

## CITY COUNCIL

6:00 p.m., Tuesday, November 15, 2016

The regular meeting of the City Council for the City of Isle of Palms was called to order at 6:10 p.m., Tuesday, November 15, 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, Administrator Tucker, 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 had been duly notified of the meeting in accordance with the Freedom of Information Act. Following a brief invocation and the Pledge of Allegiance, Clerk Copeland called the roll.

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

**MOTION: Councilmember Bettelli moved to approve the minutes of the regular meeting of October 25, 2016 as submitted; Councilmember Carroll seconded and the motion PASSED UNANIMOUSLY.**

### 3. Citizens' Comments

Mayor Cronin announced that SCDOT will be repaving Palm Boulevard from Breach Inlet to 21<sup>st</sup> Avenue and widening it to accommodate bike paths on both sides of the road; the project is scheduled to go out for bid in January 2017. The Mayor stated that he and the Administrator have been trying to get this done for a couple of years.

Councilmember Kinghorn thanked the Mayor and Administrator for their extra efforts to have this project done; he believes that the current conditions present a public safety issue for bikers and pedestrians.

Administrator Tucker reported that the project is federally funded.

Douglas Spangler of 408 Ocean Boulevard thanked Chief Buckhannon, Chief Graham and City staff for their response to Hurricane Matthew; he described the response as "outstanding" and the City employees "the best."

Mr. Spangler voiced his support for the modification of the OCRM permit application to include the entire shoreline; he commented that Hurricane Matthew had taken out the primary dune on the west end of the island. In addition, the king tide of November is to be followed by another one in December; the residents have lost the depth of the beach. He encouraged City staff and the City's consultants to figure out what can be done to fix their beach along with the renourishment on the east end of the island.

Mr. Spengler also voiced his opinion that any decrease in tourism revenue could be attributed to the parking plan; he thought that it was driving visitors away.

In conclusion, Mr. Spangler asked for the definition of the work “renourishment.”

Mayor Cronin stated that, for him, renourishment meant thirty to sixty feet (30-60 ft.) of dry sand beach.

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

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

Mayor Cronin announced that the City has been awarded a grant of five hundred thousand dollars (\$500,000) for the Phase II Drainage Project through the South Carolina Rural Infrastructure Authority. He thanked Assistant Administrator Fragoso for determining that the City qualified for the grant and submitting the grant application; this money combined with funds that City has received from the Transportation Sales Tax (TST) Committee and the Charleston Transportation Committee (CTC) mean that the City has the funds to complete the project. The City cannot apply for this grant again for two (2) years.

##### **1. Recommendation from the Recreation Committee to award a sole source contract to Musco Lighting in the amount of \$125,000 to replace the soccer field lights**

**MOTION:** Mayor Cronin moved to award a sole source contract to Musco Lighting for \$125,000 to replace the soccer field lights; Councilmember Carroll seconded and the motion PASSED UNANIMOUSLY.

##### **2. Consideration of awarding a sole source contact to Civil Site Environmental for drainage improvements to Sand Dollar Court**

The Mayor explained that this is a sole source contract based on Dave Stevens’ extensive knowledge of the drainage systems on the island.

**\_\_\_\_\_MOTION:** Councilmember Ward moved to award a sole source contract to Civil Site Environmental in the amount of \$3,000 for drainage improvements –on Sand Dollar Court; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

##### **3. Recommendations from the Real Property Committee**

a. Allocate funding for the design and engineering of improvements to public restrooms, outdoor showers and dune walkover

MOTION: Mayor Cronin moved to award a contract to Liollo for design and engineering for improvements to the public restrooms, the outdoor showers and the dune walkover; Councilmember Kinghorn seconded and the motion PASSED on a vote of 7 to 2 with Councilmembers Ferencz and Kinghorn dissenting.

b. Amend the permit application to OCRM/Corps of Engineers for the offshore dredging project to include the entire shoreline

Mayor Cronin stated that this modification was minor and would not generate an additional expense to the project.

MOTION: Mayor Cronin moved to amend the OCRM/Corps of Engineers permit application to include the entire shoreline; Councilmember Rice seconded and the motion PASSED UNANIMOUSLY.

4. Recommendation from the Public Works Committee to consider awarding a contract to Hitt Contracting, Inc. in the amount of \$756,000 for NPDES improvements to the Public Works site

This issue was sent back to the Public Works Committee at the Ways and Means meeting at the request of the Committee Chair.

5. Consideration of awarding a sole source contract to Stantec in the amount of \$11,910 for alterations and amendments to the sign plan for managed beach parking

MOTION: Mayor Cronin moved to award a sole source contract to Stantec for \$11,910 for the purpose stated above; Councilmember Carroll seconded and the motion PASSED on a vote of 7 to 2 with Councilmembers Ferencz and Ward casting the dissenting votes.

6. Consideration of a change to the NPDES base rate for non-residential parcels by capping the increase at 33%

**MOTION: Mayor Cronin moved to cap the increase of the NPDES base rate for non-residential parcels at 33%; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.**

Attorney Halversen will now craft an amendment to the City Code to reflect this change for non-residential parcels on the island.

In the way of financial information, Mayor Cronin stated that the City was one-third (1/3) of the way through the fiscal year with revenue at sixteen percent (16%) of the General Fund budget and expenditures at thirty-percent (30%) of FY17 General Fund expenditures. The City's cash balances are solid with a total of sixteen million dollars (\$16,000,000) at this time. One (1) department that has exceeded its budget target of thirty-three percent (33%) is the Fire Department; the overtime generated by Hurricane Matthew is the reason for the overage, but the City expects to be made whole through FEMA and state reimbursements. The FEMA process is moving forward.

Municipal Accommodations Taxes were two percent (2%) ahead of FY16 year-to-date. The tourism portion of State Accommodations Taxes was up by four tenths of a percent (0.4%) from the prior year, and Hospitality Taxes were running six percent (6%) ahead of the previous year.

## **B. Public Safety Committee**

Reporting from the meeting of November 2, 2016, Councilmember Bettelli related that, after being distracted by Hurricane Matthew, patrol officers have re-focused on encroachments in the right-of-way. To-date twelve to eighteen (12-18) encroachments have been documented as safety hazards; staff is working on the language of the letter that will be sent to property owners; and the Building Department is getting copies of the plats of the properties involved.

A representative of the S.C. Aquarium requested City-sponsored event status for the Turtle Trek planned for 5:30 p.m. on Saturday, September 23, 2017. Councilmember Bettelli recalled that the run/walk had little impact on the City's public safety agencies and raised fifty-five thousand dollars (\$55,000) towards the construction of the sea turtle hospital; in appreciation to the City, participants, Aquarium staffers and the Surfrider Foundation will plan a beach sweep near the date of the event.

**MOTION: Councilmember Bettelli moved to designate the 2017 Turtle Trek a City-sponsored event; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.**

Councilmember Bettelli noted that an intergovernmental agreement between the City of Charleston Police Department and the Isle of Palms was included in meeting packets; the purpose of this agreement is to provide mutual aid between the Police Departments of each municipality. The agreement will go before them Charleston City Council on Tuesday, November 22, 2016 for their approval.

**MOTION: Councilmember Bettelli moved to approve the mutual aid agreement for the Police Department with the City of Charleston; Councilmember Carroll seconded and the motion PASSED UNANIMOUSLY.**

At the end-of-season parking plan review, the Public Safety Committee was charged with improving parking for golf carts, bicycles and motorcycles, particularly at Front Beach.

From the monthly report of the Police Department, Councilmember Bettelli stated that the Department will have its CALEA onsite visit at the beginning of December; Chief Buckhannon is striving to achieve the Gold Standard as he did in the last review three (3) years ago. Assuming all goes well, the hearing will be between March 20<sup>th</sup> and 22<sup>nd</sup> in Mobile, Alabama. Councilmember Bettelli again urged residents and visitors to keep cars locked; the Department received several reports of items being stolen from vehicles, and the majority were taken from unlocked cars.

The next Public Safety Committee meeting has been scheduled for 2:00 p.m., Thursday, January 5, 2017 in the Conference Room of City Hall.

The Mayor noted that the CALEA observers would have a time for public comments, and he encouraged residents to participate by coming by or calling in to the Police Department. He stated that he was confident that the CALEA team would give the Department a good rating because the IOP Police Department is a well-staffed and disciplined department.

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

Reporting on the meeting of November 2<sup>nd</sup>, Councilmember Ward stated that a resident of Sand Dollar Court attended the meeting seeking assistance with the drainage problems at his residence, and, as noted earlier, the City will contract with Civil Site Environmental to learn the cause of his problems. Since the golf cart path between 18<sup>th</sup> and 21<sup>st</sup> Avenues has been completed, the topic will be removed from future agendas. The Committee heaped praise on the Public Works' personnel for the great job they did getting the debris off the streets after Hurricane Matthew. Administrator Tucker reported that the contract for installing an electronic leak detection system at the Public Safety Building has been executed, but the work has not yet been done. Another recurring item that can be removed from the Public Works' agendas if the re-paving of Palm Boulevard and the

construction of bike paths on both sides; SCDOT will put the project out for bid in January 2017. In order to expedite debris removal, the City made an emergency purchase of a grapple attachment for the skid steer, allowing the City to have two (2) crews removing debris.

The next Public Works meeting is scheduled for 11:00 a.m., Thursday, January 5, 2017 in the Conference Room.

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

Councilmember Carroll reviewed the programs, classes and sports activities regularly happening at the Rec Center. The Halloween Carnival and the Ghostly Tide Tales events were again huge successes. The Committee approved up to seventy-five hundred dollars (\$7,500) for an architect to design a space for a cardio room within the existing footprint of the Rec Center; the first bid came in at ninety-five hundred dollars (\$9,500). On first review, Director Page thought he had included some things that were not necessary that increased the price.

Councilmember Rice encouraged everyone to attend the Holiday Street Festival that will be held on Saturday, December 3<sup>rd</sup> at Front Beach from 2:00 p.m. until 7:00 p.m.

The Recreation Committee will hold its next meeting at 9:00 a.m., Thursday, January 5, 2017 in the Conference Room.

#### **E. Personnel Committee – no meeting in November**

Councilmember Harrington reported that the City has the following open positions: Payroll/Human Resources Officer and candidates to fill the positions in the Police Department are going through background checks.

Safety Sweepstakes winners for October were Marie Copeland for General Government, Victor Lawrence for the Fire Department, Kraig Thompson for the Police Department and Bernard Gourdine for the Public Works Department.

The next Personnel Committee meeting has not been scheduled.

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

Reporting on the Real Property Committee meeting of November 8, 2016, Councilmember Bergwerf stated that the meeting started with a presentation by David Osgood, an engineer representing JMT, about their findings relative to the loss of fill materials from the back side of the bulkhead at the marina. The Committee decided that

it wanted to study and discuss the report further before making a decision on the best solution for the City. Based on a list of improvements for the public restrooms compiled a couple of years ago and the new appraised value of the building, the Committee agreed to move forward with the improvements in an amount not to exceed one hundred sixty-two thousand five hundred dollars (\$162,500). In the one (1) quote Director Kerr had obtained for the restroom improvements, the design, permitting and the new exterior showers was not included. The Committee unanimously supported moving ahead with the preparation of design documents for the restroom improvements, the exterior showers and the handicap accessible boardwalk in an amount not to exceed fifty thousand dollars (\$50,000).

After discussing the responsibilities for the attendant at the public restrooms, the Committee agreed that staff should meet with the current contractor to review the terms of the contract and look into re-bidding the contract. Since Hurricane Matthew filled in the trench at the 49<sup>th</sup> Avenue beach access, a revision to the scope of the contract signed with Petersen Grading must be redefined for the work remaining to be done.

The next Real Property Committee meeting will be at 9:30 a.m., Monday, January 9, 2017 in the Conference Room of City Hall.

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

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

**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**

First Reading, by title only, of Ordinance 2016-10 – An Ordinance Amending Title I, Government and Administration, Chapter 3, Procedures, Committees, Ordinance and Use of Code, Article B, Standing Committees, Section 1-3-31, “Membership; Appointment; Responsibilities,” of the City of Isle of Palms Code of Ordinances to Provide that the Personnel Committee’s duties shall include Screening, Interviewing and Recommending Candidates for Appointments to Boards and Commissions of the City.

**MOTION: Mayor Cronin moved to approve, by title only, Ordinance 2016-10 for First Reading; Councilmember Harrington seconded and the motion PASSED UNANIMOUSLY.**

## **10. Miscellaneous Business**

### **Secret Season**

Mayor Cronin said that he would like to kick-off the “Secret Season” with a unique experience for residents and visitors. When the Municipal Association did not award the City a grant to use as seed money, he approached Charleston County and learned that they want to have an event in the County Park with food tents, tastings from island business, etc. In addition, the Mayor said that he has been approached about an event involving the brass ensemble from the Charleston Symphony.

The Mayor stated that the County Park has their own employees, so that the activity would not add work for the Recreation Department.

Councilmember Carroll remarked that this type of event should promote and benefit the City’s Front Beach businesses, and holding an event in the County Park would not provide exposure for those businesses.

Councilmember Bergwerf contended that, if the attendees park in the City lots, they are at Front Beach.

Councilmember Bettelli add that the County’ personnel would handle all of the planning for the event at no charge to the City.

Councilmember Ward commented that this idea will have to be sold to the Front Beach businesses because currently they are not supportive.

Mayor Cronin reminded Council to remember that only one-third (1/3) of the island’s food and beverage businesses are on Front Beach.

Before the meeting was adjourned, Administrator Tucker encouraged Councilmember to go to Front Beach to see the banners hanging from the light poles; they read “Holidays are Best at the Beach.”

Special Meeting: 6:00 p.m., Tuesday, December 6, 2016

Special Meeting: 6:00 p.m., January 3, 2017

Next Regular Meeting: 5:00 p.m., Tuesday, January 24, 2017



**11. Adjournment**

**MOTION: Councilmember Carroll moved to adjourn the meeting at 7:05 p.m.; Councilmember Harrington seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk