

CITY COUNCIL

7:00 p.m., Tuesday, September 25, 2012

The regular meeting of City Council was held at 7:00 p.m. on Tuesday, September 25, 2012 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bettelli, Buckhannon, Carroll, Loftus and Ward, Mayor Cronin, Administrator Tucker, Attorney Halversen, Assistant to the Administrator Dziuban and City Clerk Copeland; the absences of Councilmember Bergwerf, Stone and Thomas were excused. A quorum was present to conduct business.

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. Clerk Copeland called the roll after Mayor Cronin gave an brief invocation and led the Pledge of Allegiance to the Flag.

2. Approval of Previous Meetings' Minutes

MOTION: Councilmember Bettelli moved to approve the minutes of the Public Hearing and regular Council meeting of August 28, 2012 as submitted; Councilmember Loftus seconded and the motion PASSED UNANIMOUSLY.

3. Citizens' Comments – None

4. Reports from Standing Committees

From the meeting of September 18th, Mayor Cronin reported that, for the first two (2) months of the fiscal year, revenues in the General Fund are in line with the same period last year, and expenditures from the General Fund are at or under the target of seventeen percent (17%). Cash on-hand of two million seven hundred eight-eight thousand dollars (\$2,788,000) represents thirty-three percent (33%) of annual General Fund Expenditures. Even with a very good FY12, Municipal Accommodations fees are running six percent (6%) higher, and Hospitality Taxes are twelve and a half percent (12.5%) higher. In August, there was very little financial activity in the beach restoration project or the drainage project; the scope of the drainage project was reduced to include 45th to 52nd Avenues. Mayor Cronin related that the auditors anticipate completing the field work this week and making their annual presentation to Council at the October meeting. From their work to-date, the City expects to have a gain in the General Fund in excess of eight hundred thousand dollars (\$800,000); in an effort to complete the audit, the following motion was made:

MOTION: Mayor Cronin moved to maintain \$100,000 in the General Fund and to transfer \$700,000 to the Capital Projects Fund from the FY12 General Fund Gain; Councilmember Loftus seconded.

Mayor Cronin explained that, at the October Council meeting, he intends initiate an action to increase the Disaster Recovery Fund to two million dollars (\$2,000,000) and to pay off remaining capital leases from the funds transferred to the Capital Projects fund while leaving a sufficient balance in the Capital Projects Funds to meet the needs of the City.

VOTE: The motion PASSED UNANIMOUSLY.

The recommendation from the ATAX Committee for a Spoleto Festival 2013 sponsorship of fifteen thousand dollars (\$15,000); after a lengthy discussion on the merits of sponsorship, the motion failed on a tie vote.

The next meeting will be at 5:45 p.m. on Tuesday, October 16, 2012.

B. Public Safety Committee

Councilmember Bettelli reported that, at the meeting of September 11th, the Committee received a report from Mark Shoemaker of Cole+Russell relative to the ongoing concerns with the Public Safety Building; the remaining issues are either warranty or punch-list items. The signage for 42nd to 57th Avenues of "NO PARKING HERE TO CORNER" has been approved by SCDOT, and the City is waiting for them to be installed. The Committee recommended the approval of the ordinance to be considered later in this meeting for "No Parking on Pavement" for 42nd to 57th Avenue; SCDOT approval will be required assuming that the ordinance is adopted. In the monthly report from the Fire Department, Chief Graham had reported that the City's personnel had been involved in several multiple jurisdictional responses to water calls in the month of August, as well as dealing with a number of stingray and jelly fish stings. In addition, the Chief had reported that the young man who jumped from the balcony of Coconut Joe's and who had to be resuscitated twice by IOP personnel has returned to work. Councilmember Bettelli also reported that the Police Department has been holding "Neighborhood Block Meet & Greets;" the purpose of these meetings is to introduce the officers to island residents and to familiarize residents with crime trends in their neighborhoods and on the island in general. In August, dispatchers responded to forty-three hundred sixty-six (4,366) calls; of that total, thirty-two hundred thirty-three (3,233) were for the Police Department. Mayor Cronin asked that a press release be prepared to inform residents about the quality of public safety personnel serving them on the island; in the Mayor's opinion, these people need to be recognized for the exemplary work they do saving and protecting residents and visitors.

Councilmember Bettelli concluded his report with a reminder of the Fire Prevention Parade at 4:30 p.m. on Wednesday, October 10th; as in the past, the parade will begin at Fire Station 2 on 41st Avenue and conclude at the Sullivan's Island Fire Station.

The next meeting of the Public Safety Committee will be at 4:00 p.m. on Thursday, October 4 in the Conference Room in City Hall.

Councilmember Loftus asked that the Public Safety Committee again discuss ways to increase golf cart parking in an effort to maximize the use of golf carts on the island. Councilmember Bettelli reminded Councilmember Loftus that golf carts can lawfully park anywhere that an automobile can legally park; he agreed to look into golf cart parking at beach access paths.

C. Public Works Committee

Councilmember Buckhannon reported that, at the meeting of September 6th, Director Pitts had informed the Committee that the focus of work of August had been beach sweeps and mowing of the rights-of-way. Personnel were busy setting up pumps on 46th and 51st Avenues following the torrential rains at the end of August. The Director reported that he had been told by

Charleston County Recycling that the volume of recycled materials has dramatically increased since the introduction of single-stream recycling to half of the island. Director Pitts has been told that the balance of the island can expect to get their single-stream recycling cans early in November. In a report on Phase 2 of the City's drainage project, Dave Stevens, the City's engineer, explained to the Committee that the scope of the project would be 45th to 52nd Avenues because he did not think the outfall in Wild Dunes could handle the volume of water from 42nd to 52nd Avenues. Mr. Stevens anticipates having preliminary numbers by the end of September. Despite Mr. Moseley's request for assistance from the City about the maintenance of 18th Avenue, the Committee decided that, until the paperwork is completed, the City should delay taking any action. OCRM has denied the City's permit application for using Perma-Trak for the Front Beach walkover and has limited the width to six (6) feet; according to the Administrator, the City continues to negotiate. Due to dissatisfaction with the work effort of the company holding the street sweeping contract, the Committee charged staff with generating an RFP to learn whether there are other companies in the area who do that type of work. The dune walkover at 41st Avenue has been removed because it had become a safety hazard. The repaving of Palm Boulevard and 53rd, 55th, 56th and 57th Avenues has been delayed until the infrastructure work by the IOP Water and Sewer Commission is completed.

The Public Works Committee will hold its next meeting at 5 p.m. on Thursday, October 4th in the City Hall Conference Room.

Councilmember Loftus asked Administrator Tucker about the City's request for educational materials for island residents relative to single-stream recycling. The Administrator reported that she communicated the issues the island has faced in the wake of the introduction of single-stream recycling, and Charleston County had agreed to take on the educational endeavor. The Administrator said that she would follow-up with the County and learn just where they were with the project. Since the County has a public education department that could partner with the environmental department to devise an educational program geared to the issues on the island of full-time versus part-time residents, rental management companies and properties rented by owners. If the County is unsuccessful, the City Administrator assured Council that the City would undertake its own educational program.

D. Recreation Committee – no August meeting

Mayor Cronin applauded the Recreation Department for another successful Wellness Fair for both City employees and island residents; he opined that attendance was higher than in previous years. The Mayor reported that the new ball-field lights are in place, and he thought they were in the fine-tuning phase. The Exchange Club, partnering with the Recreation Department, will support the Connector Run that will start at 8:00 a.m. on Saturday, October 6; in the Mayor's absence, Mayor Pro-tem Buckhannon will fire the starting gun.

As a member of the Exchange Club, Councilmember Loftus encouraged people to attend; he announced that event will end with a Beer Garden on J.C. Long Boulevard.

E. Personnel Committee

As Vice-Chair, Councilmember Bettelli gave the report of the meeting of September 6 where the majority of time was spent discussing the applicants for 2013 appointments to boards and commissions. Interviews of new applicants will be held Monday, October 1, 2012. In keeping with changing state and federal labor regulations, the City works to update the personnel manual every five (5) years; Assistant Dziuban has meshed the MASC model and the City current manual to ensure adherence to these latest revisions. Once the updated version has been reviewed the City's labor attorney, it will be presented to the Personnel Committee and City Council for adoption.

Safety Sweepstakes winners for August were Nick Bako from the Recreation Department, Matthew Maloney from the Police Department, Joseph Ancrum from Public Works and Roger Eagle from the Fire Department.

The next meeting of the Recreation Committee will be at 4 p.m. on Thursday, October 11 in the City Hall Conference Room.

Administrator Tucker took this opportunity to thank City Council for the fourteen (14) days of vacation and to thank Assistant Dziuban for acting in her stead and ensuring that momentum was not lost on any task in the works. In addition the Administrator reiterated her confidence in department managers for the peace of mind she has in knowing that everyone was being taken care of in her absence as they would be if she were here.

F. Real Property Committee

From the meeting of September 13th, Councilmember Loftus reported that the bulk of the meeting was spent in discussions of the Tidal Wave dock, the engineering and design for the reconfiguration of the marina docks and the dry stack storage portion of the marina conceptual plan. Included in the FY13 budget are twenty-five thousand dollars (\$25,000) for design and permitting of the watersports dock, one hundred fifty thousand dollars (\$150,000) for construction of the watersports dock and fifty thousand dollars (\$50,000) for design and permitting of the reconfiguration of the marina docks. The consensus of the Committee was to proceed with an RFP for engineering and permitting for the replacement of the watersports dock and to place the issue of dry stack boat storage on the agenda for the September Council meeting. A discussion on an RFP for the municipal parking lots will continue at the October meeting.

The next meeting of the Real Property Committee will be at 5 p.m. on Thursday, October 13th in the Conference Room of City Hall.

At this time, Brian Berrigan, marina lessee, and John Tarkany, a landscape architect, were asked to come forward and present their conceptual plan that includes dry stack boat storage at the IOP Marina. Mr. Berrigan noted that he had made a full presentation to City Council in the fall of 2011 of a conceptual plan for the entire marina site; the concept had been well received. Mr. Berrigan remarked that Councilmembers Carroll and Ward had not been on Council at the time; he, therefore, would review the full plan with an emphasis on Phase 1 that would include dry stack boat storage and seek a vote of confidence from Council to proceed.

Mr. Tarkany explained that the goal for the plan was for the marina to be more attractive and more efficient; he wanted the marina to become a destination in itself. Along the perimeter would be an inn, restaurant, park/playground, yacht club, store and event space on the corner with a pedestrian walkway along the water's edge; key to the plan is a dry stack boat storage for two hundred forty-eight (248) boats. Another key component to marina plan is to establish a strong sense of entry that would extend along 41st Avenue, building a sense of anticipation of what lies ahead. As the plan was developed, it became clear that the management of the marina would be in a constant quest for parking areas.

Mayor Cronin inquired about the size of the boats that would be stored in the dry stack storage; Mr. Tarkany responded that they would be looking to store boats that are twenty-five feet (25 ft.) long or less. The Mayor followed up by asking whether the dry stack storage could handle larger boats; Mr. Berrigan answered that they could handle larger, but he was not seeing many boats thirty feet (30 ft.) or larger and added that they take up a lot of space and, typically, have T-tops and outriggers. According to Mr. Berrigan, the demand today is for boats fifteen to twenty-five (15-25) feet long. Responding to a final query from the Mayor, Mr. Berrigan stated that the dry stack would have three (3) tiers of storage. The final proposal will include the details of the dry stack storage, such as the financing, lease terms, design and engineering; Mr. Berrigan indicated that the proposal will be "forthcoming in the next several months."

Councilmember Buckhannon related that the City was in a replacement cycle for the docks at the marina, and the decision to move forward with that process is dependent on the construction of the dry stack since it will result in a reconfiguration of the docks. He added that a dry stack as proposed provides for better utilization of marina space.

Mayor Cronin asked Mr. Berrigan whether relocating the boat ramp would be included; to which Mr. Berrigan answered that the ramp relocation was not a part of Phase 1. Mr. Berrigan added that he anticipates a decline in demand for the ramp with the addition of the dry stack which will also mean a reduction in the number of trailers taking up valuable space for parking.

MOTION: Councilmember Buckhannon moved to approve the plan for Phase 1 to include dry stack boat storage at the marina; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

5. Reports from City Officers, Boards and Commissions

- A. Accommodations Tax Advisory Committee** – minutes attached
- B. Board of Zoning Appeals** – no meeting in September
- C. Planning Commission** – minutes attached

6. Reports from Special or Joint Committees – None

7. Petitions Received, Referred or Disposed of – None

8. Bills Already in Possession of Council

9. Introduction of New Bills, Resolutions and Proclamations

A. Re-affirmation of Support for Sullivan's Island Elementary School

Mayor Cronin asked that Administrator Tucker read the resolution into the minutes of the meeting; a copy is attached to the historical record of the meeting.

MOTION: Councilmember Carroll moved to reaffirm the Sullivan's Island School resolution; Councilmember Bettelli seconded.

Mayor Cronin noted that the purpose of the resolution was a show of support for building the school.

VOTE: The motion PASSED UNANIMOUSLY.

B. First Reading, by title only, of Ordinance 2012-07 – An Ordinance amending Title 8, Motor vehicles and Traffic, Chapter 1, Traffic Regulations, Article C, Stopping, Standing, and Parking of Vehicles, Section 8-1-32, General Prohibitions, of the City of Isle of Palms Code of Ordinances to Prohibit Parking on the Street Pavement on Streets Where There is no Street Curb.

MOTION: Councilmember Bettelli moved to approve for First Reading, by title only of Ordinance 2012-07; Mayor Cronin seconded.

Mayor Cronin stated that the purpose for this ordinance is clarification for the Police Department related to enforcement of parking with all four (4) tires off the roadway.

VOTE: The motion PASSED UNANIMOUSLY.

C. First Reading, by title only, of Ordinance 2012-08 – An Ordinance Amending Title 5, Planning and Development, Chapter 4, Zoning, Article 2, District Regulations, of the City of Isle of Palms Code of Ordinances to Prohibit Tourist Homes, Rooming Houses and Boarding Houses in Commercial Districts, to Increase the Minimum Lot Size in the LC Limited Commercial District and to Amend Other Clerical Errors and Omissions Within the Commercial District Regulations.

MOTION: Mayor Cronin moved to approve for First Reading, by title only, of Ordinance 2012-08; Councilmember Buckhannon seconded.

Mayor Cronin reported that this ordinance had come from the Planning Commission as a means of cleaning up some areas of inconsistency in the code.

VOTE: The motion PASSED UNANIMOUSLY.

10. Miscellaneous Business

Consideration of FY12 Millage Rate

Mayor Cronin stated that the City has received the County's report of the assessed values of property on the island which indicates that the City will receive approximately the same amount of revenue as in FY12; the estimates are in-line with those received when the FY13 budget was prepared. Based on that information the City does not have a need to increase the millage for FY12; the operating millage will be nineteen and eight tenths (19.8) mills, and the debt millage will be three and one tenth (3.1) mills for a total of twenty-two and nine tenths (22.9) mills.

MOTION: Mayor Cronin moved to set the FY12 millage at 22.9 mills; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

Connector Run – 8 am, Saturday, October 6, 2012

Fire Prevention Parade – 4:30 p.m., Wednesday, October 10, 2012

Next Meeting Date – 7:00 p.m., October 23, 2012

11. **Executive Session** to receive legal advice relating to a potential legal claim arising out of contractual matters.

MOTION: Mayor Cronin moved to go into Executive Session for the reason stated above at 7:51 p.m.; Councilmember Loftus seconded and the motion PASSED UNANIMOUSLY,

City Council returned to regular session at 8:16 p.m.; Mayor Cronin stated that Council did not take any action or a vote in Executive Session.

12. **Adjournment**

MOTION: Councilmember Loftus moved to adjourn the meeting at 8:17 p.m.; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk