

## CITY COUNCIL

6:00 p.m., Tuesday, June 23, 2015

The regular meeting of City Council was held at 6:00 p.m., Tuesday, June 23, 2015 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bergwerf, Bettelli, Buckhannon, Carroll, Ferencz, Harrington, Loftus and Ward, Mayor Cronin, City Administrator Tucker, City Attorney Halversen, Assistant City 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 had been duly notified of the meeting in accordance with the Freedom of Information Act. After a brief invocation and the Pledge of Allegiance, Clerk Copeland called the roll.

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

**MOTION: Councilmember Loftus moved to approve the minutes of the Public Hearing of May 26, 2015 and the regular meeting of May 26, 2015 as submitted; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.**

### 3. Citizens' Comments

Dan Roberts of JC Long Boulevard reported that, since he attended the May Council meeting, the *Dinghy* has received two (2) citations for violations of the noise ordinance; in addition, when he and his wife returned home on the evening of May 28<sup>th</sup>, the *Dinghy* had a sign in front of the business inviting the neighbors "to enjoy" the complimentary music, and it was pointed at its home. (A photograph of the sign is attached to the historical record of the meeting.) Mr. Roberts noted that he has been on the island for nine (9) years and never encountered a problem like this; he said that he could not understand how this business could have an open-air venue, screened-in porch, with a live band playing music on the patio one hundred thirty-two (132) feet from his door.

Mr. Roberts said that he respected the right for the owner to operate his business, but he wanted respect in return. He noted that, when the business shuts down on the weekends at 1:00 a.m. or 2:00 a.m., the customers tend to linger in the parking lot, and he thought the police should be present to disperse the people. Mr. Roberts quoted §9-2-5a.5 as follows:

"The following are declared too loud or disturbing noises in violation of this section. . . The playing of any radio, hi-fi, stereo system, phonograph, television or musical instrument in such manner or with such unreasonably loud volume as to disturb any person, or the playing of such instrument in such manner as to disturb the quiet, comfort or repose of any person in any dwelling of other resident."

He stated that all he was asking for was to have the ordinance enforced and to be able to live in peace.

Elaine Tessler, 49<sup>th</sup> Avenue, addressed Council on the issue of traffic entering Wild Dunes on each Saturday during the tourist season. (Her written comments are attached to the historical record of the meeting.)

## **Special Presentation**

Mayor Cronin introduced Leola Hanbury, a former member of Council, who wanted to make a special presentation.

Ms. Hanbury thanked the members of City Council for their efforts “to keep the ship [City] on a steady course.” She stated that, in her nearly thirty (30) years on the island, she has made friends with many employees of the City. She announced that she was establishing the “Employee of the Year Award” in the amount of five hundred dollars (\$500); Ms. Hanbury said that she has arranged to fund the award this year and next year. She stated that her decision for the first recipient was easy because he was the City employee that she saw the most because every Tuesday he knocked on her door to assist her with her garbage. She honored John (Rob) Graham from the Public Works Department, and stated that he was “representative of the kind of people [the residents] have running the City.”

Director Pitts stated that Mr. Graham was celebrating his nineteenth anniversary of his employment with the City today.

The Mayor described Ms. Hanbury as part of the heart of the island.

At this point of the meeting, Administrator Tucker and Mayor Cronin moved to the podium and invited Assistant Administrator Emily Dziuban to join them; the Administrator recalled that Emily was the first Assistant City Administrator for the City. Ms. Dziuban has been with the City for eight (8) years and, in that time, she has been involved in many facets of the City beginning with the 2008 beach renourishment project, the dredging of the marina and many other projects. When she came to the City, the city’s website was being revamped and fell to her to manage; she established the City’s e-newsletter; she established the City’s intranet and has steadily moved the City into social media. Based on Assistant Dziuban’s writing skills, she submitted City projects to the Municipal Association for awards, and the City won those awards several years in a row. Administrator Tucker noted that Assistant Dziuban would be missed in many ways; the Administrator then presented her with a book detailing her history with the City as seen through her peers.

Mayor Cronin then presented Assistant Dziuban with a key to the City and voiced the City’s wish for her to return at any time.

Through her tears, Assistant Dziuban then expressed her thanks to City Council, her co-workers and the residents of the island for allowing her to be a member of the island-family.

Captain Albert Schmidt, 31-42<sup>nd</sup> Avenue, addressed Council about his opposition to the ban on single-use plastic bags. His comments were extensive and are attached to the historical record of the meeting.

Bridget Schmidt, 31-42<sup>nd</sup> Avenue, also spoke against the ban on single-use plastic bags.

Kathy Kent, who has spoken to Council on other occasions, reiterated the problems that single-use plastic bags cause both humans and sea life. Other members of the ban-the-bag movement,

City Council  
June 23, 2015  
Page 3 of 12

Katie Zimmerman and Kate Dittloff added their voices to those encouraging the eradication of single-use plastic bags on the Isle of Palms.

Debbie Jones, 813 Ocean, urged Council to do their due diligence on the subject of single-use plastic bags and not to act too quickly.

#### **4. Reports from Standing Committee**

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

From the meeting held earlier in the evening, Mayor Cronin reported that revenue in the General Fund was running at one hundred four percent (104%) of revenue from FY14 and eighty-seven percent (87%) of budget. General Fund expenditures overall were at ninety-one percent (91%) of budget.

On the subject of the tourism funds, the Mayor stated that the City had received fifty-two thousand dollars (\$52,000) from the law suit against the on-line travel companies that went into Municipal Accommodations Fee; year-to-date, collections exceed FY14 by fifteen percent (15%). The final quarter for State ATAX and the second payment from the Charleston County Accommodations Pass-through will not be received until July, but they will be credited to the FY15 budget year. Hospitality Tax collections are running twelve percent (12%) ahead of FY14, and collections for the Beach Preservation Fee for May were in excess of eighty-one thousand dollars (\$81,000), bringing the total collected to-date to approximately one hundred sixty-one thousand dollars (\$161,000).

- 1. From the Public Safety Committee, a recommendation for a contract award in the amount of \$12,920 to Stantec for Task 2, the signage plan for parking Concept C (FY16 budget, page 24, \$43,537 in MUNI ATAX, Street Signs), and Task 3 in the amount of \$2,850 for signage for Mayor Carmen R. Bunch Park (FY16 budget, page 23, \$30,000 in MUNI ATAX, General Government, Capital Outlay) from the proposal dated May 27, 2015**

**MOTION: Mayor Cronin moved to approve the contract award to Stantec detailed above; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.**

- 2. From the Real Property Committee, a recommendation for a contract award in the amount of \$177,304 to Coastal Science and Engineering (CSE) for Beach Monitoring Surveys for 2015-2017 (FY16 Budget, page 46, \$70,000 in Capital Projects, Beach Restoration, Special Projects)**

**MOTION: Mayor Cronin moved to approve the contract award to CSE for beach monitoring 2015-2017 in the amount of \$177,304; Councilmember Loftus seconded and the motion PASSED UNANIMOUSLY.**

**3. Award of a contract in the amount of \$13,061.85 to Asphalt Concepts for street-prints at 21<sup>st</sup>, 25<sup>th</sup> and 28<sup>th</sup> Avenues (FY15 Budget, page 35, \$31,000 in MUNI ATAX , General Government, Maintenance and Service)**

**MOTION: Mayor Cronin moved to award a contract to Asphalt Concepts as detailed above; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.**

The Mayor commented that this award was approved retroactively because the work has already been done.

Councilmember Ward noted that he had heard comments from residents about the timing of the work.

Mayor Cronin reported that the Committee had also discussed the placement of a cannonball display. For those who did not know the story, Mayor Cronin recounted that, during the 2008 renourishment project and at a time when the dredgers were two and a half (2.5) miles off-shore, a cannonball was pulled up, carried through the pipe and spewed out onto the beach. The work stopped immediately, and the bomb squad was called to determine whether the cannonball was solid or contained an explosive. Once it was deemed non-threatening, the ball was delivered to the City who donated it to the Fort Moultrie historical site on Sullivan's Island; a couple of years ago, the rangers from the fort contacted the City to say they had enough cannonballs and they were ready for the City to regain possession of it. When it was brought back to the City, it sat for several months on the floor here in Council Chambers until Assistant Dziuban found someone in Mount Pleasant who could and would restore it. The restoration process was very similar to that for the restoration of *The Hunley* and has taken two (2) years to complete. Now it has coming back to the City and the City must decide what would be done with it.

**MOTION: Mayor Cronin moved to facilitate a display at the Recreation Center at a cost not to exceed \$2,400 and to display the cannonball in such a fashion as to protect both the viewer and the cannonball; Councilmember Carroll seconded and the motion PASSED UNANIMOUSLY.**

The next meeting of the Ways and Means Committee will be 5:45 p.m., Tuesday, July 21, in Council Chambers.

**2. Public Safety Committee**

From the meeting of June 2, Councilmember Bettelli noted that a citizen had planned to attend the meeting to address the Committee but had been unable to do so; he, therefore, emailed his talking-points to the City Administrator as follows:

- Property owners should maintain overgrowth/overhand from their property that covers the sidewalk;

- Better enforcement for people who are parked on or block the sidewalk;
- Better enforcement for golf carts illegally driven on the sidewalks; and
- Better enforcement of speeding on Palm Boulevard between the hours of 6:00 a.m. and 8:00 a.m.

City Council  
June 23, 2015  
Page 5 of 12

The Committee also discussed and approved the Stantec proposal approved earlier in the meeting; in its discussion of the quick response vehicle (QRV), the Committee agreed to discontinue discussions of the purchase until the FY17 budget. Although a QRV would have many benefits, in the end, it would be staffed with the same people, doing the same job with the same equipment with a different mode of transportation. The Committee also considered the need for more emergency beach accesses on the north end of the island; based on surveying done by Captain Eagle, the path at 3202 Palm was wide enough to drive and ATV with a jet ski in tow to the beach.

**MOTION: Councilmember Bettelli moved to designate the beach access at 3202 Palm Boulevard as an emergency vehicular access path and to authorize the appropriate trimming; Councilmember Harrington seconded.**

Mayor Cronin noted that meeting packets contained an aerial photograph of the beach in the area of 3202 Palm with Captain Eagle's notes.

**VOTE: The motion PASSED UNANIMOUSLY.**

On the topic of additional golf cart parking, Captain Usry reported that, based on the amount of work necessary, Chief Buckhannon would not go forward with dedicated golf cart parking at 45<sup>th</sup> Avenue at this time. Councilmember Bettelli added that staff would continue to look for appropriate locations for dedicated golf cart parking.

The Committee agreed that public access to the traffic camera on the Connector might be helpful to both residents and visitors; one (1) problem staff encountered was that giving public access as the camera is currently set up would jeopardize the City's secure computer network. Staff has been working with Comcast, Technology Solutions and VC3 to accomplish the goal.

Administrator Tucker and Sullivan's Island Town Manager have authored a letter to Charleston County for both Mayor's signature requesting a delta unit and a transport unit be assigned to each of the islands during the peak season.

The Committee discussed the need for someone to be responsible for the medical equipment loan closet because Diane Oltorik has notified the City that she must resign due to ill health. Councilmember Bettelli noted that not only did she have the idea for the loan closet, but she volunteered to be the coordinator and solicited the equipment donations. Her efforts have provided welcomed assistance for both residents and visitors to the island.

Councilmember Bettelli stated that Lynn Golden, Administrative Assistant in the Fire Department; would be taking over that responsibility. The loan closet is located in space dedicated for the Fire Department, and Lynn has become very familiar with what items the City has and the paperwork involved with checking out a piece.

**MOTION: Councilmember Bettelli moved to recommend that a Signal 30 Award be presented to Ms. Oltorik honoring her work with the loan closet; Councilmember Ward seconded.**

City Council  
June 23, 2015  
Page 6 of 12

Councilmember Bettelli explained that a Signal 30 Award could be referred to as Citizens' Service Award; it is given to people who have done extraordinary things.

**VOTE: The motion PASSED UNANIMOUSLY.**

The Committee also unanimously voted to add a pedestrian crosswalk at 38<sup>th</sup> Avenue.

**MOTION: Councilmember Bettelli moved to add a pedestrian crosswalk at 38<sup>th</sup> Avenue; Councilmember Carroll seconded and the motion PASSED UNANIMOUSLY.**

Additionally, the Committee discussed the enforcement of ordinances on the beach; ordinances reviewed were

- The prohibition of alcohol and glass on the beach,
- The state and local prohibition of littering on the beach;
- The prohibition of tents, chairs, umbrellas, holes, etc. to be left on the beach overnight, and
- The prohibition on casting light onto the beach at night.

Councilmember Bettelli stated that Administrator Tucker and Captain Usry have discussed mechanisms to try to control some of the concerns that were brought forth in Citizens' Comments and have been heard from other citizens. They considered seeking additional County officers to assist on the weekends; the problem with that is County officers cannot enforce City ordinances.

From the May Police Department report, Councilmember Bettelli noted that, on May 2, a visitor returned from the beach to find the passenger-side window broken and her credit and debit cards stolen. The perpetrators used the cards shortly after stealing them and were caught on surveillance cameras at the business; with the assistance of the Mount Pleasant Police Department the male and female were arrested. A person identifying himself as "Travis" was calling rooms in Wild Dunes, saying that their system had gone down and they needed the guests' credit card numbers immediately. The Department got search warrants for the phone numbers and traced them to a jail in Georgia; the case was turned over to the Secret Service. Also in May, officers conducted beach enforcement and wrote sixty-nine (69) citations for alcohol on the beach; in addition, officers made four (4) DUI arrests. Officers Baldrick and Taylor assisted a young woman who had locked her keys in her car, and officers Couche and Hardy were recognized for their professionalism and assistance at the marina for assisting someone with who was having a hard time backing their trailer. One thousand two hundred nineteen (1,219) parking citations were issued; over the Memorial Day weekend, officers issued three hundred forty-three (343) parking citations from Friday through Monday. The average number of cars traveling on and off the island in a single day was twenty-nine thousand nine hundred sixty-five (29,965).

In the Fire Department report for May were included calls to a small brush fire at the County Park, a possible structure fire in Grand Pavilion and a construction worker who had fallen from a ladder, as well as a man who was shot at the County Park. During the month, personnel responded to one hundred nineteen total calls (119); fifty-seven (57) were EMS calls. Thirty (30) fire inspections were performed that found seventy-four (74) violations.

City Council  
June 23, 2015  
Page 7 of 12

Under Livability, officers received fifty (50) noise complaints that generated nine (9) citations and twenty-six (26) warnings; seven (7) complaints of dogs barking produced seven (7) warnings.

Under Miscellaneous Business, Councilmember Bettelli announced that the ALS Hope Race/Run, a pre-approved City-sponsored event, has been scheduled for 6:00 p.m. on Saturday, October 17. In addition, the East Cooper Straphangers, a local transportation advocacy organization, continues with its plans to march across the Connector at 11:00 a.m. on Saturday, July 18<sup>th</sup>.

The next Public Safety Committee meeting is scheduled for 9:30 a.m., Tuesday, July 7<sup>th</sup> in the Conference Room.

Councilmember Loftus asked what methods would be used to notify residents and visitors of the Straphangers' march because he anticipates that it will interfere with traffic on the Connector.

Administrator Tucker replied that the City would use its social media sites to inform them and voiced confidence that the organization would publicize the event as they have others in the past.

Councilmember Loftus suggested that Wild Dunes be notified so they could notice the event on their message board.

Mayor Cronin stated that, since the Public Safety Committee meeting, personnel from the Fire Department were commended for their response to the recent house fire on 22<sup>nd</sup> Avenue and personnel from the Police Department for the way they handled the incident when a man was holding a woman at gun point. Neither Chief was available when these calls occurred, but personnel responded well without them, which is a testament to their training.

Councilmember Buckhannon recalled that July 4<sup>th</sup>, 2014 was the heaviest traffic day of the year, and this year, the Memorial Day traffic almost surpassed last year's July 4<sup>th</sup> traffic. He added that the heavy count was an indicator of the traffic to expect on July 4<sup>th</sup>, 2015.

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

Councilmember Ward reported on the meeting of June 3<sup>rd</sup> where Director Pitts again reported to the Committee that the Public Works Department would end the year under-budget for vehicle maintenance. Garbage collections were very nearly the same as May 2014 at just over two hundred (200) tons; yard debris collections were down primarily because the Department was operating without one (1) person. Drainage issues at both Lauden and the 21<sup>st</sup> Avenue handicap space were discussed by the Committee. At Councilmember Loftus' request, the

subject of expediting the procurement process for the skid steer included in the FY16 budget was placed on the *Agenda*. Director Pitts stated that, since he intends to buy a used piece of equipment, he could start looking today, but he did not expect to find the “right” unit until after July 1.

The Public Works Committee will hold its next meeting at 5:30 p.m., Tuesday, August 4<sup>th</sup> in Council Chambers.

City Council  
June 23, 2015  
Page 8 of 12

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

##### **Discussion of Island History Series**

Since the Recreation Committee did not have a meeting in June, the Chair, Councilmember Carroll, related that the City has discussed various facets of the City’s history over the years and that many of the island’s older residents are being lost; he stated that there is a lot of history on the island that he would like to see retained. As such, he proposed to City Council that, at least once a quarter, the City ask the older residents to share their memories and stories of the island.

**MOTION: Councilmember Carroll moved for the Recreation Department hold an “Island Tales Night” at least once a quarter; Councilmember Ward seconded.**

Councilmember Bergwerf asked whether, as Recreation Department activity, the recommendation needed a motion to become a reality.

Responding, Councilmember Carroll noted that the Recreation was not meeting for two (2) months and that he would like to see this activity begin as soon as possible.

Procedurally, Administrator Tucker agreed that this action did not need a motion, but that it was on the *Agenda* because the Recreation Committee would not meet again until August and, therefore, could not be discussed by the Committee until then.

Councilmember Ferencz suggested that the events be video-ed and put on the City’s website for people who were unable to attend.

The Recreation Department will hold its next meeting at 9:00 a.m., Monday, August 3<sup>rd</sup> in the City Hall Conference Room

**VOTE: The motion PASSED UNANIMOUSLY.**

#### **E. Personnel Committee**

The Personnel Committee also did not meet in June. Councilmember Harrington announced that the Safety Sweepstakes winners for May were

General Government – Amy Lee

Public Works – Joseph Ancrum



The Councilmember also reported that the only employment vacancy in the City was in General Government for the Assistant City Administrator.

The next meeting of the Personnel Committee was scheduled for 10:00 a.m. on Monday, July 6<sup>th</sup> in the Conference Room.

City Council  
June 23, 2015  
Page 9 of 12

#### **F. Real Property Committee**

Reporting from the regular meeting of June 2<sup>nd</sup>, Councilmember Bergwerf stated the Committee had unanimously passed a contract award to Coastal Science and Engineering for beach monitoring surveys for 2015 through 2017 that was approved earlier in the meeting. The Committee discussed improvements to the 42<sup>nd</sup> Avenue beach access at length. The City has received advocacy from a resident for flat beach access paths for those who are physically-challenged similar to those at Sullivan’s island; the problem for the City is that many of the beach accesses end at large primary dunes that can only be breached by emergency vehicles. A flat area exists at the 42<sup>nd</sup> Avenue access path; therefore, the City could put a parallel path alongside the existing Mobi-mat that would be a flat path. The City would also need to install handicap parking at the end of the path. In order to proceed, the City will need feedback from OCRM and an encroachment permit from SCDOT. (A drawing of the proposed path is attached to the historical record of the meeting.) A new parallel path would start out as concrete but would change to a wooden boardwalk toward the end. The wooden boardwalk recommended would be a product that the City has not used in the past; the Administrator described it as looking like a wooden railroad track. If OCRM does not approve the product, the path would be regular wood constructed on a wood frame. Funds exist in both the FY15 and FY16 budgets for beach walk-overs. The Committee encouraged staff to go forward with obtaining cost estimates and permission from OCRM for the new material; the Administrator estimated the cost to be approximately one hundred thousand dollars (\$100,000). Staff would also pursue permits from SCDOT and OCRM.

Morgan Creek Grill has not initiated its testing of a sound suppression system; the City will keep residents informed.

The next meeting of the Real Property Committee has been scheduled for 5:30 p.m., Wednesday, July 1, 2015 in the City Hall Conference Room.

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

- A. Accommodations Tax Advisory Committee** – no meeting in June
- B. Board of Zoning Appeals** – minutes attached
- 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**

**A. Second Reading of Ordinance 2015-06 – 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 Amend the Definition of Hazardous Tree and to Permit Removal of Hazardous Trees Causing Structural Damage or Posing a Clear and Imminent Threat of Structural Damage to Septic Tank Systems.**

City Council  
June 23, 2015  
Page 10 of 12

**MOTION: Mayor Cronin moved to suspend the reading and to approve for Second Reading Ordinance 2015-06; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.**

**B. Second Reading of Ordinance 2015-07 – An Ordinance Amending Title 5, Planning and Development, Chapter 4, Zoning, Article 9. Short-term Rentals, of the City of Isle of Palms Code of Ordinances to Require Short-term Rental Owners to Post Written Notices with Information about the City’s Noise Ordinance on Exterior Decks, Porches, Patios, Pools, or other Gathering Areas of a Short-term Rental Residence.**

The Mayor stated that this ordinance had skipped a step because it should have been vetted by the Planning Commission before coming to Council since it a part of the City’s Zoning Code; action on the ordinance was deferred until it has been reviewed by the Planning Commission. Assuming that the Planning Commission does not make substantial changes to it, a second Public Hearing will not be required.

**C. Second Reading of Ordinance 2015-08 – An Ordinance Amending Title 3, Public Works of the City of Isle of Palms Code of Ordinances by Adding a New Chapter 4 Titled “Single-use Plastic Bags,” to Prohibit Use of Single-use Plastic Bags by Business Establishments.**

**MOTION: Mayor Cronin moved to suspend the reading and to approve Ordinance 2015-08 for Second Reading; Councilmember Bergwerf seconded.**

Mayor Cronin noted that this ordinance would not go into effect until January 1, 2016, giving Council the opportunity to make changes the Council continued its deliberations over the coming months.

**VOTE: The motion PASSED UNANIMOUSLY.**

**D. Second Reading of Ordinance 2015-09 – An Ordinance Amending Title 8, Motor Vehicles and Traffic, Chapter 1, Traffic Regulations, Article C, Stopping, Standing, and Parking Vehicles, of the City of Isle of Palms Code of Ordinances to Increase the Number of Days in the Grace Period for Payment of Parking Fines from Twenty (20) to Thirty (30) Days in Accordance with State Statute and to**

**Increase the Fines for Parking from \$15.00 to \$25.00 for Parking in Excess of the Time Allowed in any Parking Zone or Parking Space and from \$25.00 to \$50.00 for Parking in Violations of Any Other Parking Regulation.**

**MOTION: Mayor Cronin moved to waive the reading and to approve Ordinance 2015-09 for Second Reading; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.**

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

City Council  
June 23, 2015  
Page 11 of 12

**First Reading, by title only, of Ordinance 2015-10 – An Ordinance Amending Title 1, Government and Administration, Chapter 10, Purchasing Procedures, of the City of Isle of Palms Code of Ordinances to Amend the Procedures for the Award of Contracts and Competitive Bidding Requirements; to Amend the Procedures for Competitive Sealed Bidding; to Provide for Competitive Sealed Proposals as a New Method of Source Selection; to Amend the Procedures for Construction Contracting; to Provide New Procedures for Architect-Engineering and Land Surveying Services Contracts; to Provide New Procedures for Multi-term Contracts; to Provide New Procedures for Additional Projects Completed Under Existing Contract Terms; to Provide Procedures for Intergovernmental Purchasing; to Provide Procedures for Compliance with Federal Contracts and Financing Documents; and to Provide Procedures for Real Property Transactions.**

Responding to Councilmember Ward's question, Administrator Tucker stated that a blue-lined copy of the ordinance had been included in meeting packets that denotes all of the changes to the existing procurement code.

Directing his question to the City Attorney, Councilmember Ward asked whether the changes presented would strengthen or weaken internal controls of the City. Attorney Halversen responded that she believed the controls were strengthened and would give the City more flexibility in deciding what must be bid out and deciding about contracts; she added that much of the ordinance was to bring the City Code in-line with City practices.

Councilmember Ward voiced his concern about internal controls and the control of the City's assets; he opined that the changes would lend the City to more single-source contracts.

Attorney Halversen reminded Council that they have the final answer to everything included in this ordinance. The only part that gives more authority to the purchasing agent is the authority to award contracts that do not exceed twenty-five thousand dollars (\$25,000) and were approved in the fiscal year's budget.

Councilmember Loftus said that he did not think Council had properly vetted this ordinance and would be uncomfortable voting on First Reading at this meeting; he suggested that it be referred to Ways and Means for a thorough review. He also stated that he did not like raising the threshold for Council approval from ten thousand dollars (\$10,000) to twenty-five thousand dollars (\$25,000) despite the item's inclusion in the fiscal budget.

Councilmember Carroll suggested that knowing the maximum purchasing power for the purchasing agent of surrounding communities would be very helpful to Councilmembers.

**MOTION: Councilmember Ward moved to defer First Reading of Ordinance 2015-10 and to send it to the Ways and Means Committee; Councilmember Harrington seconded and the motion PASSED UNANIMOUSLY.**

**10. Miscellaneous Business**

**Next Meeting Date: 6:00 p.m., Tuesday, July 28, 2015 in Council Chambers.**

City Council  
June 23, 2015  
Page 12 of 12

**11. Executive Session** to receive legal advice related to potential claim concerning business license fee.

**MOTION: Councilmember Harrington moved to go into Executive Session at 8:03 p.m.; Councilmember Betteli seconded and the motion PASSED UNANIMOUSLY.**

Council returned to open session at 8:16 p.m., and Mayor Cronin announced that Council had not taken a vote or any other action while in Executive Session.

**MOTION: Mayor Cronin moved to engage Thurmond Kirchner Timbes & Yelverton, PA to proceed using the City's name in the lawsuit to be filed against the on-line travel companies related to business licenses; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.**

**12. Adjourn**

**MOTION: Assistant City Administrator Dziuban moved to adjourn the meeting at 8:05 p.m.; Councilmember Loftus seconded and the motion PASSED UNANIMOUSLY. The meeting was officially adjourned after Assistant City Administrator Dziuban gaveled the meeting to a close.**

Respectfully submitted:

Marie Copeland  
City Clerk