

## CITY COUNCIL

7:00 p.m., Tuesday, November 15, 2011

The regular meeting of City Council was held at 7:00 p.m., Tuesday, November 15, 2011 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bergwerf, Bettelli, Buckhannon, Duffy, Loftus, Piening, Stone and Thomas, Mayor Cronin, City Administrator Tucker, City Attorney Halversen, Assistant to the Administrator Dziuban 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. The Pledge of Allegiance followed a brief invocation; Clerk Copeland called the roll.

### 2. Reading of the Journal of the Previous Meeting

**MOTION: Councilmember Loftus moved to approve the minutes of the regular meeting of October 25, 2011 as submitted; Councilmember Duffy seconded and the motion PASSED UNANIMOUSLY.**

### 3. Citizens' Comments

Mayor Cronin reminded everyone of the annual Tree Lighting scheduled for Thursday, December 1, 2011 at 6 p.m.

Diane Oltorik, 15 Ocean Park Court, stated that she was pleased to see the final approval for the medical equipment loan closet was on the agenda for this meeting; she thanked Administrator Tucker for her guidance through the process and Chief Graham for finding a storage location in the Public Safety Building. She also acknowledged Councilmember Bettelli for moving the concept through the Public Safety Committee and City Council. Mrs. Oltorik expressed her desire for a positive outcome from the vote and stated that she looked forward to serving her community.

Bev Ballow, 3009 Waterway Boulevard, initiated her comments with a thank-you to City Council for their hard work and a job well done. She posed the question to Council about what they would do if they were given a once-in-a-lifetime opportunity to preserve something that would go away forever on this island; she hoped that those who gave the situation a lot of thought would decide that it was their job to make certain that natural resources would be taken care of and preserved. She noted that the City has the opportunity to acquire a beach front lot that has a "perfectly preserved marine forest;" she said the purchase can be accomplished through grant funds, donations and volunteer efforts. She offered to do whatever was necessary to accomplish the goal.

Angelica Thevos, 3006 Waterway Boulevard, quoted her young niece as saying, "Nature makes me feel so good!" Ms. Thevos remarked that postcards of Isle of Palms are pictures of the beach and not typically the houses on the island; she commented on the beauty of 3206 Palm Boulevard. She expressed shock at learning that the City's purchase was unpopular on the island. She, too, commented that the City had the opportunity to preserve something that, once it is gone, will take hundreds of years to come back. She described the beauty of the natural plants and the rolling dunes; in her opinion, the purchase would say to the world that the island

is precious. With experience in grant writing, Ms. Thevos volunteered her time to the City and suggested that others on the island would do the same.

Lewis Stillway, 34 Thirty-first Avenue and an island resident for forty-three (43) years, said that, when he first moved to the island, he and his children would go to the beach at night to see it "littered with ghost crabs," but no more. He commented that the "island is a very unique in nature." He indicated that, as a scientist, he has taken an interest in local plant communities, and he knows how fragile these communities are – many only grow in certain places. He noted that bird populations have plummeted because of habitat loss. The lot at 3206 Palm "is a small piece of the island, one of the few places left," and he pleaded with Council to take what he had said into account and to preserve it for future generations.

Ron Plunkett, 3 Thirty-second Avenue, spoke to Council on behalf of the Patriots Point Foundation and in support of the ATAX funds for the study to develop a master plan for the Patriots Point Naval and Maritime Museum. He stated that the goal was to develop the site into a world class venue that would promote education, tourism and patriotism.

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

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

As Chair of the Ways and Means Committee, Mayor Cronin reported that the City's financial condition continues to be strong through the first third of FY12 in that revenues are tracking slightly ahead of the last year and expenses are at twenty-seven percent (27%) of budget – well below the target of thirty-three percent (33%) for the General Fund. State Accommodations collections for the first quarter of FY12 were greater than half of the collection for all of FY11; Municipal Accommodations Fees are also ahead of FY11 for the same period. The Mayor indicated that no material changes had occurred with any of the City's projects

1. Award of a Contract to Carolina Waste Services in the amount of \$0.47 per cubic yard for Commercial Waste Hauling.

**MOTION: Mayor Cronin moved to award the Commercial Waste Hauling Contract to Carolina Waste Services in the amount of \$0.47 per cubic yard; Councilmember Duffy seconded.**

The Mayor recounted that the City had received three (3) bids for the contract; Carolina Waste Services, the current vendor, submitted a bid considerably lower than the present contract, which is good news for the City's FY12 budget.

**VOTE: The motion PASSED UNANIMOUSLY.**

2. Award of a 3-year Service Contract to T-2 Systems in the amount of \$21,510 for the Handheld Parking Devices

**MOTION: Mayor Cronin moved to award the 3-year service contract to T-2 Systems as stated; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.**

3. Award a Contract to Martel Electronics for \$13,575.50, state contract pricing, for 4 Digital In-car Video Cameras, included in the FY12 Capital Budget

**MOTION: Mayor Cronin moved to award the contract to Martel Electronics as stated; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.**

4. Award a Sole Source Contract to Coastal Science and Engineering for Beach Monitoring for 2012-2014 in the Amount of \$160,702

**MOTION: Mayor Cronin moved to approve the sole source contract to Coastal Science and Engineering for beach monitoring for 2012-2014 for \$160,702; Councilmember Loftus seconded.**

The Mayor stated that this contract was for annual monitoring of the beach from Breach Inlet to Dewees Inlet for three (3) years.

**VOTE: The motion PASSED UNANIMOUSLY.**

5. Award of a Sole Source Contract to Coastal Science and Engineering for Engineering, Design and Construction Management of the Shoal Management Project in an amount not to exceed \$260,499, which includes a contingency of \$141,201 for Environmental Monitoring

**MOTION: Mayor Cronin moved to award the sole source contract to Coastal Science and Engineering for the Shoal Management Project as described; Councilmember Loftus seconded.**

The Mayor indicated that this project was in the prior erosion zone, 53<sup>rd</sup> Avenue to Dewees Inlet; he also indicated that the environmental monitoring will be done only if a requirement in the Corps of Engineers' permit.

**VOTE: The motion PASSED UNNIMOUSLY.**

6. Approval to increase the Dredging Project Budget to \$646,165 with the additional funds, not in the FY12 budget, to come from the Unreserved Marina Fund

**MOTION: Mayor Cronin moved to increase the Dredging Project Budget to \$646,165 with funds from the Unreserved Marina Fund; Councilmember Piening seconded.**

The Mayor reported that the June 30, 2011 balance in the Unreserved Marina Fund was one million one hundred eighty-nine thousand five hundred dollars (\$1,189,500). The increased

costs are attributed to taking the spoil material to a more distant site, dredging to a depth of twelve (12) feet, expanding the scope into the IntraCoastal Waterway and acting independently of other stakeholders.

**VOTE: The motion PASSED UNANIMOUSLY.**

7. Approval of \$15,000 in ATAX Funds for the Patriots Point Naval and Maritime Museum Foundation for Study

**MOTION: Mayor Cronin moved to approve the ATAX Funds of \$15,000 for Patriots Point Naval and Maritime Museum Foundation for study; Councilmember Bettelli seconded.**

The Mayor commented that communication from Mac Burdette, Executive Director of Patriots Point, expressing his strong support for the Foundation's efforts and the benefits to the surrounding communities.

**VOTE: The motion PASSED on a vote of 8 to 1 with Councilmember Buckhannon opposing.**

Prior to concluding the Ways and Means Committee meeting, discussion was held regarding negative feedback and lack of support from citizens during the recent election about the undeveloped lot at 3206 Palm Boulevard.

**MOTION: Mayor Cronin moved for the City to terminate initiatives related to the acquisition of the property at 3206 Palm Boulevard; Councilmember Loftus seconded.**

Councilmember Stone expressed his opinion that a passion existed in the community which had not been outspoken in its support of the project; he urged those who spoke earlier to unify supporters to save the project. He commented that, based on the overwhelmingly negative attitude expressed to him, he would be voting not to go forward with the purchase.

Councilmember Piening noted that he would also vote to terminate the project; despite his personal feelings to the contrary, he stated that he had been elected to represent the all of citizens of the island and the large majority told him they do not want City money spent to purchase this lot. To those who want to pursue the land purchase, Councilmember Piening recommended that they get organized and, possibly, initiate a petition drive as a means of showing Council the level of support.

Councilmember Duffy reminded Council that, when the Greenbelt initiative was initially passed in the County, over fifty-eight percent (58%) of island residents had supported it. He agreed that, during the recent election, Council had received communication from many residents who did not support the lot purchase; however, he did not interpret the election as a referendum on Greenbelt activities. On the other hand, he stated that he believes that, as Councilmembers, they "have a responsibility to look forward to what the future of the island will be when they are

long gone.” He will vote against the motion because he believes the lot is a piece of maritime forest that should be preserved and because Council has a responsibility to posterity.

Councilmember Buckhannon recalled that the Greenbelt initiative was supported by a small margin on the third attempt by Charleston County.

Councilmember Bergwerf noted that she, too, had supported the acquisition of 3206 Palm when first introduced and had voted to cease activity in the Ways and Means meeting earlier in the evening. She commented that the four hundred seventy four thousand dollars (\$474,000) in Greenbelt funds was not nearly enough to buy the property, and, with no groundswell of support from the community with money coming from private entities, the purchase would not happen.

Councilmember Bettelli agreed that the lot was beautiful, but the support of citizens for the purchase at this time does not exist. He will support the motion.

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

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

From the meeting of November 10<sup>th</sup>, Councilmember Bettelli reported that the Committee had unanimously supported the startup of the Medical Equipment Loan Closet by Diane Oltorik; she was asked to provide the Committee quarterly reports on activity beginning in April 2012.

**MOTION: Councilmember Bettelli moved for approval to establish the Medical Equipment Loan Closet; Councilmember Piening seconded and the motion PASSED UNANIMOUSLY.**

The Committee also approved for legal review the mutual aid for the Police Department between the City and Mount Pleasant and Sullivan’s Island; the agreements will come before Council for approval prior to execution. In addition the Committee agreed to recommend a Signal 30 award to a visitor who saved the life of a man who suffered cardiac arrest when participating in a tennis tournament in Wild Dunes.

**MOTION: Councilmember Bettelli moved to award a Signal 30 award to Bill Pennington for actions that saved a life; Councilmember Loftus seconded.**

Mayor Cronin, who was present at the time and communicated with the dispatchers, praised the City’s first responders for their attention in calming and reassuring the patient and for their professionalism.

**VOTE: The motion PASSED UNANIMOUSLY.**

The Public Safety Committee recommended approval of the service agreement with T-2 Systems and the digital video camera purchases discussed earlier.

From the Fire Department's October report, Councilmember Bettelli related that personnel had reunited two (2) small children with their grandparents after they had managed to leave their residence and were initially found by the newspaper delivery person. Of sixty-five (65) calls for the Department, thirty-two (32) were for EMS; fifty-seven (57) fire inspections were completed that found twenty-five (25) violations. The radio tower at 41<sup>st</sup> Avenue has been erected, and Charleston County approved seven million dollars (\$7,000,000) to fund Phase 3 of the radio system upgrades.

From the Police Department's report, Councilmember Bettelli informed the Committee that vehicle break-ins continue to be a problem on the island, and he reminded everyone to secure their vehicles. Telecommunicators responded to thirty-five hundred eighty-six (3,586) calls, and, of the number, twenty-nine hundred nine (2,909) were for the Police Department. Two (2) officers have completed the twelve (12) week basic training at the academy and will bring their in-field training on the island; one (1) officer has completed the six (6) week training course and his first week of in-field training.

**MOTION: Councilmember Bettelli moved to approve the 2012 MS Challenge Walk scheduled for Sunday, March 4, 2012; Councilmember Loftus seconded.**

Councilmember Bettelli noted that this event was held last year and proved to have very little impact on the island.

**VOTE: The motion PASSED UNANIMOUSLY.**

The next meeting of the Public Safety Committee will be at 5:30 p.m., Thursday, January 12, 2012.

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

At the Public Works Committee meeting on November 2, Director Pitts reported that garbage collections were up for a second straight month. Charleston County has implemented its ordinance requiring that all yard debris be placed in plastic containers to be emptied into the garbage trucks or placed in recyclable paper bags; plastic bags are no longer being accepted at the Bees Ferry landfill. On the subject of drainage projects, the Lauden Street project will be done in November, the Sparrow Drive project will be done in December and work has been completed on 21<sup>st</sup> Avenue. A brief discussion took place about concluding the 53<sup>rd</sup> to 57<sup>th</sup> Avenue Drainage project and the use of funds remaining. The Committee voted unanimously to recommend approval of the commercial waste hauling contract to Carolina Waste Services, which was awarded earlier in the evening.

The next meeting of Public Works will be at 4 p.m., Wednesday, January 4, 2012.

Councilmember Duffy thanked fellow Councilmembers and residents "for allowing (him) the opportunity to serve the last four (4) years; it has been a real pleasure."

Councilmember Loftus asked whether the City had received a schedule for participation in single stream recycling; Administrator Tucker related that she had inquired about whether

Council's action to expedite the City's consideration for participation had impacted the County's schedule. She was told that the City's request had been noted and that the City would be included in the next wave, but no specifics were given.

Mayor Cronin suggested that single stream recycling be included on upcoming Public Works' agendas.

The Mayor reported that a resident in the Wildwood area had a complaint relative to the recent paving on the island; the Administrator had contacted County personnel, who visited the island and found the work to be deficient. The work has been scheduled and will be checked to insure the work is satisfactory; the Administrator reported that the work has not yet been done.

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

From the meeting on November 9<sup>th</sup>, Councilmember Bergwerf reported that "Catholic School Girls" will be presented Wednesday through Saturday, November 16<sup>th</sup> through 19<sup>th</sup>; tickets are five dollars (\$5) with children under six (6) being admitted free. The Keenagers will have turkey shoot for their November meeting. Repeating the announcement made by the Mayor, Councilmember Bergwerf noted that the annual Tree Lighting on Front Beach will be at 6 p.m. on Thursday, December 1<sup>st</sup>, and Santa's Cookie Workshop will be held on December 14<sup>th</sup>. Shawn Griffin, 19 Ocean Point Drive, attended the Recreation Committee meeting to discuss the need for outdoor volleyball courts at the Recreation Center; the Committee explained that, in this tight budget year, nothing could be done, but Director Page will include the costs in FY13 Capital Budget discussions.

The Recreation Committee will hold its next meeting at 5 p.m. on Wednesday, January 4, 2012.

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

At the regular meeting of November 9<sup>th</sup>, the Committee discussed appointments to boards and commissions for 2012. The election resulted in two (2) additional vacancies on the Accommodations Tax Advisory (ATAX) Committee; filling positions on this Committee frequently prove to be an issue because the state dictates that members be affiliated with tourism industries. Pursuant to a motion by Councilmember Piening, the Committee voted to re-open the application period for ATAX; the Committee will hold a special meeting at 5:45 p.m. on Monday, November 28<sup>th</sup> to review the new applications that are due by the end of business on Monday, November 21<sup>st</sup>. The Personnel Committee's recommendations will be presented to Council at the Special Meeting of Tuesday, December 6<sup>th</sup>.

Councilmember Thomas announced the following as October Safety Sweepstakes Winners: General Government – Marie Copeland, Fire Department – Stephen Goodwin, Police Department – Fran Sinkler and Public Works Department – Rob Graham.

The next regular meeting of the Personnel Committee will be at 5:45 p.m., January 10, 2012.

**MOTION: Councilmember Buckhannon moved to approve the 2012 floating holiday for Monday, December 24<sup>th</sup>; Councilmember Piening seconded and the motion PASSED UNANIMOUSLY.**

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

At the regular meeting of November 2<sup>nd</sup>, Councilmember Loftus reported that the Committee had unanimously recommended approval of the sole source contracts to Coastal Science and Engineering and the increase to the dredging budget. On the subject of 1301 Palm Boulevard, relocation of the fiber optics for the Public Works Department and the electrical lines for the gate have been completed; the next step is the demolition of the building followed by rehabilitation of the site to accommodate parking.

A special meeting has been scheduled for 8:30 a.m., Friday, December 2<sup>nd</sup> to review the bids for the dredging project to make a recommendation to Council the following Tuesday.

The next regular meeting will be at 8:30 a.m., Friday, January 6, 2012.

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

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

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

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

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

#### **9. Introduction of New Bills, Resolutions and Proclamations** – None

#### **10. Miscellaneous Business**

At this time, Mayor Cronin thanked Councilmember Duffy and Piening for their service on Council the past four (4) years; he stated that their service had been well-received by the citizens of the island. The Mayor acknowledged that the work had been strenuous at times, but beneficial to the citizens of the island; he commented that the island has been well served by their efforts. He wished them well and asked that they continue to interact with members of Council and to remain vocal in the community.

#### **11. Adjourn**

**MOTION: Councilmember Loftus moved to adjourn the meeting at 7:55 p.m.; Councilmember Piening seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:  
Marie Copeland, City Clerk