

CITY COUNCIL

6:00 p.m., November 17, 2015

The regular meeting of City Council was called to order at 6:30 p.m., Tuesday, November 15, 2015 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bettelli, Buckhannon, Carroll, Ferencz, Harrington, Loftus and Ward, Mayor Cronin, Administrator Tucker, Attorney Halversen, Assistant Administrator Fragoso, and City Clerk Copeland; a quorum was present to conduct business. Councilmember Bergwerf'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. 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 Loftus moved to approve the minutes of the regular meeting of October 27, 2015 as submitted: Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

3. Citizens' Comments

A. Request for Polar Plunge at the Windjammer on Saturday, February 20th as a City-sponsored event

The Mayor noted that this would be the second annual Polar Plunge and he had been told that the 2015 event was very successful; he also reminded Council that this event benefits Special Olympics.

MOTION: Mayor Cronin moved to approve the February 20, 2016 Polar Plunge at the Windjammer as a City-sponsored event; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

B. Request for a volleyball league at the Windjammer running from April 5th through August 9 and a volleyball tournament at the Windjammer on June 18th and 19th as a City-sponsored event

MOTION: Mayor Cronin moved to approve the volleyball league and volleyball tournament on the dates stated above as City-sponsored events; Councilmember Harrington seconded.

The Mayor indicated that the sponsors of the events were conscious that there is little beach in front of the Windjammer, and they will cancel if the beach has not returned by then.

VOTE: The motion PASSED UNANIMOUSLY.

C. Consideration of Extension of City-sponsored event status for Morgan Creek Grill through February 2016

MOTION: Mayor Cronin moved to extend City-sponsored event status for Morgan Creek Grill through February 2016; Councilmember Carroll seconded.

Councilmember Loftus said that he has been asked how successful the new stage was at containing the outdoor music at the restaurant; he noted that the City has not received any noise complaints; therefore, he considered the noise issue resolved.

VOTE: The motion PASSED UNANIMOUSLY.

Jeff Evans, Hartnett Boulevard, thanked City Council and staff for their service; with so much chatter about minimum wage, he commented that between meetings, Committees and events, everyone was working for less than the minimum. He also thanked Councilmembers Loftus and Buckhannon for their years of service to the City.

John Moyer, 19th Avenue, wanted to bring Council's attention to flooding issues that have been exacerbated by recent weather; he said he had spoken with many of his neighbor about the hazards from the levels of flooding for properties with septic systems. He brought it to Council in search of an answer to mitigate the hazards from flooding in areas where sewer is not an option since no infrastructure is in place.

Councilmember Ward commented that the Public Works Committee has taken up this issue; Mayor Cronin added that Council has charged the Planning Commission to address the problem as well. The ultimate goal is to sewer the entire island, but that was not going to happen quickly.

By way of clarification, Administrator Tucker explained that the IOP Water and Sewer Commission was a totally separate entity from the City; she, therefore, urged Mr. Moyer to continue his advocacy with them. The Administrator opined that their Commission could profit from hearing the same appeal he has made to Council.

Allen Bowen, a resident of Summerhouse in Wild Dunes, reported that he had sent letters to Council and the Public Safety Committee about the additional sign now being required for rental properties. He would like to see consideration given to the verbiage on the sign. He said that he did not think City Council could create a new crime by demanding a new sign be hung in rental properties. He contended that "absolute silence" was unattainable.

The Mayor reported that this subject was addressed at the last Public Safety Committee meeting and was on the agenda for further discussion at the next meeting.

4. Reports from Standing Committees

A. Ways and Means Committee

Since the meeting was held immediately prior to the Council meeting, the Mayor was brief; he announced that tourism funds continue to meet or exceed the prior year's expectations.

1. **Consideration of out-of-budget purchase of 1 Ford Interceptor sedan from Benson Ford in the amount of \$33,000 to replace and equip vehicle totaled in a motor vehicle accident; insurance covered \$8,928**

MOTION: Mayor Cronin moved to approve an out-of-budget expenditure of \$33,000 for the reason stated above; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

2. **Consideration of Morgan Creek Grill lease amendment**

This item has been deferred to the New Year.

3. **Recommendations from the ATAX Committee**
 - a. Award of \$2,500 to the IOP Fire Department to replace the rescue sled;
 - b. Award of \$3,500 to the Dunlop Junior Tennis Championship; and
 - c. Approval of overage of \$1,994 in the FY16 ATAX budget for the purchase of the bucket on the skid steer
4. **Recommendation from the Public Works Committee to spend up to \$4,000 for design and submission for an encroachment permit to facilitate a golf cart connection between 18th and 20th Avenues and to add \$600 to this amount for the necessary survey to facilitate the design**

Councilmember Ward asked the Mayor to consider these four (4) items as one (1) since there had been no opposition to them in the Ways and Means Committee meeting.

MOTION: Mayor Cronin moved to approve ATAX funds of \$2,500 for rescue sleds for the Fire Department, of \$3,500 for the Dunlop Junior Tennis Championship and the budget overage of \$1,994 for the bucket for the skid steer, as well as up to \$4,600 for the survey, design and submission for an encroachment permit for an golf cart path between 18th and 20th Avenues; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.

The next Ways and Means Committee meeting will be at 5:45 p.m., Tuesday, January 19, 2016.

B. Public Safety Committee

Reporting from the meeting of November 5th, Councilmember Bettelli noted that the City-sponsored events approved earlier in this meeting were also approved by the Public Safety Committee. In addition, the Committee received an update on the proposed golf cart path between 18th and 20th Avenues; since the Public Works Committee has also undertaken this project, the golf cart path will not remain on the Public Safety agenda. Coyotes were also a topic for discussion since several citizens have sent emails to Council about their encounters with them. Councilmember Bettelli stated that the City does track coyote sightings on the

island; people are encouraged to contact the Police Department on the non-emergency number (843-886-6522) to

City Council
November 17, 2015
Page 4 of 9

report sightings. Information about coyotes is on the City's website and available at City Hall. The Committee unanimously approved the out-of-budget expenditure for a sedan for the Police Department. The new signs that are required to be displayed in outdoor gathering places of short-term rental properties was also discussed; Councilmember Bettelli reported that the City has not changed its noise ordinance in any way. This signage will continue to be discussed by the Committee.

From the Fire Department's October report, Councilmember Bettelli recounted that personnel had reported to Dewees Island marina to the report of a boat taking on water and found a twenty-one foot (21 ft.) boat sinking. Personnel also responded to a thirty-five foot (35 ft.) shrimp boat that had run aground in Price's Inlet. Personnel responded to seventy-eight (78) calls; twenty-eight (28) were EMS calls. The Fire Inspector conducted twenty-six (26) inspections where he found twenty-six (26) violations. In the month of October, personnel received training on firefighter survival, fire hose, pump operations and fire ground operations. Chief Graham and Battalion Chief Maibach met with Charleston County Deputy Chief and Assistant Chief relative to medical coverage on the island and the feasibility of increasing the EMS presence on the island.

The October report from the Police Department stated that personnel had assisted the Recreation Department with traffic control for Ghostly Tide Tales on the Beach, as well as the Halloween carnival. Chief Buckhannon recognized all of the members of the Police Department for their work during and after the flooding event at the first of the month; he stated that everyone had worked together to shut down roads, establish detours for the safety of residents and answered numerous phone calls about the effects of the flooding. In particular, Chief Buckhannon recognized Beach Services Officers Skinner and Tyson who have been working to repair direction street signs and cutting back bushes that are obstructing the view for pedestrians and motorists. On October 7th, Pfc. Dylan Reynolds responded to a medical call on the beach near Grand Pavilion and arrived to find Captain Eagle who was beginning medical aid on a visitor who was in cardiac arrest. Pfc. Reynolds retrieved an AED unit from the hotel staff and activated it; the patient was transported to the hospital and is expected to make a full recovery. Dispatchers responded to four thousand eighty-one (4,081) calls; three thousand two hundred forty-five (3,245) were for the Police Department. With the tourist season in the past, officer training has been increased; firearms training was done in September as well as training on shotguns. On the livability front, the City received sixteen (16) noise complaints that yielded six (6) citations and five (5) warnings, and five (5) were unfounded calls.

The Chief reported that officers, particularly the Animal Control Officers, pay special attention at 10:00 a.m. to dogs on the beach who might not have a license; he noted that, despite the difficulty in catching people, some warnings have been written. To have effective actions on the beach, people have to cooperate with the officers by letting them know when problems occur.

The next meeting will be 9:30 a.m., Wednesday, January 6, 2016 in the Conference Room.

C. Public Works Committee

Since the minutes from the meeting of November 9th were incomplete, Councilmember Ward asked for assistance from Councilmembers Ferencz and Loftus in reporting on the meeting. The primary topic of discussion was septic systems on the island and the need to assist residents with

City Council
November 17, 2015
Page 5 of 9

attaching to the sewer system; Bill Jenkins from the Isle of Palms Water and Sewer Commission was present to answer questions. Councilmember Loftus stated that septic systems are a real problem on the island and that the Committee hopes to devise a plan for attaching every household to the sewer system without creating a financial hardship to owners.

Mayor Cronin noted that the Planning Commission was also going to study the issues relative to septic systems and consider a reasonable way for all residences to be tied into the sewer system.

Councilmember Ferencz remarked that currently the IOP Water and Sewer Commission has the capacity to add six hundred (600) more residences to their system. The Committee suggested that, when a residence is sold, the new owner would be required to tie into the sewer system.

The Committee also received a communication from a resident of Wild Dunes about the debris removal process; since the City cannot alter its method of pickup, the suggestion was made to meet with the officers and/or property managers of the various HOAs in Wild Dunes to review what debris can be picked up, where it should be placed and the method the City uses.

Having received a communication requesting that the City clean the 45th Avenue ditch, Director Pitts was asked to contact the resident to learn exactly what she wants done. On a related topic, Dave Stevens of Civil Site Environmental was present to inform the Committee about short- and long-term projects to improve the City's drainage system; he told the Committee that the current system was old and many of the pipes were too small, therefore, could not handle today's volumes.

The Mayor commented that the majority of drainage lines on the island were installed by the developers.

The beach monitoring results for July, August and September were all good.

The next meeting of the Public Works Committee will be at 5:30 p.m., Thursday, January 7, 2015 in the Conference Room.

D. Recreation Committee

Reporting on the meeting of November 2, Councilmember Carroll stated that thirty-eight (38) Keenagers met on October 7th for a social group potluck lunch and enjoyed a magician as entertainment; the Lunch Bunch met on October 14th at *T.G.I. Friday's*. The Employee Wellness program continues to go well; approximately eighteen (18) members of the Fire Department are participating in the personal training classes at the Public Safety Building, an average of five (5) per class. Ghostly Tide Tales was a huge success with about five hundred (500) people attending; the Police Department assisted with pedestrian crossing and traffic control. Tiki torches lit the path, and the Recreation Department staff served hot chocolate as

Eric Lavender told the ghostly tales. In the interdepartmental pumpkin decorating contest, the IOP Water and Sewer Commission won first place, Public Works came in second and the Recreation Department won third place. The annual Halloween Carnival had a large turnout as usual. Again this year, the Recreation staff will be getting letters to Santa, and each child who writes will receive a letter from

City Council
November 17, 2015
Page 6 of 9

Santa. To end the year, the Holiday Street Festival will be on Saturday, December 5th from 2:00 p.m. to 7:00 p.m.; entertainment will include carnival rides, jump castles, a balloon artist, karaoke

and live music from the SIES Chorus, local country singer McKenna Andrews and a local favorite the Blue Dogs. The subject of the next beach education program will be Barrier Island Birding; it will be Saturday, November 21st at 10:00 a.m. at the County Park. Staff is hard at work on the Isle of Palms History Month to be held in January 2016; every Tuesday night of the month, guest speakers will talk about their adventures while growing up on the island as well as impart some early history of the island, including the cannonball. In athletics, the adult 3-on-3 basketball has ten (10) teams in its league, softball has seven (7) teams and 6-vs-6 soccer has six (6) teams; ten (10) adults are participating in the table tennis league, and registration will be from November

2nd through November 20th. In youth sports, all ages of soccer have great participation; registration for the youth basketball league ended on November 6th.

The next Recreation Committee meeting will be at 9:00 a.m., Monday, January 11th in the Conference Room.

E. Personnel Committee

Councilmember Harrington reported that, once the Committee agreed upon a correction to the minutes of the October meeting to reflect that Councilmember Ferencz had voted in favor of the employee bonuses, the Committee re-confirmed its selection of candidates to recommend to City Council for approval. A Hospitality-lodging seat remains unfilled on the ATAX Committee.

Job vacancies in the City are a Parks and Facilities Specialist at the Recreation Department, one (1) firefighter in the Fire Department and a Communications Specialist and part-time Animal Control Officer in the Police Department.

October Safety Sweepstakes winners were Amy Lee from General Government, Joey Teague from the Fire Department, Louise Hardy from the Police Department and Russell Roper in the Public Works Department.

The Personnel Committee will hold its next meeting at 10:00 a.m., Thursday, January 7, 2016 in the Conference Room.

F. Real Property Committee

At the meeting of November 6th, the Committee discussed the Morgan Creek Grill (MCG) lease amendment; Jay Clarke, Carla Pope and Peter Kent were present representing Morgan Creek Grill. The amendment MCG has been seeking approval for is a long-term lease of thirty years

(30 yrs.) that would make MCG more attractive to lending institutions; the problem the Committee has with approving the lease amendment is that the new agreement does not contain any concessions from the business to the City. Councilmember Loftus asked Mr. Clarke to list specific items from the City's Capital Plan for which MCG would assume responsibility, and he agreed to do so. Discussions will continue in the New Year. An update on the proposed golf cart between 18th and 20th Avenues was provided to the Committee. Kirby Marshall of Applied Technology and Management (ATM) was present to review the draft of the Limited Conditions Assessment they had prepared after their overall general assessment of the marina buildings, docks and bulkhead.

City Council
November 17, 2015
Page 7 of 9

In the assessment, a major retrofit of the docks was recommended as were suggestions for changes that could be made for the safety of boaters and visitors to the marina; efforts also need

to be made to make the marina more ADA compliant. ATM staff will continue to move forward with the assessment of the parking issues at the marina for the next phase of work.

The Real Property Committee will hold its next meeting at 5:30 p.m., Wednesday, January 6, 2016 in the Conference Room.

Councilmember Ferencz recalled that Mr. Marshall had mentioned some immediate "life safety concerns," and she asked that they be reviewed.

Since Marina Manager Berrigan has been addressing the problems and was at the meeting, Administrator Tucker suggested that he would be the best person to review them. As he was walking to the podium, the Administrator reminded Council and the people in attendance that the marina docks are very old, and some of the life safety issues identified would be found on similarly old docks at another marina; she also noted that the docks and buildings at the marina are inspected annually as a requirement for the City's insurance and that something is always found that needs attention.

Mr. Berrigan recalled that, in August, he was a strong proponent for the City to hire ATM to do an assessment of the property, and, although surprised and embarrassed at some of the things they found, he immediately started addressing them. If he had been able to attend the Real Property Committee meeting, he would have assured the members that some items were already being worked on and the others that he was responsible for would be as well; he added that he hoped the Administrator had shared with Council the letter he had sent to her. He recalled that Bob Abel had stood at the podium in 1998, when the City was considering the marina purchase, saying that money needed to be put into the docks immediately; here in 2015, Mr. Berrigan is dealing with the same docks. He reported that upkeep was done daily to maintain the docks, but they need more attention than he can put forth. One (1) of the life safety issues pointed out in the ATM report was the gangway that leads to the boat ramp, and it has been in place for fifteen years (15 yrs.). Mr. Berrigan stated that many of the issues pointed out were things he inherited when he assumed management of the marina, with the electrical being one (1) of them. He concluded by saying that he looks forward to working with Council in the future "to bring the marina up to snuff." (A copy of Mr. Berrigan's communication with the Administrator is attached to the historical record of the meeting.)

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

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

6. **Reports from Special or Joint Committees – None**

7. **Petitions Received, Referred or Disposed of – None**

City Council
November 17, 2015
Page 8 of 9

8. **Bills Already in Possession of Council**

Second Reading of Ordinance 2015-13 – An Ordinance Amending Title 8, Motor Vehicles and Traffic, of the City of Isle of Palms Code of Ordinances to Provide for New Resident Parking District Regulations and New Beach Parking Regulations, and to Provide for “Housekeeping” Changes Including Prohibiting Parking Within Four Feet of the Pavement on Both Sides of Palm Boulevard, Reducing the Speed Limit from Forty (40) Miles per Hour to Thirty-five (35) Miles per Hour, Replacing the Term “Parking Meter” With “Pay Parking” and “Pay Stations,” Prohibiting Parking Within Thirty (30) Feet of a Stop Sign, Providing Exemptions to Pay Parking for Disabled Veterans and Purple Heart Recipients, and Providing for Additional Vehicle Immobilization Procedures.

MOTION: Mayor Cronin moved to approve the changes to the document presented for First Reading of Ordinance 2015-13; Councilmember Carroll seconded.

The Administrator explained that the ordinance went through staff review after First Reading, and, subsequently those changes have been incorporated into the document for Second Reading.

Attorney Halversen said that the date the parking management sign plan was adopted was November 13, 2015, and it should be inserted in the blanks on pages 11 and 13.

VOTE on the Amendment: The motion PASSED UNANIMOUSLY.

MOTION: Mayor Cronin moved to approve Ordinance 2015-13 as amended for Second Reading and to suspend the reading; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

Second Reading of Ordinance 2015-14 – An Ordinance Amending the Official Zoning Map of the City of Isle of Palms to Rezone Certain Properties from the PDD Planned Development Zoning District to a new SR-3 Residential Zoning District and a new P-3 Preservation Overlay Zone.

Second Reading of Ordinance 2015-15 – An Ordinance Amending Title 5, Planning and Development, Chapter 4, Zoning, of the City of Isle of Palms Code of

Ordinances to Provide for a new SR-3 Residential Zoning District and a new P-3 Preservation Overlay District, to add “Beach Renourishment” as a Permitted Use to the P-1 and P-2 Preservation Overlay Zones, and to Amend Certain Regulations to Include Reference to the new SR-3 Residential Zoning District.

MOTION: Mayor Cronin moved to defer Second Reading of Ordinance 2015-14 and Ordinance 2015-15; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

The Mayor stated that the Planning Commission wants to study these ordinances more and will send them back to Council with their recommendation(s).

City Council
November 17, 2015
Page 9 of 9

9. Introduction of New Bills, Resolutions and Proclamations

First Reading, by title only, of Ordinance 2015-16 – An Ordinance Amending Title 5, Planning and Development, Chapter 4, Zoning, Article 1, General Provisions, Section 5-4-11, Authority and Procedure for Amending Chapter, of the City of Isle of Palms Code of Ordinances to Delete the Requirement for Public Notice by Display Advertisement in The Moultrie News or other Community Weekly Newspaper Fifteen Days Prior to Public Hearing.

MOTION: Mayor Cronin moved to approve Ordinance 2015-16 for First Reading, by title only, Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.

Approval of STEM Proclamation (Science, technology, engineering and mathematics) Supporting 2016 Festival

MOTION: Mayor Cronin moved to approve the STEM Proclamation and to suspend the reading; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

10. Miscellaneous Business

Designation of Desirée Fragoso to the Charleston County Urban Enrichment Program, replacing Emily Dziuban who previously represented the City.

The Mayor stated that he was confident that Desirée would represent the City well.

MOTION: Mayor Cronin moved to appoint Desirée Fragoso to represent the City as stated above; Councilmember Harrington seconded and the motion PASSED UNANIMOUSLY.

The next City Council meeting will be at 6:00 p.m., December 1, 2015.

11. Executive Session – not needed

12. Adjournment

MOTION: Councilmember Bettelli moved to adjourn the meeting at 7:23 p.m.; Councilmember Buckhannon struck the gavel closing the meeting, and the vote PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk