

**CITY COUNCIL and PLANNING COMMISSION  
JOINT MEETING**

6:00 p.m., Tuesday, February 23, 2016

The regular City Council meeting was called to order at 6:00 p.m., Tuesday, February 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, Attorney Halversen, Assistant Administrator Fragoso and 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. **Reading of the Journal of the Previous Meeting**

**MOTION: Councilmember Rice moved to approve the minutes of the regular meeting of January 26, 2016 as submitted; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.**

3. **Citizens' Comments**

John Cahill, 8-54<sup>th</sup> Avenue, stated that he was grateful to Director Kerr, Attorney Halversen and Administrator Tucker for their cooperation in reaching a "fine solution" that gives the City and Wild Dunes what they need and gives the neighborhood protection for the property, with the zoning on their homes.

Ida Havelka, 4301 Palm Boulevard, stated that she and her husband have owned property on the island since 1974, and, therefore, have a vested interest in the welfare of the City. She stated that her neighborhood is 42<sup>nd</sup> to 44<sup>th</sup> Avenues, and the rights-of-way on the side streets are encroached upon, especially between Palm Boulevard and the beach, leaving nowhere to park. The same is true throughout the island because the City and SCDOT have not been enforcing clear rights-of-way; in the February 12<sup>th</sup> issue of *The Island Eye News*, the Sullivan's Island City Council was quoted as saying "the only hurdles to clear to have a parking plan in place by June 1 are clearing the areas of rights-of-way that have been encroached upon by the residents." The question for Council at this meeting was what is the plan for the City to clear the rights-of-way before May 15<sup>th</sup> when residents will have to pay for their families and friends to park on the side streets?

John Edgerton, 9-56<sup>th</sup> Avenue, stated that he wanted to compliment and thank the City staff; the discussion and negotiation that has gone on with the fifty-one (51) properties has been an example of representative government at its finest. The amended agreement before Council represents considerable compromise on both sides; he asked that Council seriously consider the amendments and to pass them.

The Mayor noted that this was a joint meeting with the Planning Commission who have worked diligently on the agreements between the City, the fifty-one (51) property owners and Wild Dunes.

Patricia Ryan, 6 Forest Trail Court 1, reported that she had attended the meeting on coyotes on Tuesday, February 17<sup>th</sup> and had been "extremely disappointed with [Council's] reactions." She

stated that she had brought data to support her position on the coyotes and where the City's problems are heading. She reported that coyotes have been in the state for thirty (30) years, and the state's deer population is down thirty percent (30%). She had several articles on coyotes with her and agreed to leave them with Clerk Copeland; they are attached to the historical record of the meeting.

Holly Neal, 17-21<sup>st</sup> Avenue, voiced concern about co-existing with the coyotes which she interpreted to mean that the residents should "drastically change" their lifestyles. She stated that she would like to see the City take a more aggressive approach; she indicated that she would like to see more education, particularly for visitors in the summer. She indicated that she would support more aggressive professional hunting and trapping; she acknowledged that the City could not eliminate the coyote population on the island, but she believed that, by killing several aggressive ones, the others would become afraid of humans. Ms. Neal also asked what the City's plan was for clearing overgrown lots to destroy coyote habitats.

Jeff Evans, 3301 Hartnett, addressed Council on signage for the beach management parking plan and the new BSOs hired to enforce it. He initially thanked Council for being proactive to solve the parking issues on the island, but he reported that there is concern in the middle of the island about the signage that will accompany it. He indicated that he has a petition with a couple of hundred signatures about the signs, asking Council to move slowly; he reported that he has read the ordinance and found that it does not state a specific number of signs to be installed on the island.

Lalla Lee Campsen also thanked Council for addressing issues that concern the citizens; she was particularly thankful for the actions taken by Council to dramatically reduce the noise from Morgan Creek Grill; she also thanked Morgan Creek Grill for their work. She knew that the Second Reading of the noise ordinance was on the *Agenda* and asked that Councilmembers "strongly consider" and add the verbiage suggested by her husband presented earlier via email.

#### **Presentation of Comprehensive Redevelopment Master Plan for Isle of Palms Marina – Kirby Marshall, ATM and Scott Parker, Design Work**

Attached to the historical record of this meeting is the full work-product presented to the City that starts with the kickoff meetings held in the fall of 2015 with various stakeholders in the future of the marina to a *pro forma* financial analysis for a marina with and without a dry-stack boat storage facility. The final section of the work-product is the PowerPoint presentation given at this meeting.

The conceptual drawings show an improved traffic flow to address all of the business entities operating at the marina, increasing and managing parking on the site, changing the boat ramp from three (3) lanes to two (2), developing a small park area along the promenade that would surround the marina along the water and generally beautifying the site. Neither of the drawings suggest relocating the marina store, the boat ramp, the restaurant or the watersports activities, but the drawings do show relocation of the upland fuel station from the center of the marina. All of the docks are reconfigured to provide the best uses for each entity, and the report points out that all of the docks on Morgan Creek have outlived their useful life, but Marina Manager Berrigan does an admirable job in maintaining them.

The floor was again opened for citizens' comments on the marina plan.

People who spoke to Council about the marina redevelopment plan were clear that they did not want a drystack boat storage facility; their primary concerns follow:

- A drystack facility would contribute to the traffic issues the City and the marina already have;
- They voiced concern about the noise generated by a boat lift;
- They were concerned that a drystack storage would attract more off-islanders to the marina which was purchased to provide water access to Isle of Palms' residents; and
- They contended that a drystack storage facility would be incongruent with the residential properties around the marina.

The majority of speakers agreed that the marina does need improvements.

People who spoke were:

Bea Love, 9 Sand Dollar Drive – written comments  
Ray Gay, 6 Intracoastal Court  
Stuart Colman, 10 Live Oak Drive – written comments  
Laura Campbell, 34 Forty-second Avenue – written comments  
Dr. Al Dawson, Intracoastal Court  
Sharon Neal – 27<sup>th</sup> Avenue

(Written comments are attached to the historical record of the meeting.)

Phillip Smith of 8 Intracoastal Court initially voiced his appreciation to Council for their role in eliminating the noise from Morgan Creek Grill; he called it "a blessing." From the ATM meeting that he attended in the fall, he left with the understanding that too many businesses were trying to operate from the Isle of Palms' Marina and that a cutback would be considered based on the imitations of the space. In his opinion, a drystack would only bring more cars and trailers to the marina. He questioned the need for two (2) filling stations on the island. He stated that he had expressed a strong desire to see the watersports dock/business relocated on the site away from his property line. With the number of businesses at the marina, their employees alone nearly fill the parking lot now. He urged Council to reconsider the number of businesses that would be allowed to operate out of the marina.

Sharon Neal of 27<sup>th</sup> Avenue asked for the City to slow down the implementation of the parking management plan and to allow the summer of 2016 to be a test season. She and her older neighbors were not pleased to know that they would need to buy parking passes for their family and friends to come to Sunday dinner so that they would not be ticketed; they also thought that island residents should have the right to have free parking passes. As for the coyotes, she reported that she has sent letters and literature to Councilmembers, but a primary concern for her was what arrangements had been made for animals that would be caught in traps if the City decides to hire trappers.

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

**A. Ways and Means Committee**

**1. Presentation of Internal Controls Audit – Timothy A. Grow, Brian L. D’Amico and Rachel Domnick of Elliott, Davis and Decosimo**

Mr. D’Amico, Audit Senior Manager, introduced Mr. Grow as the Audit Shareholder and Office Managing Shareholder, and Rachel Domnick, Audit Senior; each of them are a part of the firm’s governmental team.

Mr. D’Amico stated that the audit team started with the written policies and procedures that the City had in place to get a good baseline understanding of how the City operates; when they came on-site, they already knew some of the questions they would ask in order to get more clarification and better understanding of a particular process. Their next step was to interview the people doing the work and document their processes and to identify key control steps that were part of that process; they then tested those controls. They took what they had been told and tested it to see if it was what was actually happening; to do this they randomly selected transactions from each area and walked through them, testing those particular areas. They did not identify anything that was inconsistent with what they had been told in the interview process.

According to Mr. D’Amico, City management, in particular, are doing a great job given the staffing and resources available. In writing the report, the auditors took, as a benchmark, the best in class assuming unlimited resources, unlimited budget, etc., and acknowledged that the City does not have any of those things to accomplish everything in a perfect world.

In summary, the audit went well; the auditors did not identify anything that was inconsistent, but among the things that observed were

- Segregation of duties – In any particular situation, they would ask that someone who is doing something be reviewed by an independent person; he noted that they could tell that reviews were being done on particular sets of transactions, but there was no audit evidence and it was proved that there was no issue with the actual transactions. The recommendation was for someone to initial and date that the review occurred.
- The reconciliations are happening and are happening well, but they are in Excel, which is a great tool for an accountant to use, but is easily manipulated; it is not as good as an accounting software. In several of the City’s responses, it was noted that the City is currently evaluating financial software that would aid in certain reconciliations.

Before receiving questions, Mr. Grow added that one factor they took into account was how knowledgeable people were with the issue being reviewed, and they found it to be helpful to let management respond. He commented that often things “fall between the cracks” that help to tell the whole story. In his opinion, the management staff was particularly cognizant of the budget under which they work and the cost benefit of the controls; they were aware of where weaknesses were. He remarked that some of the recommendations they made will be easy to implement and others not so much.

Councilmember Kinghorn asked whether they had made recommendations for additional staffing.

Mr. Grow responded that staff would better know where they would want to deploy any additional personnel; they are very conscious of wastefulness of money. He said that, in certain areas, staff did not think they could use that person fully and, possibly a part-time person would be enough. With the new financial software, many things would be automated that take up time today.

Mr. D'Amico commented that, in the City's responses, they pointed out mitigating controls that reduce the risk that brings the risk to a manageable threshold.

Mayor Cronin acknowledged that Treasurer Suggs was evaluating software packages and progress is being made. He admitted that he always worries about a new system coming in and disrupting the norm, plus the City "will be transcending between departments." Although the Mayor said he was not expecting any, he was pleased that the auditors had found no exceptions.

Councilmember Rice noted that, based on the report, the City needed to re-visit the Procurement Code; items were suggested that she thought would be easy fixes to make things run smoother.

Councilmember Ferencz first sought confirmation that money for new financial software was included in the FY16 budget and asked how the evaluation process was coming.

Treasurer Suggs stated that the money was in the budget, and she continued to evaluate products and get feedback from other local governments on the product they are using.

Mr. Grow added that the evaluation of financial software consumes a lot of time and resources to make sure that all departments that need to be covered by it can be and to find the one that will fit with the uniqueness of the City.

Responding to Councilmember Carroll's questions, Mr. Grow informed Council that his firm has people whose only job is to assist, from an IT perspective, and to make recommendations to their clients.

Councilmember Ward said that the auditors probably had different sample percentages for different departments, and he inquired about the average sample sizes.

Mr. D'Amico replied that they had used the same sample size for cash disbursements and the payrolls that financial auditors would take; in the other departments, they tried to take one (1) month with a lot of activity.

Councilmember Ward stated that he gathered from the report that the auditors did not find any deviations whatsoever; Mr. D'Amico said there had been an issue with procurement that was fully explained by staff with substantiating data, and there had been an error with retirement contributions which had already been identified and corrected by staff by the time they were tested.

Councilmember Ward stated again that, materially, the auditors did not find any deviations.

In the area of the report recommending that the safe be kept closed during the day, Councilmember Ward said he did not see a response from staff.

Mr. D'Amico remarked that the safe was open during the day, but behind locked doors; he opined that the safe is secure from everyone but employees.

Administrator Tucker stated that the safe is always closed, i.e. the drawers, unless someone is taking something out or putting in; in addition, the safe is behind the secured City Hall door accessible only by people with the correct combination. The safe is always locked at the end of the work day. Some discussion has been held about putting video surveillance in the room with the safe in case someone who came in, for example, to kill the bugs tried to open it. The safe is also fireproof; it is very old, very heavy and very noisy.

Councilmember Ward acknowledged that there were only a few people in City Hall, but he questioned how many have the door code. Those with access are City Council members, Department Managers and the City Hall and Building Department staffs.

When the Mayor asked whether the City's Accounting Manual had been useful, Mr. D'Amico responded that it had been the auditors starting point and had given them a good baseline. The Mayor added that he had been told that many local governments do not have such a document.

Mr. D'Amico added that fewer have one that is written as well as the City's.

Councilmember Kinghorn congratulated staff noting that the audit had validated what they do, but there had been some actionable items in the report that would be relatively easy to implement, and he thought it would be helpful to Council if staff reported back to Council on the items on which they have acted.

Administrator Tucker thanked Mr. Crow, Mr. D'Amico and Ms. Domnick and noted that it had been a pleasure working with them, particularly Ms. Domnick who was in the office the most.

Reporting from the meeting of February 16<sup>th</sup>, Mayor Cronin stated that Jim Raih had addressed the Ways and Means Committee on the reasons he had decided against bidding on the municipal parking lot lease, but he did offer to assist the City in the future in any way he could.

From the financial statement of January 31, 2016, the Mayor noted that the City is fifty-eight percent (58%) of the way through FY16 with revenues running behind those of the same period last year, which the Treasurer attributes to timing differences between the two (2) years. Overall expenditures are at fifty four percent (54%) of budget. The City has received twenty-one thousand dollars (\$21,000) from FEMA, a seventy-five percent (75%) reimbursement for emergency spending related to the flood.

In the tourism funds, Municipal Accommodations taxes are running four percent (4%) ahead of the same period in FY15, and Hospitality Taxes are running seven percent (7%) ahead of FY15.

The Committee was informed that it did not receive funding from an OCRM grant to fund half of the cost of a handicap beach access at 42<sup>nd</sup> Avenue. Following discussion on the plan for the access, the Committee decided to proceed with the construction of a handicap parking space there and to delay construction of the handicap access in hope of being successful next year.

The Committee also reviewed the FY17 Revenue Budget projections most of which were based on the past twelve (12) months' actual; as Council moves through the budgeting process, the revenue projections will be revised accordingly.

**3. Recommendation from the Public Safety Committee to re-purpose the PSB Dispatch office into a conference Room at a cost of approximately \$4,500, using funds budgeted for service agreements**

**MOTION: Mayor Cronin moved to approve re-purposing the PSB Dispatch office into a conference room; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.**

**4. Recommendation from the Real Property Committee to award a contract to IPW Construction in the amount of \$23,085 for City Hall repairs**

**MOTION: Mayor Cronin moved to award a contract to IPW Construction in the amount of \$23,085 for City Hall repairs; Councilmember Harrington seconded and the motion PASSED UNANIMOUSLY.**

**5. Approval of recommendation to increase the parking kiosk rates to \$1.50 per hour**

**MOTION: Mayor Cronin moved to increase the hourly rate at the kiosks to \$1.50; Councilmember Kinghorn seconded and the motion PASSED on a vote of 7 to 2 with Councilmembers Rice and Ward casting dissenting votes.**

As stated earlier, the City did not receive any bids for the operation of the parking lots; after much discussion, the Ways and Means Committee decided to move to a self-pay, automated parking system, installing some kiosks, similar to those on Front Beach, and to manage them, primarily, on the weekends. The first estimates of revenue from kiosks in the parking lots for the first year, that includes the capital costs, and for a subsequent year were in packets

Councilmember Ward voiced concern over labor; he thought there would be a need for someone to be on-site.

Administrator Tucker stated that some attendant hours have been included in the analysis; the City would overtime labor to manage the parking on busy days. On the days when the lots would not be full, staff did not see the need for an attendant.

Assuming that Council still supports this plan, the Administrator reminded Council that the City is under a very tight timeline to get the kiosks ordered and installed. Since the FY16 budget assumed that the lots would be leased for the season, the cost for the kiosks is not a budgeted expense. The purchase of the kiosks would be considered an emergency contract to spend up to sixty thousand dollars (\$60,000) to buy kiosks that would be consistent with those on Front Beach.

**MOTION: Mayor Cronin moved to award a contract of up to \$60,000 for kiosks to be consistent with kiosks the City already owns and to manage parking in the lots; Councilmember Kinghorn seconded.**

Councilmember Carroll commented that the lots have approximately four hundred thirty-five (435) spaces and that the lots were full about forty (40) days out of the summer. He noted that statements have been made of having attendants to assist in parking cars in unlined lots; he stated that he thought the City was “asking for a disaster for this summer.”

Councilmember Bergwerf indicated that she had visited the lots today and thought that, once the lots were mowed and cleaned up, the parking stops would be visible. She continued that City was forced to manage the lots since no one had submitted a bid, and the lots must be open for the summer. With no parking on Carolina or Charleston or the numbered streets, she opined that the lots would be more utilized than in the past.

Councilmember Rice indicated that she thought the amount of time estimated for attendants in the lot was insufficient; she believes that an attendant must be on duty all day for the busy weekends not only to manage the parking but also to instruct the public on the use of the kiosks.

If there was concern about the effectiveness of the parking stops, Councilmember Kinghorn suggested painting the stops a bright yellow.

**VOTE: The motion PASSED on a vote of 8 to 1 with Councilmember Carroll casting the dissenting vote.**

The Mayor asked that the schedule of parking lot revenue and expense be brought to every Council meeting for the next several months.

**6. Confirmation of decision to re-finance the current principal outstanding on the Fire Station 2 GO Bond over ten (10) years**

**MOTION: Mayor Cronin moved to re-finance the current principal outstanding the Fire Station 2 GO Bond for a period of ten (10) years; Councilmember Harrington seconded.**

According to the City Administrator, the first step in the re-financing process will be to sign an engagement letter with the McNair Firm; if the motion passed, she would do so the following day.

**VOTE: The motion PASSED UNANIMOUSLY.**

**MOTION: Councilmember Carroll moved to re-order the *Agenda* and to take item 8 – Bills Already in Possession of Council; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.**

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



**A. 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 SR3 Residential Zoning District and a New P-3 Preservation Overlay Zone.**

**MOTION:** Mayor Cronin moved to suspend the reading and to approve for Second Reading Ordinance 2015-14 inclusive of the City Attorney’s revisions; Councilmember Carroll seconded and the motion **PASSED UNANIMOUSLY.**

**B. 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 Zone, 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 approve Second Reading of Ordinance 2015-15 and to suspend the reading; Councilmember Carroll seconded.

**AMENDMENT:** Mayor Cronin moved to amend the ordinance from First Reading to Version 2; Councilmember Carroll seconded and the amendment **PASSED UNANIMOUSLY.**

Responding to Councilmember Rice, the Mayor explained that the setbacks in the SR-3 are twenty feet (20 ft.) in the front, ten feet (10 ft.) on the sides and thirty feet (30 ft.) in the rear; these setbacks make all of the lots conforming.

**AMENDED MOTION:** The Amended Motion **PASSED UNANIMOUSLY.**

**C. Second Reading 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 adopt for Second Reading Ordinance 2015-16 and to suspend the reading; Councilmember Bettelli seconded and the motion **PASSED UNANIMOUSLY.**

**D. Second Reading of Ordinance 2016-01 – An Ordinance Amending the City of Isle of Palms Zoning Ordinance by Amending Certain Provisions of the Beach and Racquet Club PRD of the Wild Dunes Planned Development Zoning District to Exclude Certain Properties in the PRD District from 2,500 to 2,449 Units, and to preserve the Existing Height Limitations of the PRD District.**

**MOTION:** Mayor Cronin moved to approve for Second Reading Ordinance 2016-01 and to suspend the reading; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.

**E. Second Reading of Ordinance 2016-02 – An Ordinance Amending Title 9, Offenses, Chapter 2, Offenses Against Public Peace, Section 9.2.5, Noise, of the City of Isle of Palms Code of Ordinances to Exempt City-owned Property Subject to a Commercial Lease from the Prohibition on Amplifiers, to Correct Clerical Errors and Provide Clarifying Language, to Include Motorboats and Personal Watercraft in the Definition of “Vehicle,” to Provide New Regulations for Daytime Plan of Amplified Music, to Provide Additional Exceptions, to Provide Enforcement Factors, and to Provide Penalties for Violations Including the Suspension or Revocation of a Business License.**

**MOTION:** Mayor Cronin moved to approve Ordinance 2016-02 for Second Reading and to suspend the reading; Councilmember Ward seconded.

**AMENDMENT:** Councilmember Ward moved to include “and noise control agreement or permit with the City” following “City-owned property subject to a commercial lease;” Councilmember Carroll seconded.

Councilmember Bettelli related that, in the Public Safety Committee, the recommendation was to add noise control language in the leases to go along with the statement already in the leases that tenants must follow all City ordinances.

Councilmember Rice opined that a noise control agreement or permit would allow more businesses on the island to hold events with the City in control. The Mayor reminded her that this section of the ordinance only related to City-owned property.

**VOTE on the AMENDMENT:** The amendment PASSED UNANIMOUSLY.

**VOTE on the AMENDED MOTION:** The amended motion PASSED UNANIMOUSLY.

#### **4. B. Public Safety Committee**

Reporting from the meeting of February 8<sup>th</sup>, Councilmember Bettelli stated that a couple attended the meeting asking for more crosswalks on Palm Boulevard; he reported that Chief Buckhannon had indicated that SCDOT has limitations on the distance between crosswalks. They also supported the idea of the City taking aggressive steps to eradicate the coyotes from the island. The Committee also reviewed the changes to the noise ordinance that were approved earlier in the meeting. Councilmember Bettelli reported that approximately two hundred thirty (230) people attended the Coyote Forum on February 17<sup>th</sup> at the Recreation Center; representatives of DNR, the Humane Society and Critter Control were available to answer questions after the forum. He reported that Sullivan’s Island has had limited success with the traps and that the City Administrator is dialoguing with trappers to determine what the City’s options are. The Committee was informed that the contract for signage for the managed beach parking plan has been signed and that signs would be seen on the island within forty-five (45) days. Councilmember Carroll

reiterated his belief that the City was planning to put in too many signs and to put them where they are not needed. The Administrator noted that it was unfortunate that the focus had moved to the signs rather than managing the beach parking which was the issue of quality of life Council started about trying to solve. The Committee learned that staff has received concerns and complaints about the road and bike path conditions on Palm Boulevard between 3<sup>rd</sup> and 8<sup>th</sup> Avenues; the problem has been reported to SCDOT twice. The Committee reviewed the FY17 projected revenue budget. A resident has suggested that directional signs be hung from the electrical lines over the intersection at 14<sup>th</sup> and Palm Boulevard.

According to the Fire Department report for January, personnel responded to forty-three (43) calls in the month of January; twenty-two (22) of those calls were for EMS. The Chief reported that the Charleston County QRV is now stationed on the island during the day and is not to cross the Connector. Forty-seven (47) pre-incident surveys were written during the month, and thirty-nine (39) fire inspections were performed, noting twenty-three (23) violations. Personnel received a variety of training, such as fire behavior, personal protective equipment and building construction. The radiator replacement on Tower 1002 was quite expensive, in excess of six thousand dollars (\$6,000). The Chief attended a Response Provider meeting; this annual meeting is mandated by the Federal government to review response policies and best practices throughout the industry. Chief Graham explained that the Fire Department has experienced more overtime than usual recently as personnel have been called upon to work to cover for co-workers who have been placed on light duty. Chief Graham reported that she was scheduled to go to Florida on February 17<sup>th</sup> for the final inspection on the rescue truck, but one (1) backordered part is preventing the truck from going to the lettering shop. She anticipates that the truck will be ready for the final inspection at the end of February or early March; a couple to three weeks (2-3) later the truck should be on the island. The bid opening for the sale of the existing truck will be next week.

From the Police Department, Chief Buckhannon reported that the Department has seen an uptick in credit card fraud recently; he urged citizens to be vigilant in their use of credit cards and do as much as possible to keep the card numbers from being compromised. The Command Staff recognized the following members of the Department for perfect attendance in 2015; they are Sgt. Ambas, Sgt. Meekins, Pfc. King, Pfc. Couche and ACO Enourato. During the month of January, officers issued forty-two (42) "Property Security Check" notices and eight (8) "You could have been a victim of a crime" notices; in addition, officers installed several child safety seats since several officers have now been certified.

On January 22<sup>nd</sup>, Pfc. Hardy and Pfc. Reynolds participated in the Lunch Buddies Program at Sullivan's Island Elementary School where they interacted with children from kindergarten to fifth grade. Telecommunication Specialists responded to a total of four thousand nine hundred thirty-five (4,935) total calls in the month; four thousand thirty-three (4,033) were for the Police Department. During the month, officers made two hundred eighty (280) traffic stops and wrote one hundred six (106) tickets. Of the eighty-nine (89) reports that officers wrote in the month, twenty-four (24) were for non-criminal offenses. As a whole, the Department received one hundred forty-five (145) hours of training; one course was on less lethal weapons, tasers in particular. He reported that Fourth Circuit Court of Appeals has changed the use of tasers for law enforcement; officers are encouraged to use other methods, such as batons or physically fighting

with the perpetrator, instead of using tasers. The Department received four (4) noise complaints, and two (2) of them received warnings because the complaints were made before midnight. Eleven (11) coyote sightings were reported, and the calls were primarily from Wild Dunes.

The next Public Safety Committee meeting will be at 9:30 a.m., Wednesday, March 3<sup>rd</sup> in the Conference Room.

Councilmember Ward stated that the Coyote Forum held the previous week had disseminated excellent information to the community, but, from what he was hearing from residents, they want the City to take a more aggressive approach. Residents believe that killing the coyotes will reduce the population and the problem for a while.

Councilmember Bettelli related that the Administrator had been asked to contact some trappers to learn what steps they could take to assist the City.

The Administrator commented that she was still getting pricing, but that the City was ready to start trapping now; in addition, where the City has received complaints, requests are being made to clear the properties.

Mayor Cronin pointed out that that the City could only trap on its property that seriously limits the City's attempts. The Mayor recalled that he plans to get the property management people on the island together to discuss other issues, but he would add to the list of talking points with them about how they plan to inform tourists of the coyotes and the things they should not do while visiting the island. The Wild Dunes' Board is meeting this week and coyotes are on their agenda.

With full knowledge that the contract had been signed for the beach access parking signs, he remarked that residents have been shocked by the number of signs and the locations. Councilmember Ward stated that he was under the impression during the discussions that Council could change things at any time. He asked why some of the signs could not be stored rather than installing all of them; he indicated that he was getting strong pushback from residents on the interior of the island.

Councilmember Bettelli said that the signs had not yet been installed, so the City did not know how they would affect residents. He reported that in some areas around 5<sup>th</sup> and 6<sup>th</sup> Avenues, people were parking on Palm Boulevard to go to the beach. He stated that the intent is to get through the first season, to study and evaluate it and to make whatever changes were necessary for a smoother second season.

**MOTION: Councilmember Carroll moved to limit the number of signs between 21<sup>st</sup> and 41<sup>st</sup> Avenues to the top and bottom of each road.**

The motion did not receive a second.

Mayor Cronin reminded Councilmember Carroll that any changes would require an ordinance.

Councilmember Bergwerf stated that the object of the signs was to protect visitors to the island by telling them where they can and cannot park; the signs are mandatory for enforcement.

Councilmember Rice inquired about the phone number for reporting coyote sightings; she has been told by residents that the number was not working.

Chief Buckhannon explained that there had been an error made by one of the telecommunicators; he reported that he has taken measures to prevent it from happening again.

Councilmember Bergwerf suggested that residents be allowed to get the first book of visitor passes free of charge, but retracted it when she was reminded that a resident can only get two (2) books at one time.

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

Reporting from the meeting of February 1, Councilmember Ward said that, according to Director Pitts, the highlights for January were the continued cleaning of the rights-of-way and the pumping of water on 46<sup>th</sup>, 50<sup>th</sup> and 51<sup>st</sup> Avenues on January 16<sup>th</sup> and 18<sup>th</sup>. Miscellaneous debris was up to thirty-six and a quarter tons (36.25 T.); the Department did not have any large expenditures for vehicle maintenance for the month. Garbage increased by some nine tons (9 T.) over the same month in the previous year, and yard debris was up nearly eleven tons (11 T.) for the same period in 2015. In discussing the extension of sewer to replace septic systems, Councilmember Ferencz opined that the Planning Commission has a broader range of talents than the Public Works Committee, making them more qualified than the Committee to take the information and make recommendations. The Committee received an update on the golf cart path between 20<sup>th</sup> Avenue and the Island Center; Director Kerr stated that he was confident that the permit documents would be in SCDOT hands in the next thirty (30) days. Director Pitts reported that he spoke with the homeowner in Virginia, and she told him that, on her last visit, there had been some general debris in the ditch, but that the grass had impeded onto 45<sup>th</sup> Avenue creating elevation that pushed water in her driveway. The Public Works' personnel need to scrape the grass off the road to allow water to get into the swail. In continuing dialogue about the public restrooms, it was noted that this is the time of year when the general maintenance of the building is done, i.e. clean up, painting, repairs, etc. in anticipation of the start of the season. In the Administrator's opinion, the greatest leverage to get outside funding participation would be the City's having "skin in the game" as it does in beach restoration. She and the Mayor plan to speak with people in Columbia on Wednesday in part about the public restrooms; staff put a placeholder for construction in the FY16 budget. Relative to the improvements to the Public Works site, the Administrator reported that both Directors Kerr and Pitts were working hard, but still do not have approved plans by Thomas and Hutton, but the City was close. As other committees, the Public Works Committee reviewed the FY17 Revenue Projections. Councilmember Kinghorn asked to put two (2) items on the March *Agenda*; they are the City's interface with SCDOT in regards to Palm Boulevard between 3<sup>rd</sup> and 8<sup>th</sup> Avenues that is deteriorating and a discussion with SCE&G and a plan for undergrounding all of the power lines on the island.

The next Public Works meeting will be at 5:30 p.m., Tuesday, March 1<sup>st</sup> in Council Chambers.

### **D. Recreation Committee**

Reporting on the meeting of February 1, Councilmember Carroll reported that Jim Raih, 3904 Cameron Boulevard, complimented the Recreation Department for the island history events held

in January; he stated that the Exchange Club has scrapbooks in their archives that contain volumes of materials the City could use if it were inclined to continue with the program.

He noted that the Exchange Club continues to have the Meeks/Sottile Scholarship Fund that is up to approximately ten thousand dollars (\$10,000) a year; the Exchange Club oyster roast is the primary source of funding for the scholarships. Revenue Projections for FY17 were on the *Agenda* for their first review. In Councilmember Kinghorn's opinion, the Recreation Department has not historically been a revenue generator but that does not mean that it cannot be in the future. Administrator Tucker recalled having heard in the past that the City should increase its fees for athletics and camps; the inhibition in one (1) year was the desire not to negatively impact families with multiple children who might all be enrolled in athletics or programs. Director Page reported having spoken with other agencies in the Charleston County area to compare registration fees, particularly with athletics; the Isle of Palms charges the same as the City of Charleston, St. Andrews, and North Charleston in youth athletics with the resident's fee; Mount Pleasant is fifty dollars (\$50) and the Isle of Palms is thirty dollars (\$30). Other ways to increase revenue that were mentioned include the naming of athletic fields, donations and an annual giving program. Director Page indicated that she was not opposed to the naming idea, but the businesses that would be asked to participate would be the same people that are already being tapped pretty regularly by the Rec Department. For this idea, Councilmember Kinghorn suggested increasing activities with other allied groups to create new programs or enhance existing ones; specific ideas include joint applications for funding, use of the Wild Dunes pool or tennis courts, the expansion of health care screenings with local medical organizations, the development of more programs with Sullivan's Island, etc. Councilmember Rice asked Director Page about the status of the "Piccolo Spoleto Goes to the Beach" event; Director Page reported that the attendance had fallen off substantially, and, for an unknown reason, Piccolo Spoleto stopped recognizing the event. In its place, the Rec Department has held Music in the Park that has been a big success, and the Rec Department continues to partner with Piccolo for the sand sculpting event. Since it has been twelve (12) years since the last survey, Councilmember Kinghorn suggested that, based on the changes on the island, another survey might be beneficial and should be taken periodically. He stated that the feedback he has received about the Cardio Room is that it is "pretty miserable;" if a survey were to indicate the need for the space to be larger with new lighting and more equipment, the question is raised about how to do it, which means generating revenue. Councilmember Kinghorn suggested partnering with Wild Dunes to use their cardio equipment room; in so doing, the residents' request has been answered without the City spending any money. He also recommended taking five thousand dollars (\$5,000) from the Building Fund to hire a design/engineer that deals with existing buildings to give the Director ideas on how space could be found or to give her a report that the building was not suitable to do anything different. Director Page reported that she called in experts and believes that she can engage a pump at the bark park to drain the water for about two thousand dollars (\$2,000); she plans to include that expense in her expenditure budget for FY17. Councilmember Kinghorn suggested that the Director reduce her monthly report to a couple of pages and to include graphs to indicate trends. On Saturday, February 6<sup>th</sup>, the 10<sup>th</sup> Annual Doggie Day at the Rec was a huge success with seventy (70) dogs participating in the various contests. the first Front Beach Fest will be Saturday, March 5<sup>th</sup> from noon to 4:00 p.m. and will feature The Tams, and the Easter Egg Hunt will take place on Saturday, March 26<sup>th</sup>, beginning at 10:00 a.m. SHARP. Councilmember Kinghorn asked that the Recreation staff look at the three (3) things he had included in the Agenda, the survey

and the report ideas and to report on the ones that they believe have merit and that will be considered for implementation at the next meeting.

The next Recreation Committee meeting will be at 9 a.m., Wednesday, March 1<sup>st</sup>.

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

Mayor Cronin read into the minutes that Administrator Tucker achieved an excellent score, overall a four point seven five (4.75) out of a possible five (5), from the four (4) members of Council and the Mayor who were eligible to evaluate the Administrator.

Councilmember Harrington reported from the meeting of February 4<sup>th</sup> that one (1) of the recommendations for the City Administrator's annual goal was for the Administrator to establish a plan of succession for herself and the department managers; after discussion, it was selected to be recommended to Council for the 2016 goal.

**MOTION: Councilmember Harrington moved to assign the City Administrator the 2016 goal of establishing a succession plan for herself and the department heads; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.**

When the Administrator reviewed the FY17 revenue projections, she commented that, in another meeting, a discussion took place that the City should do more to promote the availability of the Rec Building Fund and the Plant-a-Palm fund to encourage donations; one (1) suggestion was for a space to be provided on all registrations and sponsorships for donations.

Councilmember Ferencz asked how many members of Council had submitted completed evaluations for the City Administrator, and the Mayor repeated that four (4) Councilmembers and the Mayor had submitted their evaluations.

Councilmember Ward stated that two (2) members of Council only received the evaluation form on February 11<sup>th</sup> when they were due on February 12<sup>th</sup>; Councilmember Harrington responded that the forms were sent to Councilmembers on February 1<sup>st</sup> via email. Mayor Cronin said that there have been years in the past when fewer Councilmembers responded.

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

At the meeting of February 8<sup>th</sup>, Jay Clarke and Carla Pope from Morgan Creek Grill were present to discuss the thirty-year (30-yr.) extension they were seeking to the Morgan Creek Grill lease which currently has four years (4 yrs.) to run. After much discussion, the Committee unanimously moved to recommend four (4) extensions of three years (3 yrs.) added to the four (4) years remaining for a total of sixteen (16) years; an addition was made to the lease requiring that Morgan Creek Grill relocate their dumpsters and to build an enclosure that would shield them from view. At the following Ways and Means Committee meeting, the decision was made to delay action on the lease until the City received the Marina Master Redevelopment Plan; since the ATM marina presentation will be given at the Council meeting next week, the lease amendment will be on the March Ways and Means Committee Agenda. Representatives of *The Dinghy* asked the City

to consider leasing a small piece of land behind the restaurant to use for storage. Director Pitts suggested that, before any agreement was reached, the City should analyze the cost to remove the dumpsters for both The Windjammer and The Dinghy, assuming that it was cost effective for them to use the City compactor. If the results are that using the compactor was less expensive or the same as the dumpsters, the dumpsters could be removed; the Director noted that the removal of the dumpsters would provide more space. The Administrator indicated that a lease was possible, but this analysis should be completed before an agreement for the property was reached. The Administrator reminded the Committee that the City had decided to focus its efforts on an off-shore dredging project rather than another shoal management project because the City would be limited with where it could place sand. In the areas with sandbags or wave dissipation devices, their removal would be required before they could receive sand, and, if the project did not last very long, those residents would be back in the same situation of replacing the sandbags and wave dissipation devices. The off-shore dredging project is expected to cost in the neighborhood of fifteen million dollars (\$15,000,000), and the City will need funding from every possible source. She informed the Committee that Governor Haley has put forty million dollars (\$40,000,000) in her proposed budget for beach restoration. There is no guarantee that the money will be in the final state budget, and, if it does survive, how much the City might receive. At the moment, the City's engineers are working on the design for this next project. The Committee also discussed an encroachment issue at the 23<sup>rd</sup> Avenue beach access; the property owner has the right of ingress and egress from this property using the access path. The property owner does not have a driveway at the front of his property, and there are concerns that the problem will become even greater when parking on Palm Boulevard will become more of a premium, blocking the path even further. The Committee asked that the Administrator draw up a written agreement between the property owner and the City that would limit the number of vehicles and indicate that there would be no further encroachments into the beach access; the Committee thought this would be a reasonable compromise and would not create a hardship for the owner. The Committee unanimously approved the recommendation for a contract award to IPW Construction for City Hall repairs, and all tenants were current with their rent.

The Real Property Committee will hold its next meeting at 2 p.m., Thursday, March 3<sup>rd</sup>.

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

- A. Accommodations Tax Advisory Committee** – no meeting in February
- B. Board of Zoning Appeals** – minutes attached
- C. Planning Commission** – minutes in process, meeting held Feb. 17, 2016

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

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

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

First Reading, by title only, of Ordinance 2016-03 – An Ordinance Amending Title 7, Licensing and Regulations, Chapter 1, Business Licenses, Article A, General Provisions, Section 7-1-22, Ordinances to Provide that nonresident Business License Rates Should Apply to Contractors.



**MOTION: Councilmember Bettelli moved to approve Ordinance 2016-03 for First Reading; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.**

Resolution in Support of Governor Haley's \$40 Million Budget Request for Beach Restoration

**MOTION: Mayor Cronin moved to adopt the resolution and to suspend the reading; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.**

**10. Miscellaneous Business**

Next Meeting Date: 6:00 p.m., Tuesday, March 22, 2016

**11. Executive Session – not needed**

**12. Adjournment**

**MOTION: Councilmember Kinghorn moved to adjourn the meeting at 9:37 p.m.; Councilmember Carroll seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk