

CITY COUNCIL
6:00 p.m., Tuesday, August 23, 2016

The regular meeting of City Council was held at 6:00 p.m., Tuesday, August 23, 2016 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bergwerf, Bettelli, Carroll, Ferencz, Harrington, Kinghorn, Rice and Ward, Mayor Cronin, City Administrator Tucker, City Attorney Halversen, Assistant Administrator Fragoso 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 were duly notified of the meeting in accordance with the Freedom of Information Act. Following a brief invocation and the Pledge of Allegiance to the Flag, Clerk Copeland called the roll.

2. **Approval of Minutes of the Previous Meetings**

MOTION: Councilmember Carroll moved to approve the minutes of the Special Meeting and regular meeting of July 26, 2016 as submitted; Councilmember Rice seconded and the motion PASSED UNANIMOUSLY.

3. **Citizens' Comments**

Consideration of City-sponsored Event status for 2016 Direct Patient Logistics Conference, October 12-14, 2016

Chance Owen, Regional Business Manager for LifeNet South Carolina, stated that he was seeking permission to bring a helicopter to the island for the Direct Patient Logistics Conference. One hundred fifty to two hundred (150-200) people are expected to attend; they will be hospital executives and leadership teams from throughout the country. He indicated that he has spoken with Chief Graham about helping with ground logistics, securing the landing zone, and ensuring ground communication is established at the landing zone for landing and takeoff; this activity is scheduled for Thursday, October 13th and the helicopter will land and takeoff the same day.

Mayor Cronin asked where they would be landing, and Mr. Owen indicated that Wild Dunes has said that the landing will be at a location close to the pools. He was planning to go to Wild Dunes when he leaves this meeting to see the space selected and ensure that it is the necessary two hundred feet by two hundred feet (200 ft. x 200 ft.) and free of obstructions.

MOTION: Councilmember Harrington moved to designate the helicopter landing at Wild Dunes on Thursday, October 13, 2016 for the Direct Patient Logistics Conference as a City-sponsored event; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.

Consideration of granting City-sponsored event status for Smithsonian Earth to film a turtle release on the beach

Administrator Tucker reported that no one from Smithsonian Earth was able to attend the meeting but they have provided the City with the necessary insurance information. The Administrator explained that they are working on a digital video series with the South Carolina Aquarium featuring the efforts of the Sea Turtle Rescue team; they do not know when a release will happen, but they want to be prepared.

Mayor Cronin noted that the film crew will be minimal with only three people involved; the filming style is that of a documentary or of a similar fashion to news coverage.

MOTION: Councilmember Kinghorn moved to give Smithsonian Earth City-sponsored event status for filming a turtle release on the beach; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

Don Johnson, living at Forty-one 25th Avenue, addressed Council about the possibility of the construction of a City-owned pier at the end of 25th Avenue as was discussed at the Real Property Committee meeting of August 3, 2016. Dr. Johnson disagreed with the impression given that 25th is a nice wide street with nice foliage and space for parking shielded from the neighbors; in addition, one (1) side of the street has a huge drainage ditch that, when filled, allows salt water into the neighboring front yards. On the opposite side is a four foot (4 ft.) berm that was added about ten (10) years ago at the City's suggestion; the berm was constructed after years of unwelcomed activity at the end of the street that spilled onto his dock and into his yard. At the same time, NO PARKING signs were installed on 25th Avenue from Waterway Boulevard to the end of the street with the Administrator's help. With this history of problems, he was startled to hear of the possibility of a City dock being built at the end of 25th Avenue; Dr. Johnson concluded his remarks asking that Council reconsider their decision of the location or the saltwater fishing grant application.

Alan Rama, 9 Tabby Lane, also recalled the past problems at the end of 25th Avenue that Administrator Tucker had helped to resolve; in his opinion, the installation of the NO PARKING signs was the key factor in ending the problem. He voiced his agreement with Dr. Johnson about a "commercial enterprise" at the end of 25th Avenue, and he, too, asked Council to reconsider their decision.

Jim Raih, 3904 Cameron Boulevard, questioned the wisdom of spending up to ten thousand dollars (\$10,000) on the Front Beach restrooms that also is being considered for demolition in coming year; he opined that six thousand dollars (\$6,000) in radar speed signs would do anything to help enforce the speeding problem on 41st Avenue; and he commented that seventy-five hundred dollars (\$7,500) for an architect to develop a concept for a fitness/cardio room at the Recreation Center was money that could be put to a better use if not in the master plan or in the budget.

Leonard Way, Vice President of the Beach Company, said that he was present representing the properties they manage on the island, which include the Island Center, Ocean Park Plaza, Palmetto Pavilion, the convenience store and the post office; some of these tenants have voiced their concern about the City's consideration of allowing food trucks to operate on the island. The Beach Company tenants pay in excess of two hundred thousand dollars (\$200,000) in property taxes each year, and they are here during the "lean" months of the winter. He stated that there was an inherent unfairness to allow a food truck to come during the "fat" months to make a buck when the island's own businesses are having business taken away from them. Mr. Way said that he would not allow a food truck to park on their properties.

Elizabeth Campsen, 32 Intracoastal Court, stated that she attended this meeting regarding the adoption of the updated Local Comprehensive Beach Management Plan. She reported that her

interest in the marina redevelopment plan has induced her to attend Real Property Committee meetings and she knows that it has come up in draft form, but she has not seen the document. She expressed surprised to see the adoption in resolution form; she inquired about the citizen's opportunity to see, review and, possibly, comment on the Beach Management Plan. Mrs. Campsen indicated that she has looked at the existing "comprehensive plan" and understands that the City goes beyond what is required to provide adequate parking and access to the beach. Having heard residents of parts of the island asking for relief from public parking in front of their homes or in certain areas, she asked if there would be public comment time relative to this updated document. She wanted to know if the Plan locked the City into a parking plan that could not be adjusted in any way.

Administrator Tucker offered clarification that OCRM does offer a thirty (30) day public comment period.

Gus Osborne, General Manager of The Windjammer, 1008 Ocean Boulevard, stated that it is obvious that brick and mortar structures like The Windjammer are subject to seasonal peaks and valleys. He noted that they try to hire local people and provide services to the City throughout the year. Like Mr. Way, he said that the food trucks would be here for the peak season, but would be gone during the difficult months of December and January. He pointed out that food rucks would only exacerbate the already strained parking issues on the island. He added that he and other island businesses strive to be good neighbors and are among the first to sponsor and/or contribute to City-sponsored events.

Brett Jones of the Dinghy, 8 J.C. Long Boulevard, agreed with the comments made by others who are opposed to allowing food trucks on the island and their taking business away from the brick and mortar structures. He distributed a schedule of impact fees paid by the Dinghy totaling almost twenty thousand dollars (\$20,000) when he and Malcolm Burgis opened the business, which the City would not get from a food truck operating on the island.

Russell Stemke of 3506 Hartnett Boulevard, reminded Council that he had spoken to them last month in regards to changing the zoning for #1 and #2 20th Avenue to limited commercial and to tell them that he was still interested in doing so.

Bobby Simmons of Acme Lowcountry Kitchen, 31 J.C. Long, also expressed opposition to food trucks on the island as being unfair to existing businesses; he said that he has been fortunate for the last two (2) summers that his business has been successful, forcing him to hire additional people. He asked that the City put more thought into the impact of food trucks on local businesses before taking any action.

4. Reports from Standing Committees

A. Ways and Means Committee

Mayor Cronin reported from the meeting of August 16th the results of one (1) month into the new fiscal year, stating that General Fund expenditures are below the eight percent (8%) target. Revenue is up from prior years and the increase is attributed to the City's management of the municipal parking lots. The City' cash position is strong, being two million dollars (\$2,000,000)

ahead of July of 2015 at approximately fourteen million five hundred thousand dollars (\$14,500,000). When the tourism schedules were reviewed, it was noted that each schedule now contained a full year's activity and that, contrary to recent years, the revenue increase equaled only one or two percent (1%-2%), but it was consistent with numbers from both the state and the County. Hospitality Taxes increased by one percent (1%), but remained a strong performance from the food and beverage industry on the island. Treasurer Suggs presented a preliminary and unaudited financial statement for FY16 since nearly all of the transactions have been recorded. At June 30, 2016, General Fund revenue was five percent (5%) ahead of budget and expenditures were two percent (2%) under budget, leaving a positive year-end result of approximately five hundred eighty-five thousand dollars (\$585,000). At a meeting in September or October, Council will decide how much to transfer to Capital Projects and Disaster Recovery Funds and how much to leave in the General Fund. The auditors will begin their work the day after Labor Day.

The tourism funds show a full year's activity; Treasurer Suggs reported that, after several years of significant growth, in FY16, growth was only one or two percent (1-2%), but it was consistent with reports from the county and the state.

The schedule of revenue and expenses for the kiosks in the municipal parking lots shows a net profit of one hundred fifty-eight thousand dollars (\$158,000) on revenues of two hundred thirty-four thousand dollars (\$234,000).

During the meeting, the Committee made a number of awards and recommendations.

MOTION: Councilmember Kinghorn moved to approve Items 1 through 14 under the Ways and Means Committee; Councilmember Bergwerf seconded; the items are as follows:

1. Award of a sole source contract in an amount not to exceed \$3,500 to Civil Site Environmental (CSE) to review all documents and construction drawings of Lowe Wild Dunes drainage revisions between Palm Boulevard and Palmetto Drive;
2. Approval of \$1,000 in ATAX funds to promote surfing on the island as a healthy, family-oriented activity on the Carolina Coat Surf Club surf-cam;
3. Approval of over-budget expenditure of \$431.11 for the ATAX share of the new rescue truck;
4. Award of a contract to L3-Mobile Vision body cameras at a cost of \$18,314.50, state contract #4400002945;
5. Award of a contract to Vic Bailey Ford for one Ford 2017 Fore Interceptor SUV (unmarked) at a cost of \$27,341, state contract #4400011999
6. Award of a contract to Benson Ford for 1 Ford 2017 Police Interceptor sedan (marked) at a cost of \$24,467, state contract #4400011590
7. Award of a contract to Jones Ford for one 2016 Ford F150 4x4 Super Crew Cab truck at a cost of \$31,375.17, state contract pricing;
8. Award of a contract to Custom Signs, state contract vendor, in an amount not to exceed \$6,000 for 2 solar powered radar speed signs;
9. Approve Contract Amendment to Coastal Science and Engineering for a change in scope of work involved with locating a new borrow site in the amount of \$125,750;

10. Award of a contract to Verizon in the amount of \$19,171.12 for 19 Apple iPad Pro tablets for Council, Department Managers and Administrative staff;
11. Award of a contract to Software One in an amount not to exceed \$14,000 for Microsoft 365 licensing software, email hosting and archiving, state contract #4400011061;
12. Award of a contract to Motorola for 38 walkie-talkies with necessary accessories and service agreements for the Fire Department in an amount not to exceed \$200,000, state contract
13. Award of a contract for an architect in an amount not to exceed \$7,500 to develop a plan for expanding the Rec Center to accommodate a fitness/cardio room using money from the Rec Building Fund; and
14. Award of a contract to Gretta Kreusi for 3 murals on the exterior walls of the Public Restroom at Front Beach in an amount not to exceed \$10,000.

Councilmember Ferencz asked that each of the items be announced for the audience; the Mayor responded that he was planning to give a brief explanation for each, which follows

- 1) The new construction in Wild Dunes requires them to relocate some of the drainage lines that makeup Phase I of the drainage system; this item is to hire CSE to ensure that the system works as well after the relocation of the lines as it does now.
- 2) The ATAX Committee had already approved the City's renewing its advertising relationship with the surf club and needed final approval from Council.
- 3) The rescue truck came in slightly over budget for each of the funds contributing to the purchase.
- 4 – 7) Self-explanatory. The partial cost of the body cameras will be offset by a \$9,600 grant from the South Carolina Department of Public Safety.
- 8) Speeding on 41st Avenue has become a serious problem, and police manpower prevents an officer being posted there 24/7; the radar speed signs will be attached to the speed limit signs in an effort to get drivers to slow down.
- 9) Problems with permitting agencies in the state have created problems that require the City's project engineer on the renourishment project to locate alternative borrow sites.
- 10) Council made the decision during the budgeting process to go to electronic media to eliminate, as much as possible, the amount of paper they receive for meeting preparation.
- 11) The software licensing is for the entire City and includes modules that will offer email hosting and archiving documents, not currently available to the City.
- 12) The purchase of the Motorola walkie-talkies is the planned replacement of the radios; the radios are so heavily used by the Fire Department in a harsh environment have caused them to become unreliable.
- 13 – 14) Self-explanatory.

Councilmember Ward asked how many items in the list were not in the FY17 budget; he was told that unbudgeted items were the oversight of the drainage project in Wild Dunes, the small over-budget amount in the ATAX fund, the radar speed signs and the architect for the Rec Center.

Councilmember Ferencz suggested that items that were not unanimously approved at Ways and Means not be included in the motion.

AMENDMENT: Councilmember Carroll moved to amend the motion to consider only Items 1-13 collectively; Mayor Cronin seconded and the amendment FAILED on a vote of 2 to 7 with Councilmembers Carroll and Ferencz supporting it.

AMENDMENT: Councilmember Ward moved to amend the motion to consider only Items 1-12 collectively; Councilmember Ferencz seconded and the motion FAILED on a vote of 4 to 5 with Councilmembers Carroll, Ferencz and Ward and Mayor Cronin supporting the amendment.

Councilmember Kinghorn CALLED FOR THE QUESTION, and Councilmember Bergwerf seconded; the motion PASSED on a vote of 6 to 3 with Councilmembers Carroll, Ferencz and Ward opposing.

VOTE ON ORIGINAL MOTION; The motion PASSED on a vote of 6 to 3 with Councilmembers Carroll, Ferencz and Ward opposing.

Mayor Cronin continued with the report on the Ways and Means Committee, stating that they had a presentation on an IOP/Sullivan's Island magazine that, after lengthy discussion, the Committee took no action on although ATAX had approved the expenditure. The Committee also discussed bike paths on the island and the need to repave Palm Boulevard from Breach Inlet to 14th Avenue; the COG has an initiative to put together bike paths throughout the low country, and the City will be a participant. The City has already been in contact with Charleston Moves and have defined the City's preferred route for Battery to the Beach. The Mayor has a meeting scheduled with SCDOT in September where these programs will be addressed as well as repaving Palm Boulevard. The City will be getting its numbers from the County relative to property taxes by the end of the month.

MOTION: Mayor Cronin moved to authorize staff to hold the millage at the same rate as long as the information received from Charleston County allows the City to achieve the budgeted revenue; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

In addition, a meeting was scheduled for 6:00 p.m., Monday, October 17 to assess the first year of the Managed Beach Parking Plan.

The next Ways and Means Committee meeting will be at 5:00 p.m., Tuesday, September 20th in Council Chambers.

Despite the fact that the votes have already occurred, Councilmember Carroll indicated that he wanted his opinions known to the residents, for instance, beautifying restrooms that should be torn down; he said he would have preferred to use the money to relocate the showers at the rear of the building away from the building. On the subject of the cardio room at the Rec Center, the Councilmember reported that the average usage of the cardio room today is eight (8) people; to consider a two to three thousand square foot (2,000-3,000 sq. ft.) space at two hundred dollars per square foot (\$200/sq. ft.), or four hundred thousand dollars (\$400,000), plus the cost of equipment makes no sense.

Councilmember Bergwerf countered Councilmember Carroll that each of the items he has mentioned was discussed at both the Committee level and at Ways and Means; she also stated that his saying that only eight (8) people use the cardio room was incorrect; the low usage today is because the room is substandard. She also noted that the seventy-five hundred dollars (\$7,500) being spent with an architect was to see what was feasible.

Councilmember Rice recalled attending yoga classes at the Rec when the only building was the gymnasium; usually only four or five (4-5) people attended because it was a substandard facility; the same situation continues today with the cardio room. She reiterated Councilmember Bergwerf's statement that the money approved earlier was to learn what could be done to meet the expectations of the City's residents.

Councilmember Carroll noted that neither Sullivan's Island nor Folly Beach have any type of indoor recreational facility.

The Mayor opined that the primary purpose of the Recreation Department was for the children, and that whatever is done must be done with the children in mind.

Replying to Councilmember Ferencz, Director Page confirmed that there is a master plan for the Recreation Center, but it is not-specific, showing only a gym and a pool and the amenities that go with them.

B. Public Safety Committee

From the meeting of August 4th, Councilmember Bettelli reported that Jim Raih had suggested that residents should have a survey of their property to locate the SCDOT right-of-way on their property, because some people may not know that an encroachment extends into a neighbor's property. Elizabeth Campsen also addressed the Committee about the trailer parking along Waterway and 41st Avenue; she asked that Council review the ordinance that prohibits parking anything over twenty feet (20 ft.) on any rights-of-way. She stated that she has reviewed years' worth of Council, Public Safety and Real Property Committee minutes, and this has been a continuous discussion. She asked that the City study ways in which the existing ordinance could be enforced. On the subject of encroachments in the rights-of-way, Captain Usry confirmed that officers are in the process of assessing the island's encroachments with an eye toward new encroachments. Captain Usry announced that four (4) coyote sightings were reported in the month of July; she noted that the Police Department is getting fewer calls despite various postings on Facebook that are not being reported. Councilmember Carroll reported having received an email from Joe Petro, owner of the Banana Cabana, who stated that his business has definitely picked up since Council decided to allow residents to park for free in the municipal lots after 4:00 p.m. Due to the reports of speeding on 41st Avenue, two (2) radar speed signs are going to be attached to speed limit signs already in place on 41st Avenue. As was done earlier, the filming of a turtle release by Smithsonian Earth was approved as were the purchases of body cameras for the Police Department and vehicles for both the Fire and Police Departments. The Committee briefly discussed the removal of a STOP sign at the intersection of 25th Avenue and Waterway Boulevard; the Committee took no action. The policy for contractor parking at work sites was reviewed; according to Captain Usry, when a contractor goes to the Building Department to get

the necessary permits, he is also issued up to four (4) special parking permits that allow the subcontracts to park in the easement in front of the residence under construction.

Highlighting Fire Department activities, Councilmember Bettelli noted that personnel have been involved in many water missions over the past couple of months that involved rip currents, canoes in the ocean, overturned boats, etc. Fire personnel responded to one hundred fifty-three (153) calls in June, the highest number in thirteen (13) years, and forty- seven (47) of the calls were for EMS. On July 7th, personnel responded to a call of people stuck inside an elevator; upon arrival, the crew secured the power, and assisted the individuals out of the elevator. Property management was advised to have the elevator serviced before allowing it to be used again. Throughout the summer, firefighters have conducted many station tours, assisted with the IOP Beach Run, and conducted demonstrations of the jet-ski and water rescue for visitors on Front Beach and at the Recreation Center.

On June 4th, officers located a suspicious vehicle in Wild Dunes and, in the course of a traffic stop, an officer observed an ammunition magazine in the open console, located a loaded handgun under the front passenger seat and a rifle sticking through the trunk into the back seat. Additionally, the officers found several electronic items, women's purses and other items; a local agency confirmed that they had had several break-ins; the subjects were arrested and taken to the Al Cannon Detention Center. . The island experienced six (6) thefts from a motor vehicle in the month of June; people are leaving their keys and other valuables on the beach with no one to keep an eye on them. They are being stolen and then taken to the street or parking lot to see which vehicle reacts to the electronic signals. The Department did a piece with Channel 4 on the "Beach Bag Bandits." Ten (10) people were issued citations for alcohol on the beach in June. Officer Chris Enourato was recognized for his professionalism for his assisting residents with a recurring raccoon problem. Pfc. Storen was recognized for receiving the silver pin for the 2015 DUI Enforcement Hero Award for the thirty-four (34) DUI arrests he made in 2015. Communication Specialist Jane Stewart was recognized as a dedicated employee who is always eager to take on new tasks; she can be depended upon to complete any project she is assigned. During the month, dispatchers responded to five thousand seven hundred forty-five calls (5,745); forty-six hundred one (4,601) were for the Police Department. Three hundred five (305) traffic stops were made in the month, and eighty-eight (88) citations were issued.

On Tuesday, July 12th, a resident reported having received a bill that appeared to be from an electric company stating that, if the bill was not paid by a certain date, the power to his residence would be shut down; the resident also received a phone call giving him instructions to send a money gram. After following the instructions and paying the bill, the victim contacted the power company only to learn that this was not their normal business practice. In July officers wrote seventeen (17) citations for alcohol on the beach. Pfc. Storen was promoted to the rank of sergeant effective July 1. The total number of calls in July was six thousand four hundred eighty-eight (6,488), and five thousand two hundred seventy-nine (5,279) were for the Police Department, representing an eighteen percent (18%) increase for the same period in 2015. Two hundred eighty-eight (288) traffic stops were made in July with fifty-four (54) of the drivers getting citations. Fourteen (14) citations were issued for dog license or dog at large violations. For July, six (6) noise complaints were called in, but no citations were issued; four (4) calls received warnings and two (2) were unfounded.

In light of the recent attacks on Police officers, Captain Usry stated that the residents of the Isle of Palms have brought in food, snacks, and cards; generally, the officers are being shown a great deal of support from the community.

Chair Bettelli thanked the public safety personnel and members of the Recreation Department for their fine work on the July 4th fireworks; he said that he has gotten several emails stating how wonderful the fireworks display was this year. He also stated that the National Night Out was a great celebration at the Rec Center that drew a great crowd.

The next meeting is scheduled for 9:00 a.m., Monday, September 12th in the City Hall Conference Room.

In light of the thefts on the beach, Councilmember Ferencz asked whether the Public Safety Committee has considered providing lockers that beach-goers could rent and leave their valuables in while they are on the beach. Since consideration is being given to moving the showers off the back wall of the public restrooms, she thought that might be a good location for lockers.

Mayor Cronin thought the idea could be considered, but he voiced concern over where the liability would fall if one was broken into.

C. Public Works Committee

Councilmember Ward reported on the meeting of August 1st, where, according to the Director, the yard debris schedule does not include the entire month of July; two (2) days are missing, but they will be reflected in the report for August. With the addition of two (2) days, he expects the month to still be lower than in 2015; he was pleased to announce to the Committee that the Public Works Department has finally caught up from the July 4th weekend. Director Pitts noted that garbage collection is down significantly from July of 2015, but he did state that one (1) day's collections needed to be added to the report. The Director did not know the reason for the reduction, but commented that increased recycling was not it. Vehicle maintenance was high for the month and can be accounted for with the purchase of two (2) tires for the Cat and eight (8) fleet tires. Assistant Fragoso stated that the City still is in the easement stage of the Phase II drainage project; the Administrator added that the next step will be the plans and specifications and the bidding documents. The Administrator reported she had heard the story of a community in a similar position as the City with a need to construct public restrooms. This community went to the local businesses proposing that the City would pay for any necessary upgrades to its restrooms and paid a portion of the maintenance and upkeep if that business would place a placard in its window stating that public restrooms were available inside. Director Pitts reported that with the high level of activity for Public Works on the island, he has not had the time to commit to investigating different types of pooper-scooper bags. Assistant Fragoso reported that the contract for the construction of the golf cart path has been executed, and the contractor has forty-five (45) days from that date to complete the project, or until August 26th.

Since today is August 23rd, Councilmember Ward asked what the consequences to the contractor would be when the path has not been completed by the date specified in the contract; he noted

that the equipment has been delivered to the site, but he was very doubtful that the work would be complete by Friday.

The Committee also discussed hiring Civil Site Environmental at a cost of thirty-five hundred dollars (\$3,500) to review all documents and construction drawings of Lowe Wild Dunes expansion and drainage revisions between Palm Boulevard and Palmetto; Council took action on that item earlier in the meeting. The discussion of maintenance and resurfacing of Palm Boulevard south of the Connector was lengthy and lively; these topics are among those to be discussed with SCDOT next month. The Chair reported that he was alarmed by the presence of the mobile home on the property controlled by *The Boathouse*. Council allowed mobile homes for a short time after Hurricane Hugo, finally decided to pass an ordinance prohibiting mobile homes and food trucks from the island. Besides the two (2) Special Exceptions granted by the Board of Zoning Appeals (BOZA), a third trailer has appeared at the marina from which t-shirts and caps are being sold.

Administrator Tucker commented that the company has been asked to stop conducting business out of the trailer.

Councilmember Kinghorn offered a bit of background information and a different perspective; he stated that, between Hurricane Hugo and now, the food truck industry has exploded; the definition of a mobile home has also changed drastically. The food trucks in a certain atmosphere, certain events at the Rec Center or the Street Festival, only serve to add to the events, and he did not think the City wanted to stifle commerce. Speaking to the one at Breach Inlet, the Councilmember noted that some might identify it as a mobile home when in reality it is not – it is a food truck.

Mayor Cronin stated that the problem has been sent to the Planning Commission for their study to make a recommendation(s) for change.

The concern voiced by Councilmember Ferencz was that, while the issue is before the Planning Commission, no recommendations were put forth after their last meeting so the issue will be discussed again at the September meeting. In the meantime, another trailer has appeared at the marina selling its wares from windows on both sides. Director Kerr has indicated that he has not received a request for a Special Exception, and no one seems to know who has approved it; since it is on the marina's property, she assumes that it was allowed by Marina Manager Berrigan since it belongs to one of his tenants, Coastal Expeditions. Despite Administrator Tucker's telling her that the City cannot force the trailer to be removed, Councilmember Ferencz does not understand why the City cannot ask them to leave when they are on City-owned property.

Administrator Tucker said that the City can ask them to cease doing business because they have not received a Special Exception from BOZA to do business out of the trailer, but there is nothing to prohibit the trailer from being on the marina site.

By way of clarification, the Administrator stated that Coastal Expeditions has, in the past, operated out of a facility adjacent to the boat ramp; concerns were expressed about having that more passive operation next to the boat ramp where people were launching and returning with motorized boats. Based on these safety concerns, Coastal Expeditions moved its operation to the Intracoastal Waterway side of the marina. In conversations between the Administrator,

Director Kerr and Coastal Expeditions, they have said that they need a more permanent structure from which to operate, but they did not want to do that until the marina redevelopment plan was formalized. They brought in the trailer to the marina as a temporary base of operations; they did not seek permission because they would have been told that a trailer was not an acceptable alternative. Administrator Tucker reiterated that there is no statutory problem with a trailer sitting on the marina site or for a business to have a trailer on the marina site so long as they do not conduct business out of it.

Councilmember Ferencz asked whether the City could impose a moratorium on trailers until such time as the Planning Commission comes back to Council with its recommendations.

Mayor Cronin clarified her request as a moratorium to keep the Board of Zoning Appeals from taking any requests for a Special Exception for trailers, food trucks, etc. until the Planning Commission completes its work.

Administrator Tucker opined that the appropriate course of action, if it is the will of Council to not have any more approved, Council should go through the process of having the First Reading of an ordinance for a change to the zoning and give proper notice to have the pending ordinance doctrine; once that happens, no future ones could be approved.

Mayor Cronin noted that Council cannot tell BOZA how to do its business; it operates independent from the City government.

As secretary to BOZA, Director Kerr accepts and processes the requests for Special Exceptions, but a person would be applying to BOZA. He added that food trucks, trailers, carts, etc. are grouped together in the ordinance about outdoor sales.

Councilmember Bettelli said that he, too, does not want to see food trucks on the island, but he did not think there was urgency to take an action now; he indicated that he was willing to give the Planning Commission another month.

Councilmember Rice remarked that this issue of a trailer at the marina proves that the City needs the redevelopment plan of the marina to get organized.

Changing the subject, Councilmember Rice asked if the contractor for the golf cart path would be penalized if the path was not completed within the forty-five (45) day window.

Attorney Halversen stated that, if the contractor was in breach of contract, the City can terminate the contract after seven (7) days written notice and proceed with hiring someone else to do the work and require that the contractor pay any increase in the cost. The question becomes one of how quickly the City could find someone else to do the work.

Having discussed dumpsters and recycling containers at the marina, Administrator Tucker reported that she had been in contact with the marina manager about the pumping station; he has told her that the system has been down for only two (2) weeks, not two (2) months as reported; it was put in last year with the assistance from a grant. The repairs have been ordered but have not been made; she has asked that the marina manager to contact her when he learned when

the repairs would be made. Councilmember Ward was confident that the repairs have been done by now. The Public Works Committee has scheduled its next meeting for 11:00 a.m., Tuesday, September 6th in the Conference Room.

D. Recreation Committee

Councilmember Carroll, reporting on the Recreation Committee meeting on August 2nd, said that Nancy Guss, Jack Hurley and Priscila Shumway attended the meeting to ask about blocking the hot summer sun from making the playground equipment too hot to play on. They had researched a type of sail that would shield the equipment, require very little maintenance and be easily and quickly installed and removed; they offered to organize a fundraiser to assist in the purchase of the sails. Director Page will research the product further and report to the Committee in September. Director Page reported that tennis and an artist camp were being held this week and volleyball will be held next week; Camp Summershine ended last week. More than forty (40) people attended the Hurricane Hugo history series. Forty-two (42) Keenagers attended the last potluck lunch on May 4th; meetings will resume on Wednesday, September 7th. *Music in the Park* was held on Saturday, May 14th and drew approximately three hundred (300) people to the Rec Center; the 28th Annual Piccolo Spoleto sand Sculpting Competition was on Saturday, June 4th with forty-six (46) teams. The IOP Beach Run was on Saturday, July 16th and had more than three hundred fifty (350) participants. The 18th Annual Half Rubber Tournament will be on Saturday, August 20th and Sunday, August 21st, if necessary. The Wellness Fair is scheduled for Thursday, September 22 from 7:00 a.m. to 11:00 a.m.; partnering with East Cooper medical Center, they will offer free blood work to employees, residents and neighbors. Other upcoming events are the Ghostly Tide Tales on Friday, October 21st from 6:30 p.m. to 7:30 a.m., the annual Halloween Carnival on Monday, October 31st and the 5th Annual Holiday Street Festival on Saturday, December 3rd. The graphs at the end of the report illustrate the monthly activity level, average daily attendance and participation in Rec programs. When the topic of holding the Halloween Carnival the Saturday before Halloween on Monday, Director Page answered that holding the carnival on Halloween gives parents an alternative to trick or treating, but she acknowledged that it would be much easier on the Rec staff if it were held on Saturday.

Councilmember Rice suggested holding a second *Music in the Park* event in the fall of the year since it appeals to a different dynamic on the island; Councilmember Kinghorn suggested that Councilmember Rice look at the calendar and come back to the Committee with a recommendation.

Administrator Tucker was pleased to announce that the Recreation Department had won a Municipal Achievement Award for "Doggie Day at the Rec," which is a popular activity on the island. The trophy was displayed on the Conference Room table until Director Page moved it to a place of honor at the Rec Center.

Director Page reported that to-date there have been no issues with employees of the marina parking at the Rec Center and being shuttled, but she commented that the number of cars parking at the Rec does not appear to be as many as were parking on Waterway.

The next meeting of the Recreation Committee will be at 9:00 a.m., Wednesday, September 7th in the Conference Room.

Mayor Cronin was interested in finding a way to increase the participation by residents at the Wellness Fair; he asked that notice be on the website and other social media sites and, possibly, signs and the water bills.

E. Personnel Committee – no meeting in August

Councilmember Harrington reported that currently the Police Department has three (3) openings for police officers and one (1) Human Resources Officer in General Government.

Safety Sweepstakes winners for July were William Seabrook of the Building Department, Sgt. Derrick Ambas of the Police Department, Bob Maibach from the Fire Department and Rob Graham for Public Works.

The next Personnel Committee meeting will be at 11:00 a.m., Wednesday, September 7th in the Conference Room.

F. Real Property Committee

The first item of business for the August 3rd Real Property Committee meeting was the status of the off-site parking experiment; Carla Pope, Operations Manager, said that participation by employees of Morgan Creek Grill has increased each week, but she acknowledged that people are reluctant to be so far away from their cars. Mr. Berrigan reported that the program is working very well for the dock staff, and they would like to continue to do it. When Councilmember Harrington asked if there was a penalty for not adhering to the new policy, Ms. Pope responded that the employee would be written up and threatened with firing, which is a two-edged sword because it is difficult to get staff. In an ideal world, as many as forty (40) cars could be eliminated from the marina parking lot. Ms. Pope said that they will continue to have staff parking at the Rec to be shuttled to the restaurant until Labor Day. Councilmember Rice repeated her position that the only real solution was to have marina employees park in the municipal lot via annual passes. Mr. Marshall thought the next step would be to get an engineered site plan that would enable the refinement of the costs. Such a site plan would be produced after a survey and would provide information about exactly how much green space would be needed for stormwater, how much fill and grading was needed, how many parking spaces can be on the site and where they should be, etc. The engineered site plan would be presented to Council with a much more refined cost estimate.

The Committee also discussed the misperception that there are too many businesses operating out of the marina; the reality is that, when the marina was purchased, fifteen (15) businesses operated there, but today the number is nine (9). Councilmember Rice stated that the marina is a much less industrial and noisy space today since now it has only marina type businesses.

Another contributing factor to the parking problems at the marina is that there are considerably more people going to Capers, Goat and Dewees Islands and many of the cars on 41st belong to people going to Goat Island.

The Committee also discussed applying for a Shore-based Saltwater Fishing Grant and the possible sites of a dock. This is a grant for one hundred thousand dollars (\$100,000) that the City

could apply for year after year. The pier as proposed for 25th Avenue would be approximately one hundred thousand dollars (\$100,000), a pier at 13th Avenue would be more, and the dock at the marina would be less. Councilmember Harrington moved to go forward with an application for a Shore-based Saltwater Fishing Grant for the City property at the end of 25th Avenue that was unanimously approved; Councilmember Bergwerf stressed that the Committee members would be soliciting input from the neighbors before anything is submitted. When the Committee discussed handicap accessibility to the beach, Administrator Tucker stated that the goal is to have handicap accessibility at 42nd Avenue, the path labeled 31A, at the Sea Cabins, 9th Avenue and 21st Avenue. The Committee discussed the beach restoration, and it was reported that the City continues to reach out to the state to figure out how to access a portion of the thirty million dollars (\$30,000,000) included in the budget. Coastal Science and Engineering is trying to find an alternate borrow site due to the historic significance of the remnants of the Second Stone Fleet. The recent occurrences related to wave dissipation devices and sandbags have encouraged the stakeholders to move forward with a beach restoration project. As a result, the affected parties have reached out to the City to push the renourishment project along; if all things come together, the best scenario would be to have a winter 2017 project.

The Chair announced that all tenants were current with their rent.

The Real Property Committee will meet again at 9:00 a.m., Thursday, September 8th in the Conference Room.

Councilmember Carroll asked why the end of 25th Avenue was selected for a City dock when discussion up to now has been to make a dock at the marina into the City dock.

Councilmember Bergwerf commented that several options were considered, and the marina is still a viable option. The cost associated with rehabilitating a dock at the marina would be nominal, but the Committee felt that, if the City could get a grant to pay for it, having a new water access on the island would be a good thing. Since serious issues surround 25th Avenue, the Committee will take into consideration, but, at this point, nothing has been done.

Mayor Cronin said that he would not support a dock at the end of 25th Avenue; he thought the end of 13th Avenue would be a much better choice, where the City would have to get SCDOT approval. To use the end of 25th, the Mayor wanted the full support of the citizens in the area.

Councilmember Ward stated that he had surveyed the property on 25th earlier in the week, and he did not see any place for parking. If the City were to construct a dock there, it would be inviting mischief. He indicated that he is "vehemently opposed" to a dock being built at the end of 25th Avenue.

Councilmember Ferencz noted that the marina redevelopment plan was going to be very costly to the City; she, therefore, asked why the grant money was not being considered at the marina as a cost saving measure. She did not understand why any place other than the marina was being considered.

Councilmember Bergwerf said that this grant was one that the City could apply for every year.

Councilmember Rice stated that the idea was to give residents access to the water via bicycle and golf cart; any new dock would not encourage the parking of cars near-by. The Committee had thought that the end of 25th Avenue would be a quiet and tranquil location for residents to fish or just sit and think.

In Councilmember Carroll's opinion, 13th Avenue was a worse idea than 25th Avenue; it, too, is in a residential neighborhood.

The Mayor repeated that a selection would be made only with the approval of surrounding neighbors.

5. Reports from City Officers, Boards and Commissions

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

Request for rezoning

Mayor Cronin noted that Council had heard a resident's appeal for a zoning change from residential to light commercial; he added that he would only ask the Planning Commission to consider the request if Council supported it.

No motion was made, so the request will not be put forward.

6. Reports from Special or Joint Committees – None

7. Petitions Received, Referred or Disposed of – None

8. Bills Already in Possession of Council – None

9. Introduction of New Bills, Resolutions and Proclamations

A. A Resolution Committing the City of Isle of Palms to Provide a Local Match for a Municipal Association of South Carolina Hometown Economic Development Grant

MOTION: Mayor Cronin moved to suspend the reading and to approve committing a local match for Hometown Economic Development Grant; Councilmember Bettelli seconded.

The Mayor stated that the grant would be in the amount of up to twenty-five thousand dollars (\$25,000) for each approved application, making the City's match twelve hundred fifty dollars (\$1,250); if awarded, the City would use the funds in its "Secret Season" campaign.

Councilmember Ferencz asked who would manage the advertising campaign and the possible fifty thousand dollar (\$50,000) budget.

Mayor Cronin said that staff would be meeting with members of the hospitality industry shortly to show what the City has in mind for the program. Since there is no one on staff with an advertising background, it is likely that a marketing person would need to hire for the campaign. Indicating that his vision included having a section of the campaign for the County Park and that the County Park would be the contractor to assist the City in putting a marketing campaign together for selling the "Secret Season."

VOTE: The motion PASSED UNANIMOUSLY.

B. A Resolution to Adopt the Updated Local Comprehensive Beach Management Plan Subject to DHEC OCRM Approval

According to the Mayor, this is the updated version of the plan originally submitted in 2007 and adopted in 2008; he indicated that the Plan was subject to changes based on input from Council and always subject to changes based on the reviews from OCRM division of DHEC. The document is in their hand for a preliminary review; after reviewing the input from them, the document will go back to them for public comment and a final review.

MOTION: Mayor Cronin moved to suspend the reading and to adopt the Updated Comprehensive Beach Management Plan; Councilmember Carroll seconded and the motion PASSED UNANIMOUSLY.

C. A Resolution Approving the Submittal of an Application to State Parks, Recreation and Tourism and Confirming the City's Financial Commitment

Mayor Cronin repeated that the state has provided the City with the application process to submit to PRT for state funding and the City's match; PRT would fund a significant piece of the beach renourishment as long as the City has a comprehensive plan, all of the technical matters are in place, the permits are in-place and the money is all there, etc. The Mayor expects it to take months with things working in parallel.

MOTION: Mayor Cronin moved to suspend the reading and to approve the submittal of an application to the state PRT; Councilmember Ward seconded.

Since it is going to take months to meet the requirements for the funding, Councilmember Ferencz asked why the Resolution was being approved now.

Administrator Tucker replied that the approved resolution is part of the application, and the funding will come on a first come-first served basis; therefore staff is working hard to get its application in as soon as possible. In addition, staff is soliciting letters of support for the project, another requirement of the application, and working very hard to get over the hurdles in the permitting process.

VOTE: The motion PASSED UNANIMOUSLY.

10. Miscellaneous Business

Next meeting date: 6:00 p.m., Tuesday, September 27, 2016

11. Adjournment/Conclusion

MOTION: Councilmember Bettelli moved to adjourn the meeting at 7:58 p.m.; Councilmember Rice seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk