

CITY COUNCIL

6:00 p.m., Tuesday, March 31, 2015

The regular meeting of City Council was held at 6:00 p.m., Tuesday, March 31, 2015 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bergwerf, Bettelli, Carroll, Ferencz, Harrington, Loftus and Ward, Mayor Cronin, City Administrator Tucker, Attorney Halversen, Assistant Administrator Dziuban and City Clerk Copeland; a quorum was present to conduct business. Councilmember Buckhannon's absence was excused.

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. The Pledge of Allegiance followed a brief invocation, and Clerk Copeland called the roll.

2. Reading of the Journal of the Previous Meeting

MOTION: Councilmember Loftus moved to approve the minutes of the regular meeting of February 24, 2015 as submitted; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

3. Citizens' Comments

Special Presentation

Recreation Director Page announced that, after eight (8) years with the City, Nick Bako, the Parks and Grounds Supervisor was retiring. After providing some background information, the Director described a hard-working man who was a jack-of-all-trades; she said that Nick had been a great employee and a pleasure to work with. The City presented him with a plaque of appreciation that included a clock to help him track his time in retirement.

MOTION: Councilmember Bettelli moved to re-order the *Agenda* to Recognize Sgt. Sharon Baldrick at this time; Councilmember Carroll seconded and the motion PASSED UNANIMOUSLY.

Councilmember Harrington, Chair of the Personnel Committee, announced that Sgt. Baldrick has recently become a certified Drug Recognition Evaluator; she is qualified to recognize impairment in drivers under the influence of drugs other than, or in addition to, alcohol. Only one hundred fifty (150) officers out of the fourteen thousand (14,000) in South Carolina achieve this certification, and she is the only female officer that is assigned to patrol/traffic enforcement.

Mayor Cronin reported that Sgt. Baldrick is now being called upon to provide her service to other local departments. The Sergeant received a hearty round of applause.

Arnold Karig, 5102 Palm Boulevard, addressed City on the noise issues on the island which become more acute when the summer season arrives; he reported that he has already made his first 3:00 a.m. call to the Police Department. He stated that many residents do not report problems when encountered because of perception of a lack of response by the police officers. Mr. Kargin recommended that some sort of newsletter be distributed to residents of the island explaining how the livability officer and court function and how to follow up on a call in the ensuing days. He pointed out that prevention was the key and that the rental agencies could have a

greater impact; in his opinion, one (1) sign in a rental property was not sufficient. In addition, he suggested that the Police Department review its practices and to insure that the best practices for all concerned are being used. Mr. Karig's comments are attached to the historical record of the meeting.

Carol Hindman, 7 Barnacle Row, stated that she was in favor of allowing Morgan Creek Grill (MCG) to continue with some amplified music on the grounds of the restaurant. She noted that the only public place one could enjoy views of the IntraCoastal Waterway was from the lawn there, and that Morgan Creek Grill was not contributing to noise issues on the island at 3:00 a.m. She maintained that they were doing a good job and were an asset to the island. If the City were to ban amplified music there, it would be unreasonable and an over-reach.

Ray Gay, 6 IntraCoastal Court, stated that he was probably the closest neighbor to Morgan Creek Grill and that he was in favor of MCG keeping its music programs. He added that it was a family-friendly location and that he enjoyed taking his grandchildren there. As a retired engineer, he understood that the direction and the sound might be objectionable to people in other locations. In his opinion, MCG has gone above and beyond the efforts of most businesses to try to accommodate their neighbors. They have come up with a solution to mitigate the noise and a test period to validate their work. He voiced concerns about denying them the opportunity to do that while establishments on Front Beach were allowed to have amplified music. Mr. Gay stated that he was aware that the City had lost a suit to a business on Front Beach about the City's noise ordinance; he added that, as a taxpayer on the Isle of Palms, he did not want to see that repeated. He commented about the unfairness of denying one (1) establishment while allowing others.

Mary Chasen, 33-31st Avenue, asked how many households there were on the island and was told that the number was approximately forty-three hundred (4,300). She expressed being disturbed that a few people were making the rules for everyone on the island. She commented on the friendly atmosphere at MCG that was what people wanted.

Dolly Cannon, 36 Intracoastal Court, expressed her agreement with those who have spoken and that she has found MCG rather depressing without music. She reported that an email had gone to the residents of Intracoastal Court, that she and the Gays had polled residents and found that everyone, with the exception of two (2), on Intracoastal Court supported music at Morgan Creek Grill.

4. Reports from Standing Committees

A. Ways and Means Committee

At the meeting of March 24th, Treasurer Suggs noted that the City was two-thirds ($\frac{2}{3}$) through the FY15 fiscal year; General Fund expenditures were at sixty-one percent (61%) of budget while revenues were at sixty-two percent (62%). The reason revenue was behind FY14 at the same time was a timing issue related to Property Taxes advanced to the City by Charleston County; since the beginning of March, the City has received an additional eight hundred eighty-seven thousand dollars (\$887,000) in Property Taxes revenue. All other revenue sources were running ahead of FY14 for the same period. In the tourism funds, Municipal Accommodations Taxes were

running six percent (6%) higher than the same period in FY14, and Hospitality Taxes were running thirteen percent (13%) ahead of FY14.

In the future, the Treasurer will be providing a report on the Beach Preservation Fee, which will be kept separate from all other tourism funds since it has a dedicated purpose.

The Mayor reported that the City will receive fifty-two thousand four hundred ninety-five dollars (\$52,495) as part of the settlement of a class action lawsuit against online travel companies.

The shoal management project has been completed with funds remaining of approximately two hundred thousand dollars (\$200,000); the City anticipates a couple of final invoices from Coastal Science and Engineering.

After an in-depth discussion, the Committee did not award a contract to ATM for a Comprehensive Redevelopment Master Plan for the marina at this time, but agreed to consider it for the FY16 budget.

Mayor Cronin made an insightful presentation on Local Option Sales Taxes; he commented that this was a tax the City received from the Department of Revenue. In the presentation, he explained how the tax was collected and, subsequently, distributed to the City. The important thing to know was that the City collects the Local Option Sales Tax and remits it back to the residents on the island as a credit on their property tax bills.

Staff presented a balanced FY16 budget for review by the Committee who were pleased to note that no tax increase was planned for the coming year. Various elements of the budget were discussed in depth; the Committee decided to reinstitute the cost of living adjustment for employees, in addition to a merit pool of five percent; Christmas Eve day was established as a new holiday for employees. The Mayor commented that the addition of this holiday brought the total to ten (10) for employees which still lagged behind the majority of other local governments in the area who have eleven (11) holidays. The Committee agreed to hold a budget workshop on Monday, April 13th with a goal of having First Reading on April 28th.

1. Award of a Sole Source Contract to T2 Systems in the amount of \$21,896.46 for three (3) years' web hosting, permits and enforcement pack for continued Parking Ticket Management.

MOTION: Mayor Cronin moved to award the sole source contract to T2 Systems as detailed above; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

2. Approval of \$3,500 from Municipal Accommodations Fees to Purchase a Portable Sound System for the Recreation Department

MOTION: Mayor Cronin moved to approve \$3,500 for a portable sound system for the Recreation Department; Councilmember Bettelli seconded.

The Mayor reported that the sound system at the Rec Department did not work at all and that it was typically used at the Sand Sculpting contest, the Beach Run, Ghostly Tide Tales and the Half-Rubber Tournament.

VOTE: The motion PASSED UNANIMOUSLY.

Councilmember Loftus complimented the Mayor, City Administrator and City Treasurer for their tenacity to get what the City deserves in tourism funds. The Councilmember noted that the City has not raised taxes in eight (8) years, and a big reason for that has been that the Mayor has identified opportunities and places where the City should be getting money but was not.

Mayor Cronin announced that Administrator Tucker has been appointed to the Tourism Expenditure Review Committee by Governor Haley for a four (4) year term; this Committee has oversight of all local governments that pay or receive State Accommodations Taxes to make sure that the funds are spent according to the law.

B. Public Safety Committee

At the meeting of March 3rd, a good deal of time was spent in discussions regarding the Morgan Creek Grill sound mitigation proposal and proposed test period. Jay Clarke, owner of Morgan Creek Grill, reported on a new stage with sound-absorbing and sound-proofing materials and an appropriate sound system with a limiter. After the testing period parameters were approved at a Special Meeting of the Public Safety Committee, Council would make the final decision about proceeding with the test period. The management of MCG had been cautioned that the City's noise ordinance would be enforced as in the past during the test period; Administrator Tucker stated that the testing should have some degree of measurable integrity to it so that there would be no possibility that someone might opine that the results had been manipulated.

Included in meeting packets were the Sound Suppression Test Plan and the Conditions for City-sponsored Event Agreement for Morgan Creek Grill Sound Suppression Test Plan. Morgan Creek Grill has agreed to build the sound stage at their expense knowing that their ability to provide amplified music rests with the results of the trial.

MOTION: Councilmember Bettelli moved that City Council approve the test period once the conditions have been signed off on by Morgan Creek Grill and that the test period be a City-sponsored event; Councilmember Carroll seconded.

Councilmember Bergwerf asked about the open dates on the agreement that denote when the test period would start and end.

Administrator Tucker asked that Mr. Clarke or his designee come forward to explain that, if permission was granted for the test period as a City-sponsored event, the goals and what they will do to measure those goals.

Carla Pope, Operations Manager at Morgan Creek Grill, stated that, since the stage has not been constructed, the start date was difficult to commit to, and she indicated that a bit of fluidity between MCG and the City would be helpful. As to the end date, they built in a longer period than they

expect the test to take as a safety net. Ms. Pope said that Morgan Creek Grill wanted to prove to the City that it could reduce the level of noise emanating from MCG to a satisfactory level for the surrounding neighbors and that they would share the start and end dates with the City as soon as they could be confirmed. She added that they want the testing to progress as quickly as possible for all concerned.

Mr. Clarke remarked that an important element of the plan was for MCG to notify the neighbors and neighborhoods when the testing would be happening. Once the stage was constructed, they decibel readings from multiple locations.

Councilmember Loftus asked what would happen if the testing was to be unsuccessful and complaints continued.

The Mayor responded that the City has not changed its noise ordinance and it would be enforced.

Councilmember Loftus also asked whether musicians would be allowed to use their own sound systems.

Mr. Clarke stated that the plan was to use the restaurant's sound system with the limiter.

The Mayor stated that the community should be advised when the music was to stop. Ms. Pope countered that no other music venue on the island was being asked to do this.

Mayor Cronin asked whether MCG would be tracking the wind conditions during the test performances, and Mr. Clarke replied that they would monitor wind conditions and humidity as factors in the test results.

When Councilmember Ferencz asked what the measure of success was to be, the Mayor answered that having no founded complaints would be the measure.

Mayor Cronin stated that a motion was on the floor that had been modified to include a future date to be established two (2) weeks in advance of the test period.

Administrator Tucker pointed out that, at any time during the test period, permission to conduct the test plan could be revoked if there was a problem. She added that it would be to Morgan Creek Grill's benefit to self-monitor to avoid a revocation based on noise complaints.

Councilmember Ward recalled that in the past the City was involved in a lawsuit with Coconut Joe's over the noise ordinance and the City lost. He suggested that the City has brought up something for which a precedent has already been set.

The Mayor responded that, since the suit, the City's ordinance has been amended to remove the language referring to decibel readings which had been the issue in the suit.

Administrator Tucker asked whether groups typically booked by MCG had drums because she thought that limitors did not work on drums.

Mr. Clarke responded that they have been told that they could have drums in the new acoustical stage. Rene Russell, music director for MCG confirmed what Mr. Clarke had said and added that, if the drums could not be controlled, they will adapt by either limiting the drums or excluding them completely.

VOTE: The motion PASSED UNANIMOUSLY.

The Committee then reviewed the Capital and Operating budgets for the Police and Fire Departments.

Councilmember Loftus commented that the subject of Coyotes had been discussed at the Wild Dunes Community Association meeting, and he thought that information should be put on the City's website advising people to notify the Police Department when a coyote is sighted. He also asked that information on coyote sightings be added to the Police Department Monthly Report.

Mayor Cronin reported that he and Administrator Tucker had testified before the State Transportation Committee about allowing golf carts to use the right-of-way between 21st Avenue and the Connector. Although the matter was not immediately forwarded to the full Committee, it has since been forwarded to the full Committee and was not anticipated to run into many arguments.

Councilmember Ferencz asked what the wage would be for Beach Services Officers (BSOs) in light of the managed beach parking initiative.

In hopes of attracting more qualified candidates, the BSO wage has been increased to thirteen dollars (\$13) per hour for a term of employment between March and September.

From the Fire Department Report for February, Councilmember Bettelli reported that personnel had reported to fifty-five (55) calls and twenty-five (25) of them were EMS calls. On February 19th, personnel assisted Awendaw Fire Department with a structure fire and, on February 25th, assisted Sullivan's Island Fire Department with a structure fire.

In February, Sergeant Baldrick assisted couples with the proper installation of child safety seats, and Sergeants Meekins and Ambas and Animal Control Officer Enourato assisted with Doggie Day at the Rec where ninety (90) licenses were issued. PFC Matt Storen has been nominated for Officer of the Year for the South Carolina Law Enforcement Network for his outstanding performance in alcohol and drug enforcement; in 2014 he had a total of seventeen (17) arrests for driving under the influence, made fifty-two (52) arrests of individuals for underage possession of alcohol and made sixteen (16) arrests of individuals for the possession of illegal narcotics. The Department also received a complementary email from someone who is well-known in the community about Patrol Officer James Taylor's job performance; they stated that he had been pleasant and professional when assisting them – they had locked their keys inside the vehicle. For livability, the City had three (3) noise complaints; one (1) citation and two (2) warnings were issued.

The next Public Safety Committee meeting will be at 9:00 a.m., Thursday, April 9th in the Conference Room

C. Public Works Committee

From the meeting of March 12th, Director Pitts reported that personnel had pumped water from 46th, 50th, and 51st Avenues on February 26th and 27th from the heavy rains. In February, the City received the invoice for repairs to the CAT; the Director reported that the problems had been the coolant and the rebuild of the hydraulics system. Despite the big hit in February, the Director was confident that vehicle maintenance would end the year at budget unless something unexpected was to happen.

Debris was up slightly in February, primarily because the CAT was back in service for the entire month; garbage was also up slightly.

Councilmember Ward stated that he had heard many positive comments on the new lights at Front Beach at the Island Gras celebration; the Committee then briefly discussed the ways that the new lights were turtle-friendly according to information provided by SCE&G. The Administrator indicated that the City would continue to monitor the lights to insure that the lights are indeed turtle-friendly.

To keep drivers from backing into the ditch at 29th and Palm, Chief Buckhannon was going to install a NO PARKING WITHIN 4 FEET OF ROAD sign. Charleston County has been asked to evaluate the handicap parking space and to develop a plan to solve the flooding problem; the easy solution appears to simply make the handicap space even with the road.

The Committee has asked staff to determine if there were places on the island where the old Front Beach streetlights could be used before a decision was made to sell them for salvage.

Councilmember Ward reported that, since the lights went up on Front Beach, friends have called him requesting street lights on their street or in their neighborhood. When the Councilmember asked Administrator Tucker if SCE&G still installed lighting when groups of people requested them, she recommended that the residents of Forest Trail hold a community meeting to ensure that the majority wanted lights before petitioning SCE&G. The Administrator also commented that there would be the expense to the City for installation and an ongoing monthly expense for service.

Drainage at the corner of Sparrow Drive and Duck Lane was also discussed, and Councilmember Ward agreed to suggest to the resident at 123 Sparrow that he fill in the area between the asphalt and the apron of his driveway to raise the level and to drive the water across the road to the culvert.

The Committee was informed that the Hazardous Materials Disposal and Shred Day would be Saturday, April 25th in the large parking lot on Front Beach.

Councilmember Ward stated that, after a lively discussion of moving public works off-island, a majority of the Committee agreed to keep remain open-minded about such a move and to keep the subject on the table for the long term.

The Committee also reviewed the proposed FY16 capital and operating budgets; a key topic for consideration was new floating or designated holidays for employees. Director Pitts reasoned that, when Charleston County was closed for holidays, residents assumed that the City was also closed. As a result, residents did not put their garbage out for pick up, but the Charleston County landfill was also closed, so there was no place to take the garbage. Therefore, Public Works personnel could not pick-up garbage or yard debris on that day.

The Committee concurred with Director Pitts that the City should have its own skid steer, rather than renting one twice a year; by having its own equipment, Public Works could keep the beach accesses would be cleaned as needed, not just twice a year.

The next Public Works Committee meeting was scheduled for 5:30 p.m., Thursday, April 9th in the Conference Room.

Consideration of Moving Public Works Off-Island

Councilmember Ward stated that relocating Public Works off-island has never been discussed fully by City Council despite being mentioned in Council meetings of May and June 2014; discussion in the March 2014 Public Works Committee meeting was that any work at the Public Works site was being delayed until SCE&G completed its work. He added that he hoped for a friendly, open-minded discussion on the issue, keeping in mind what would be best for the island ten to thirty (10-30) years into the future.

Councilmember Carroll said that he had seen photos of the water flowing from the Public Works site with the sheen on top then flowing into Hamlin Creek and remarked that the location was unsightly as one drove onto the island. He thought that the relocation off-island should be a long-term goal for the City.

Mayor Cronin noted that he gets the most compliments about the Public Works Department and that they do much more than pick-up the garbage and debris on the island, such as clean beach paths. He thought that a remote location would make the personnel less available to respond to residents since they would have to maneuver through traffic to get to the island from a distance of eight to fifteen (8-15) miles. The Mayor stated that, if the City wanted to get rid of Public Works, it could hire a company to remove the garbage; Council was quick to respond that they would not be interested in doing that. In the Mayor's opinion, moving the Department seven to twelve (7-12) miles off the island would amount to doing just that.

Councilmember Ward recalled that, growing up in eastern North Carolina, the Public Works Department for his small, farm community was seven (7) miles outside the City, and he stated that there must be other municipalities in the United States that do the same thing.

Councilmember Bergwerf commented that Mr. Schupp's job of removing garbage from the beach has him on the beach seven (7) days week; he must work around the tides and is on the beach at all hours of the day and night. Since he must have a place to dump the refuse he collects; she questioned where that would be if Public Works were moved off-island. Additionally, Director Pitts

typically gets calls from all departments in the course of a day, and he needs to be close, not miles away.

Based on the analysis, the City would spend in excess of one million dollars (\$1,000,000) to provide decreased services to the residents and guests of the island.

Councilmember Loftus noted that residents of the island have not had a tax increase in eight (8) years, but following through with this idea would require a tax increase. He praised Director Kerr for his work on the analysis, but Councilmember Loftus opined that there were intangibles that would drive up the costs. He stated that he was committed to not having a tax increase for the residents and that the numbers do not work without a tax increase.

On the other hand, Councilmember Ferencz stated that, if the City wanted or needed the move to happen, it would find a way; she opined that the City should look into the possibilities.

MOTION: Councilmember Bergwerf moved to relocate the Public Works Department off-island.

The motion failed for lack of a second.

MOTION: Councilmember Ward moved for the City to consider moving Public Works off-island if it was financially feasible; Councilmember Ferencz seconded.

AMENDMENT: Councilmember Carroll moved to amend the motion to include the words "in the long-range future plan;" Councilmember Ward seconded.

Councilmember Ward stated that this action was an indicator of the philosophy of the island and where it was going; he questioned that the City would leave garbage trucks on the site forever or would it consider relocating if feasible.

Councilmember Loftus stated that he did not want staff spending valuable time looking for a suitable location off-island when there were more important tasks at hand, and he reiterated that, if the City was to look into this now or in the future, moving off-island would mean a tax increase for residents. The Councilmember remarked that past mayors and past councilmembers have not worked to move Public Works off-island because it did not make economic sense and because it would reduce City services to residents.

Councilmember Bettelli asked whether the updated Comprehensive Plan suggested relocating Public Works.

Referencing the newly updated Comprehensive Plan, Councilmember Bettelli asked whether it mentioned moving Public Works off-island.

The Mayor repeated that the existing site needed to be improved to be NPDES compliant so that the water described by Councilmember Carroll would stop polluting the creek.

Councilmember Ferencz suggested assigning the task of finding a location and producing a feasibility study to the Planning Commission. Mayor Cronin stated that the only resource for the Planning Commission was Director Kerr.

Councilmember Bergwerf was opposed to moving the Department off-island because to do so would increase wear-and-tear on the vehicles, speed up depreciation and decrease the level of service that the island's residents have come to expect.

Councilmember Ward stated that the City would be signing on to a pollution risk from the existing site forever if something was not done to comply with NPDES regulations.

VOTE on the Amendment: In a roll call vote, the Amendment FAILED on a vote of 3 to 5 with Councilmembers Bergwerf, Bettelli, Harrington and Loftus and Mayor Cronin casting dissenting votes.

VOTE on the Primary Motion: In a roll call vote, the Motion FAILED on a vote of 3 to 5 with Councilmembers Bergwerf, Bettelli, Harrington and Loftus and Mayor Cronin casting dissenting votes.

MOTION: Councilmember Bergwerf moved for the City to proceed in awarding the necessary contracts to improve the Public Works site as outlined in the FY15 budget to bring the site into compliance with the National Pollution Discharge Elimination System (NPDES); Councilmember Ward seconded.

Councilmember Loftus opined that the issue go back to the Public Works Committee because it has not been discussed in some time.

Councilmember Bergwerf responded that the funding for the project was approved last year, and she did not see any reason to delay further.

Referring to a drawing included in meeting packets, Councilmember Loftus recalled that this design had been voted down when presented to the Public Works Committee originally.

Administrator Tucker stated that the money in the budget was based on this design.

Councilmember Bergwerf commented that, by adhering to this design, the entrance off of Palm Boulevard would become an emergency exit and eliminate trucks pulling in just as they turn off the Connector – it would be much safer.

Councilmember Ward voiced the opinion that he did not see a reason to delay and that, if there was an issue about pollution, it should be fixed.

Responding to Councilmember Ferencz' inquiry, the Administrator stated that the projected cost for the improvements was approximately two hundred eighty-three thousand dollars (\$283,000) assuming that the City received one hundred ninety thousand dollars (\$190,000) in NPDES funds from the county. The Administrator reported that, in preparing the FY16 budget, twenty-one thousand five hundred dollars (\$21,500) were added for anticipated civil engineering costs.

Assuming that this motion passes, the project would span two (2) budget years, i.e. started in FY15 and completed in FY16.

VOTE: The motion PASSED UNANIMOUSLY in a roll call vote.

D. Recreation Committee

From the meeting of March 2nd, Councilmember Carroll cited the February Departmental Report that adult league tournament play was in full swing; youth basketball has also concluded its season. Youth baseball registration saw over two hundred (200) youths planning to participate. The annual Beach Run is scheduled for Saturday, July 25th; a new twist this year is the timing of the walkers just like the runners. A Hunter Education class and a babysitting course are upcoming. New programs being considered were island water-ecology and photography. The Second Annual Island Gras was held on Saturday, March 7th, and it was well-attended by people enjoying games, food and music. The new Front Beach lights were also dedicated during the afternoon; the lights look great and businesses on Front Beach "love them." The Middle School Dance on Friday, January 30th drew approximately three hundred (300) youths; the February meeting of the Keenagers had fifty-two (52) people in attendance. Also in February was Doggie Day at the Rec; sixty-nine (69) dogs participated in the competitions and ninety (90) dog licenses were sold. Summershine camps are filled for the each week of camp, and each week will have a different theme with different activities. Among the upcoming events are the annual Easter Egg Hunt on Saturday, April 4 beginning at 10:00 a.m. SHARP; the Yard Sale on Saturday, April 25th, Music in the Park on May 9th and the Sand Sculpting Competition on Saturday, May 30th.

The Committee unanimously approved the purchase of a new portable sound system and reviewed the FY16 Capital and Operating budgets.

The next Recreation Committee meeting has been scheduled for 9:00 a.m., Monday, April 6th in the Conference Room.

E. Personnel Committee

Councilmember Harrington reported on the meeting of March 2, 2015 where the key action was the unanimous recommendation for adding two (2) additional holidays for employees in the FY16 budget, specifically Presidents' Day and Christmas Eve; the decision was based on a survey of surrounding municipalities and their holiday schedules that showed only one (1) other local government offered nine (9) holidays while others offered eleven (11) or more. The Committee also looked at the proposed FY16 Capital and Operating budgets and the impact of merit pools ranging from three to six percent (3%-6%) on the Operating budget. A unanimous Committee decision was reached to recommend to Council reinstating the annual cost of living adjustment (COLA) based on the CPI, which is currently one point six two percent (1.62%).

For the month of February, the Safety Sweepstakes winners were Amy Lee of the Judicial Department, Amanda Postell of the Police Department, Charles Williams of the Public Works Department and Bill Pesature of the Fire Department.

Currently, employment vacancies in the City exist for one (1) firefighter and Beach Service Officers.

The Personnel Committee will hold its next meeting at 10:00 a.m., Wednesday, April 8th in the Conference Room.

Based on discussions at the Ways and Means Committee relative to employee holidays, Councilmember Harrington stated that the cost of two (2) holidays equaled only one quarter of one percent (0.0025%) of the total salaries budgets; he, therefore, chose to modify the Personnel Committee's recommendation for employee holidays.

MOTION: Councilmember Harrington moved to add two (2) additional holidays for City employees, specifically Christmas Eve Day and a floating holiday to be approved by the respective department manager; Councilmember Loftus seconded.

Councilmember Carroll asked to be reminded of the cost of a holiday to the City and was told that it was approximately ten thousand dollars (\$10,000).

Councilmember Loftus commented that a floating holiday provided another paid holiday for employees and controlled costs.

VOTE: The motion PASSED UNANIMOUSLY.

F. Real Property Committee

Reporting on the meeting of March 4th, Councilmember Loftus stated that Elaine Tessler, 49th Avenue, noted that there have been significant drainage issues on 49th Avenue and asked whether the actions taken at the end of the street would have a dramatic impact in case of a hurricane. She wanted to know if an engineering study had been done that would verify or negate the allegations that have been made. This topic was discussed in detail later in the meeting.

Jay Clarke and Carla Pope of Morgan Creek Grill presented amendments to the restaurant lease. Mr. Clarke stated that, if the amendments are approved, he planned to invest three hundred thousand dollars (\$300,000) in the repairs and improvements to the building; Peter Kent, the restaurant's accountant, was also present to explain their financial situation and why they were asking for certain concessions in the lease amendment; in a *pro forma*, Mr. Kent showed that the break-even sales figure for the restaurant was four million nine hundred thousand dollars (\$4,900,000). Administrator Tucker pointed out that the Morgan Creek Grill team needed to study their amendment changes and come back to the Committee with the benefits the City would receive by approving the amendments.

On the subject of 49th Avenue drainage, Director Kerr reported that he had approved a septic system plan at a residence under construction on 49th Avenue submitted by a contractor after an engineering survey that called for the removal of a mound of built-up silt; once the mound was removed, a neighbor claimed that the mound could provide some measure of protection in the vent of a major storm and should not have been removed. The complainant has since been

slowing rebuilding the mound. The neighbor adjacent to the new construction has reported to the Director that, since the mound was removed, the area under his home has been dry and that he does not want to see it replaced.

The Committee voted to take no action.

To have easier access to the beach at 28th Avenue, neighbors placed boards on the access path to make it more stable, but they did not have a permit to do so, and the boards have been removed. Having filed for a permit, Director Kerr was requesting permission to install Mobi-Mat on this access path for stability and reach the goal of the neighbors.

Because the kiosk on Front Beach has not had the desired effect and because it was in a state of disrepair, Administrator Tucker presented several options for its replacement, such as a bench, an oversized rocking chair, or a piece of outdoor art. The Committee asked that the Administrator get pricing so that the Committee could make a decision before the FY16 budget was adopted.

The Committee unanimously agreed to recommend to City Council getting new chairs for Councilmembers in Council Chambers.

As all other Committees of Council, the Real Property Committee reviewed the Capital and Operating budgets for the marina, Front Beach and public restrooms and Breach Inlet.

The next meeting of the Real Property Committee was scheduled for 5:30 p.m., Wednesday, April 8th in Council Chambers.

6. Reports from City Officers, Boards and Commissions

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

Having read the Planning Commission minutes, Councilmember Loftus stated that the City's tree ordinance was the result of hard work by the Commission, and he voiced the opinion that the Commission must maintain the quality of the tree ordinance in their deliberations for an amendment.

Mayor Cronin noted that copies of the updated Comprehensive Plan have been distributed to Council members.

Councilmember Bettelli asked whether the Comprehensive Plan contained anything that needed to be included in the FY16 budget.

Councilmember Loftus stated that he would prefer to complete work on the budget and to address the Comprehensive Plan afterward.

Councilmember Ferencz stated that a thorough review of the Comprehensive Plan would be helpful as Council works on the FY16 budget.

A meeting of the Planning Commission and City Council was set for 5:30 p.m., April 30th in Council Chambers to review in detail the updated Comprehensive Plan.

7. **Reports from Special or Joint Committees – None**
8. **Petitions Received, Referred or Disposed of – None**
9. **Bills Already in Possession of Council – None**
10. **Introduction of New Bills, Resolutions and Proclamations**
 - A. **Proclamation of Opposition to House Bill H3490**

This proclamation voices the City's opposition to possible changes to business licenses that would have a significant adverse impact on the revenue of local municipalities.

MOTION: Mayor Cronin moved to approve the Proclamation in Opposition to House Bill H3490; Councilmember Carroll seconded and the motion PASSED UNANIMOUSLY.

B. Proclamation Making April Sexual Assault Awareness Month

This Proclamation came to the City from People Against Rape.

Motion: Mayor Cronin moved to approve the Mayoral Proclamation from People Against Rape; Councilmember Carroll seconded and the motion PASSED UNANIMOUSLY.

11. Miscellaneous Business

Consideration of Support for Senate Bill 139

Mayor Cronin was seeking Council support for this bill that has to do with OCRM's Beach Management Act that restrict the movement of the baseline seaward, the approval for construction of groins under certain circumstances, etc.

MOTION: Mayor Cronin moved for the City of Isle of Palms support Senate Bill 139; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.

Employee Recognition – Sgt. Sharon Baldrick (at the beginning of the meeting)

Consideration of Assigning the Status of City-sponsored Event to Sentinel Swim/Run Challenge on Saturday, May 3, 2015

The Mayor stated that this event would involve approximately twenty-five (25) individuals swimming at the County Park and running to Breach Inlet and back; they expect to be self-

contained and require no City services. Mayor Cronin noted that the event had been approved by the County Park.

MOTION: Mayor Cronin moved to designate the Sentinel Swim/Run Challenge a City-sponsored event; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

The next meeting date is set for 6:00 p.m., Tuesday, April 28, 2015.

12 Executive Session – not necessary

13. Adjournment

MOTION: Councilmember Bergwerf moved to adjourn the meeting at 8:20 p.m.; Councilmember Carroll seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk