated and regulated parking on 41st Avenue and Waterway becomes resident only parking.

The Mayor confirmed the Councilmember’s interpretation as correct; he also added that he seldom sees residents parked on 41st Avenue with a trailer attached to their vehicle.

VOTE: The motion PASSED on a vote of 7 to 1 with Councilmember Ferencz dissenting.

9. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS

First Reading, by title only, of Ordinance 2017-03 – An Ordinance by the Mayor and Council of the City of Isle of Palms, South Carolina Providing for the Implementation of a Three-Year Cap on the Stormwater Utility Fee Provided in Chapter 3, Stormwater Regulations, Article B, Stormwater Management Utility Fee for Non-residential Parcels.

Based on Council's decision in the Ways and Means Committee meeting, Council will take no action on Ordinance 2017-03.

10. MISCELLANEOUS BUSINESS

- A. Proclamation in Remembrance of the Holocaust

At the Mayor's request, Administrator Tucker read the Proclamation in Remembrance of the Holocaust into the minutes.

MOTION: Councilmember Carroll moved to adopt the Proclamation in Remembrance of the Holocaust; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.

- B. Consideration of updated list of approved City and City-sponsored events

Included in meeting packets was an updated list of City and City-sponsored events; if any Councilmember thought something had been left off or should be added, he/she should contact Assistant Fragoso or Administrator Tucker.

11. CONCLUSION/ADJOURNMENT

MOTION: Councilmember Carroll moved to adjourn the meeting at 7:33 p.m.; Councilmember Rice seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk