

## **CITY COUNCIL**

8:15 p.m., Tuesday, November 19, 2013

The regular meeting of City Council was held at 8:15 p.m., Tuesday, November 19, 2013 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bergwerf, Bettelli, Buckhannon, Carroll, Loftus, Stone, Thomas and Ward, Mayor Cronin, Administrator Tucker, Attorney Halversen, Assistant to the Administrator Dziuban and City Clerk Copeland; a quorum was present to conduct business.

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

### **2. Reading of the Journals of Previous Meetings**

**MOTION: Councilmember Bettelli moved to approve the minutes of the regular meeting of October 22, 2013 as submitted; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.**

### **3. Citizens' Comments**

Diane Oltorik, 15 Ocean Park Court, reported that the medical equipment loan closet has been operating successfully for seven (7) months, and she thanked the City Council for its support. She offered special thanks to Administrator Tucker and Chief Graham. At this time, the loan closet has twelve to fourteen (12-14) medical devices stored in a forty inches by sixty inches (40 in. x 60 in.) space in the Public Safety Building. She complimented City Council for making the Isle of Palms a unique community with this offering for its residents and visitors. In addition, Ms. Oltorik reported that the beach access wheelchair is stored at the Lutheran Retreat Center, and Mr. Hamrick, the Director, informed her that the wheelchair has stayed very busy.

### **Discussion of Timing for Focused Erosion Project – Steven Traynum, Coastal Science and Engineering**

Mr. Traynum informed the balance of Council that the City received the permit modification the day before the Real Property Committee meeting which will allow for four (4) sand scraping events on the north end and will expire in 2017. With the modification in-hand, the City can proceed with a project at the north end to assuage the erosion problems at Seascapes, Ocean Club and the 18<sup>th</sup> green. Mr. Traynum noted that, when the City applied for the permit modification, it had not anticipated residents in those areas putting in sand bags, which they have done. Currently there is not enough sand on the beach to do a large scale project that would guarantee a protective beach would be there for the entire summer season until next winter when another project could be done. The stakeholders in that area are of the opinion that, since the sand bags are permitted through the end of the year, the permit will be extended to allow for the sand bags to remain in place as long as the erosion threat exists. Therefore, Council has the option of a project this winter that will move a quantity of approximately eighty thousand cubic yards (80,000 cu. yd.) – less than was moved in 2012. If the City were to proceed with a 2014 project, it would potentially force those properties to remove the sand bags since OCRM would likely not allow sand to be placed in front of or over them; and the sand would be gone by the end of the summer, leaving those residents in a vulnerable position again.

Representatives of both Seascape and Ocean Club have informed Mr. Traynum that they would prefer to leave the sand bags in place and delay a project until 2015, hoping that the shoal will attach. Mr. Traynum stated that he agrees that the City should wait, take advantage of the sand bags and the protection they are affording for as long as possible, although there is no beach in that small reach at Ocean Club and the 18<sup>th</sup> hole. Delaying a project would allow time for the beach to continue to build out behind the shoal that is moving on shore; over the next several months and possibly over the summer, the shoal is either going to attach or be very close to attaching. By this time next year, the City will be able to harvest the sand and spread it out on the beach or there will be enough of a beach built up behind the shoal that the City can harvest the sand. Coastal Science and Engineering (CSE) is confident that they will have a better solution by this time next year for a longer term fix to the erosion on the north end.

Mayor Cronin asked what the City needed to do to have a plan for a project in 2015; Mr. Traynum explained that they will do another survey in July 2014 that will offer a preliminary design for the engineering work. If the project had to go back out for bid, the bid package would have to be updated, but it would be a quick turnaround for CSE.

The Mayor sought confirmation that CSE believes that there would be enough sand that has either attached or is close enough to get to economically that would have a more lasting impact, and Mr. Traynum agreed. The Mayor stated that the City would like for CSE to move in the direction of a project in the winter of 2015.

On the subject of Breach Inlet, Mr. Traynum reported that CSE had done a quarterly survey in October and learned that the beach has been stable since July and actually gained about thirty thousand cubic yards (30,000 cu. yd.) of sand. They found some dune recession at about 7<sup>th</sup> Avenue.

#### **4. Reports from Standing Committees**

##### **A. Ways and Means Committee**

From the meeting held earlier in the evening, Mayor Cronin reported that revenues are running one hundred nine percent (109%) ahead of the same period in FY13. With a target of thirty-three percent (33%), General Fund expenditures are running at twenty-nine percent (29%) of annual budgeted expenditures for all departments. From the tourism funds, an adjustment to a prior month was taken in October for Municipal Accommodations Fee collections, but the fund is still eight percent (8%) ahead of the same period in FY13. Collections for State Accommodations Taxes are significantly ahead of FY13, but the Treasurer has not received the supporting information to validate the accuracy. Hospitality Taxes are running nine percent (9%) ahead of FY13, and all taxpayers are current. Other issues considered by the Committee included the hiring of three (3) additional firefighters to be assigned to Fire Station 2 that did not pass, but will be addressed in the next budget cycle.

**MOTION:** Mayor Cronin moved to increase the salary ranges for Fire Department by 10% effective December 1, 2013 and a 10% increase in salaries for all Fire Department personnel Battalion Chief and down with 4 years of IOP experience; Councilmember Bettelli seconded and the motion PASSED on a vote of 6 to 3 with Councilmembers Buckhannon, Carroll and Ward casting the dissenting votes.

**MOTION:** Mayor Cronin moved to increase the merit pool to 6% effective January 1, 2014; Councilmember Bergwerf seconded and the motion PASSED on a vote of 5 to 4 with Councilmember Buckhannon, Carroll, Loftus, and Thomas casting the negative votes.

**MOTION:** Councilmember Bettelli moved for the hurricane re-entry stickers and Wild Dunes' decals to serve as "Free Parking" passes in the municipal parking lots between 6:00 p.m. and 8:00 p.m. in the beach season and for this action to be affirmed through an addendum to the lease agreement with the tenant; Mayor Cronin seconded and the motion PASSED on a vote of 8 to 1 with Councilmember Ward casting the dissenting vote.

**MOTION:** Mayor Cronin moved to award a contract to Vic Bailey Ford for the budgeted purchase of 1 Ford Utility Police Interceptor (SUV) in the amount of \$26,412, state contract pricing; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

**MOTION:** Mayor Cronin moved to award a contract to Love Chevrolet for the budgeted purchase of 1 Chevrolet Impala in the amount of \$20,332, state contract pricing; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

**MOTION:** Mayor Cronin moved to award a contract to Motorola for the budgeted purchase of 2 digital vehicular repeaters with APX6500 mobile radios at state contract pricing of \$30,449.44; Councilmember Stone seconded and the motion PASSED UNANIMOUSLY.

**MOTION:** Mayor Cronin moved to award a contract to Stantec for Phases III and IV of the wayfinding sign initiative in the amount of \$15,790; Councilmember Stone seconded and the motion PASSED UNANIMOUSLY.

**MOTION:** Mayor Cronin moved to approve a change in the scope of the contract with Ocean and Coastal Consultants for the rehabilitation of the Tidal Wave Watersports dock in the amount of \$24,800 and to use the balance of the engineering and design contract (\$7250) toward a preliminary marina redevelopment plan; Councilmember Bettelli seconded and the motion PASSED on a vote of 8 to 1 with Councilmember Loftus casting the negative vote.

**MOTION:** Mayor Cronin moved to award a contract to Kelly Messier in an amount not to exceed \$3,000 to develop a landscape design for the Public Works site to come into compliance with NPDES and to fund the improvements from the stormwater improvements design and construction line in the FY14 budget; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

**MOTION:** Councilmember Bettelli moved to authorize the City Administrator to send a letter to SCDOT indicating that the City will assume maintenance for the Phase II drainage improvements; Mayor Cronin seconded and the motion PASSED UNANIMOUSLY.

**MOTION:** Mayor Cronin moved to award a contract to Jones Ford for \$27,866, state contract pricing, for the budgeted purchase of 1 Ford F150 4x4 pickup truck; Councilmember Ward seconded

Councilmember Loftus asked which department would get this truck and was told it was for the Public Works Department.

**VOTE:** The motion PASSED UNANIMOUSLY.

The next meeting of the Ways and Means Committee will be at 5:45 p.m., Tuesday, January 21, 2014.

## **B. Public Safety Committee**

From the meeting of November 11<sup>th</sup>, Councilmember Bettelli stated that he had opened the meeting by recognizing all City employees who are veterans and thanking them for their service. Under *Old Business*, the Committee discussed staffing issues in the Fire Department and the use of hurricane stickers and Wild Dunes' decals as "free parking" passes for the Front Beach kiosks for residents between the hours of 6:00 p.m. and 8:00 p.m. in the beach season. Under *New Business*, the Committee discussed the next phases of the wayfinding sign initiative, and the 2014 requests for the Transportation Sales Tax (TST) funding.

**MOTION:** Councilmember Bettelli moved to submit the following as the City's 2014 TST requests: Phase 2 drainage project and regulation bike paths from Breach Inlet to 57<sup>th</sup> Avenue; Mayor Cronin seconded.

Councilmember Bettelli noted that the Public Safety Committee had added the extension of the sidewalk on J.C. Long Boulevard, but an issue has come up since the meeting, and he asked the City Administrator to explain. Administrator Tucker explained that she has spoken to the lease holder of the building down the street from the Public Safety Building who has indicated that he would be opposed to extending the sidewalk since a sidewalk would eliminate parking in front of the building. The Administrator suggested that the City end its consideration of extending the sidewalk.

**VOTE:** The motion PASSED UNANIMOUSLY.

The Public Safety Committee also discussed resolution to the problem of people turning around on 46<sup>th</sup> Avenue because they are being directed by their GPS to turn right onto 46<sup>th</sup> Avenue to enter Wild Dunes. Councilmember Bettelli reiterated that Stantec is preparing a sign to direct drivers to turn left on 46<sup>th</sup> Avenue, and Wild Dunes is adopting 1 Sundial Circle as its official address in resort literature.

The Committee also approved the purchases of the vehicles and repeaters.

From the Fire Department report, Councilmember Bettelli noted that personnel responded to fifty (50) calls in the month; of that number, twenty-nine (29) calls were for EMS. The average response time for EMS calls was eleven and a half (11.5) minutes between the arrival of the Fire Department and EMS arrival on scene. Five (5) inspections were performed in the month that located twelve (12) violations.

Both Chief Graham and Chief Buckhannon agreed that the transition to Consolidated Dispatch has gone smoothly despite a couple of hiccups; Chief Graham added that she was pleased with the way information was being shared when a situation does not appear to be going as it should. Administrator Tucker reported that the City is working with Consolidated Dispatch and hopes to have a couple of dedicated channels for all IOP calls before the beach season begins in 2014. Chief Buckhannon has begun tracking calls coming into the City's dispatch center that then have to be handed over to the Consolidated Dispatch Center. The Mayor indicated that he would be interested in knowing how often the City's dispatchers have to intervene to clarify an issue on a call; Chief Buckhannon noted that there were more instances of intervention in the first two (2) weeks of transition than now.

From the Police Department report, Councilmember Bettelli related that the Police Department hosted another "Meet and Greet" on November 7<sup>th</sup> for the residents of the Beachside community. In October, dispatchers responded to forty-five hundred sixty-eight (4,568) calls; thirty-two hundred eighty eight (3,288) were for the IOP Police Department. Of the six hundred thirty-nine (639) traffic stops, one hundred forty-eight (148) received tickets. Chief Buckhannon reported that traffic collisions are down by thirty-four percent (34%) in 2013 from 2012. Fifteen (15) arrests were made in the month, and seven (7) of them were for traffic offenses. Two (2) officers are attending the South Carolina Criminal Justice Academy. At the meeting, Mayor Cronin reported that a deer had apparently shot in his neighborhood, and Administrator Tucker noted that discharging a firearm on the island is illegal. The City will begin its CALEA recertification on December 13<sup>th</sup> when the assessors arrive on the island.

The next meeting will be at 5:00 p.m., Monday, January 13<sup>th</sup> in the Conference Room.

### **C. Public Works Committee**

At the meeting of November 6<sup>th</sup>, the Committee was updated on the City's efforts to bring the Public Works site into compliance with NPDES regulations. Directors Pitts and Kerr have been working with Neil Desai, an environmental engineer with the Charleston County Public Works Department assigned to the Stormwater Division, to devise a plan to correct the compliance issues and to look at the reconfiguration of the site to ensure it is utilized to the maximum. As a result, the Committee approved hiring a landscape architect to develop a landscape design.

The Committee received an update on the sinkhole on Seahorse Court; since the utility lines run parallel to the roadway, Mr. Desai surmised that some form of organic matter was not properly mucked out before the sub-base was put in place and had resulted in the depression. Mr. Desai has submitted a work order to field operation at Charleston County for the repairs. From the departmental report, Councilmember Buckhannon reported that the Public Works personnel had been involved with a lot of general maintenance on the island, i.e. beach path mowing, cutting the overhang from the bicycle path on Waterway Boulevard, clearing the growth of palm trees at the intersections for better line-of-sight, etc. Due to the increases in the amount of yard debris on the island, the Committee considered an amendment to the City code to require landscape contractors to remove from the island the yard debris they generate; discussion will continue at the next meeting. The Committee also authorized the City Administrator to communicate to SCDOT that the City will assume the expense of maintaining the Phase 2 drainage improvements; the Committee approved the purchase of a pickup truck.

The next meeting will be at 5:30 p.m., Tuesday, January 14, 2014 in the Conference Room.

#### **D. Recreation Committee**

From the meeting of November 4<sup>th</sup>, Councilmember Bergwerf confirmed that the Recreation Center remains a very busy place. Ghostly Tide Tales, held Friday, October 25<sup>th</sup> on the beach at the 28<sup>th</sup> Avenue beach access, drew approximately three hundred (300) participants, and Director Page voiced her appreciation to the Police Department for their assistance with pedestrian traffic before and after the event. The next Middle School Dance is scheduled for Friday, November 22<sup>nd</sup>. The Isle of Palms Community Wellness Fair attracted fifty-two (52) employees and over two hundred (200) island residents; thirty-three (33) employees got flu shots and forty-eight (48) had free blood work from East Cooper Regional Medical Center. According to Director Page, approximately nine hundred (900) children enjoyed the Halloween Carnival; the Exchange Club sold concessions and Citadel cadets assisted with games and distributed candy throughout the evening. Upcoming events include the holiday craft workshop to decorate holiday ornaments and Santa's cookie workshop where as many as one hundred (100) children will decorate cookies with unlimited supplies of icing, chocolate and candy. The Holiday Street Festival has been extended by an hour this year; it will be Saturday, December 7<sup>th</sup> from 2:00 p.m. until 7:00 p.m.; there will be the annual lighting of the Christmas tree on Front Beach, as well as more carnival rides and more live musical entertainment. The Fire Department has done their safety assessment of the area, and the Building and Public Works Departments are ordering the corrections to be made to trip hazards and other similar issues. The RFP for the replacement of the ball field fencing was published in *The Post and Courier* on Sunday, November 3<sup>rd</sup>; the full RFP is available on the City's website. Bids are scheduled to be opened on Tuesday, December 10<sup>th</sup>.

The Recreation Committee will hold its next meeting at 4:00 p.m. on Monday, January 13, 2014 in the Conference Room.

#### **F. Personnel Committee**

At the meeting of November 4<sup>th</sup>, Chief Graham and Battalion Chief Smith provided further analysis of salaries and benefits in the Fire Department. The Committee also approved the 2014 floating holiday for employees as Friday, December 26<sup>th</sup>. Councilmember Thomas announced that the October Safety Sweepstakes winners were Nick Bako of the Recreation Department, Charles Williams of the Public Works Department, Frank Fitzpatrick of the Police Department and Jason Smith of the Fire Department.

The next meeting will be 9:00 a.m. on Thursday, January 9, 2014 in the Conference Room.

**MOTION: Mayor Cronin moved to approve Friday, December 26<sup>th</sup> as the 2014 floating holiday; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.**

#### **G. Real Property Committee**

Reporting on the meeting of November 4<sup>th</sup>, Councilmember Stone listened to a presentation from Steven Traynum of Coastal Science and Engineering (CSE) about the beach erosion on the north end of the island and Breach Inlet. Based on his recommendations the Committee agreed that the City should delay a project until the winter 2015, and CSE will continue the more frequent monitoring of Breach Inlet that appears to be stable at this time. Administrator Tucker updated the Committee on the damaged piling and finger pier at the marina; at the time of the meeting, staff was re-evaluating the three (3) bids.

Administrator Tucker reported that R.L. Morrison was awarded the contract and would mobilize on Friday, November 22.

The Committee discussed the revision of scope for the watersports dock at the marina and the possibility of using the balance of funds for a preliminary marina redevelopment plan.

Administrator Tucker explained that, as part of the acquisition of the Mayor Carmen R. Bunch Park and the associated negotiations, Pastime Amusements was required to improve 18<sup>th</sup> Avenue as part of their overall site improvements and to meet NPDES requirements. In becoming NPDES compliant, Pastime Amusements was required to put a swail along the roadway on 18<sup>th</sup> Avenue; therefore, the park has no access other than on foot, but the City is required to provide access. The City has asked Charleston County to provide an estimate to put in a culvert to gain access from 18<sup>th</sup> Avenue close to Palm Boulevard.

At the time of the meeting, all tenants are current with monthly rents, and one tenant owes a portion of its additional rent for the fiscal year ended June 30, 2013.

The next Real Property Committee meeting will be at 5:30 p.m., Thursday, November 9, 2014 in the Conference Room.

#### **5. Reports from City Officers, Boards and Commissions**

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

Councilmember Loftus noted that the Planning Commission had indicated that the traffic counts were inaccurate and that the software was out-of-date; the Councilmember expressed the opinion that the City needs good and clean data to properly assess traffic and parking issues on the island. He recommended that the Public Safety Committee look into the matter before the season begins in March.

Councilmember Ward asked how long the equipment had been “down;” Administrator Tucker responded that the problems with the equipment appear to be episodic.

Chief Buckhannon commented that the equipment is eleven or twelve (11-12) years old and is based on fourteen (14) year old technology. He indicated that the replacement of the equipment is planned for the upcoming budget cycle. The Chief explained that he maintains the equipment and the problems vary from incident to incident; in addition, the equipment runs “twenty-four/seven” in a tough environment. Chief Buckhannon did not confirm that the data was unreliable, but at times that is the case because it will show errors, and, at other times, it appears to be working fine.

Councilmember Buckhannon recalled that he had suggested that the City needed “real-time” information from traffic-counters and asked that the Chief look into that option.

- 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 2013-10 – An Ordinance Amending Title 5, Planning and Development, Chapter 4, Zoning, Article 1, General Provisions, and Article 3, Landscaping and Tree Removal Regulations, of the City of Isle of Palms Code of Ordinances to Permit Removal of Hazardous Trees Causing Structural Damage or Posing a Clear and Imminent Threat of Structural Damage to Permanent Accessory Structures that Require a Building Permit.

**MOTION: Mayor Cronin moved to waive the reading and to approve for Second Reading Ordinance 2013-10; Councilmember Stone seconded and the motion PASSED UNANIMOUSLY.**

- 9. Introduction of New Bills, Resolutions and Proclamations**

First Reading, by title only, of Ordinance 2013-12 – An Ordinance Authorizing the Conveyance by Quitclaim Deed of all Right, Title and Interest, if any, that the City of Isle of Palms may have in the Property Identified as One-half of the Dead-end Street Previously Known as Thirty-ninth Avenue to the Estate of Robert Allen Berry and Ellen Glass Berry;



**MOTION: Mayor Cronin moved to approve Ordinance 2013-12, by title only, for First Reading; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.**

**10. Miscellaneous Business**

**Next Meeting Date: 6:00 p.m., Tuesday, December 3, 2013.**

**11. Executive Session – not needed.**

Councilmember Thomas commented that Councilmembers were in receipt of the evaluation packet for Administrator Tucker; he asked that they be returned to him by December 3<sup>rd</sup>.

Mayor Cronin thanked Councilmembers Thomas and Stone for their service to the City over the past four (4) years; he said, "They have been dedicated and offered their time and talent to [the City] without hesitation, and it has been appreciated."

**12. Adjournment/Conclusion**

**MOTION: Councilmember Buckhannon moved to adjourn the meeting at 9:10 p.m.; Councilmember Loftus seconded and the motion PASSED UNANIMOUSLY.**