

CITY COUNCIL

7:00 p.m., Tuesday, May 24, 2011

The regular meeting of City Council for the City of Isle of Palms was held at 7:00 p.m. on Tuesday, May 24, 2011 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bergwerf, Bettelli, Loftus, Stone and Thomas, Mayor Cronin, Administrator Tucker, City Attorney Halversen and Assistant to the Administrator Dziuban. The absences of Councilmember Buckhannon, Duffy and Piening were excused; 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 and roll call followed a brief invocation by the Mayor.

2. Reading of the Journal of Previous Meetings

MOTION: Councilmember Loftus moved to approve the minutes of the Public Hearing of April 26, 2011, the regular meeting of April 26, 2011 and the Joint Meeting of May 11, 2011 as submitted; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.

MOTION: Councilmember Bettelli moved to re-order the Agenda to approve the Proclamation for National Beach Safety Week as the next item of business; Councilmember Loftus seconded and the motion PASSED UNANIMOUSLY.

Mayor Cronin recognized Ron Foreman of the Coast Guard Auxiliary who was in the audience and asked City Administrator Tucker to read the proclamation. (A copy of the proclamation is attached to the historical record of the meeting.)

MOTION: Councilmember Bettelli moved to approve the Proclamation for National Beach Safety Week as read; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.

Mr. Foreman commented about the fact the life vests are much more comfortable than in the past which encourages boaters to use them; he also commented about the value of personal notification devices for use by boaters.

3. Citizens' Comments

Request from Warehouse Films LLC to Film on the Beach in June

Mayor Cronin reported that Warehouse Films LLC had withdrawn its request for film on the beach in June.

Presentation by Westy Westmoreland of SCE&G about Projects on Isle of Palms

The Mayor then introduced Westy Westmoreland of SCE&G and asked that he come to the podium to explain to City Council and residents the activities that SCE&G has in progress and on-the-drawing board for the Isle of Palms.

Mr. Westmoreland described the following four (4) projects:

- New switches have been installed at 30th and 42nd Avenues that can be remotely activated in case of outages; therefore restoring power to part of circuits before repair trucks arrive to repair the problem area. This project provides added reliability to residents on the north end of the island. In addition to the switches, an antenna will be installed on a pole at the substation on 13th Avenue to facilitate communication with the switches at 30th and 42nd.
- SCE&G is finishing Phase 3 of 3 to underground lines on Forest Trail; this will also improve reliability. The work is to be completed by the end of the year.
- The work to underground the lines between 4th and 8th Avenues continues; these lines are going to a different voltage that will be less susceptible to salt contamination on the wires.
- A fourth project is in the design phase that will replace the line between the Isle of Palms and Dewees Island; if the funding is available, construction could take place next year.

Mayor Cronin asked whether SCE&G was considering going under Dewees Inlet. Mr. Westmoreland responded that they were considering a directional bore; he noted that technology has improved making the process more competitive.

On the subject of the pole at the substation on 13th Avenue, Mayor Cronin inquired about the height; Mr. Westmoreland responded that it would be approximately one hundred feet (100 ft.) tall.

Presentation by Jack Mitchell, Regional Director for AT&T

Mr. Mitchell explained that he was present to describe the features of U-verse cable television that will be available to Isle of Palms' residents assuming that City Council approves the AT&T Franchise Agreement. He explained that the new technology being used by this service is based on an internet protocol (IP), i.e. each television set in a house has its own IP address, like a computer, enabling delivery of a signal to each television in the house rather than to all at once. Among the unique aspects is that up to four (4) programs can be recorded at once with three (3) being in high definition; recorded programs can be watched on any television in the house or on a smart phone.

Mr. Mitchell explained that a franchise agreement between the City and AT&T is relative to the technical issues for deploying the technology; he noted that fiber optics have already been installed on the island.

Responding to Mayor Cronin's question about what why this technology has not been duplicated by other cable providers, Mr. Mitchell stated that most cable television is married to co-axial cable that has band width **limitation**; the U-verse service comes into the residence through telephone lines.

When Administrator Tucker questioned the service's reliability in severe, but not catastrophic storms, Mr. Mitchell stated that, in 2008, 2009 and 2010, this service had received J.D. Powers' Best Cable Service Award. He added the DSL is much more reliable and has greater band width than cable; in addition, the lines are undergrounded to avoid weather conditions.

4. Reports from Standing Committees

A. Ways and Means Committee

Mayor Cronin reported that revenues are in-line with projections at eighty percent (80%) of budget and that expenditures are below the eighty-three percent (83%) target for ten (10) months into the fiscal year. Treasurer Suggs expressed confidence that the City would meet the FY11 revenue budget.

Tourism-related revenues are all tracking ahead of FY10 collections as reflected in the following:

State Accommodations Taxes	9.5% ahead of FY10,
Municipal Accommodations Fees	18.0% ahead of FY10, and
Hospitality Taxes	10.0% ahead of FY10.

The Ways and Means Committee also approved a change order for the 53rd to 57th Avenue Drainage Project that will be addressed shortly.

The Mayor reported that the Accommodations Tax Advisory Committee unanimously approved the FY12 budget.

1. Recommendation to approve \$2,712.97 to Berkeley Heating and Air Conditioning for the replacement of the HVAC compressor in the Palmetto Room

MOTION: Mayor Cronin moved to approve the replacement of the HVAC compressor in the Palmetto Room; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

2. Recommendation to approve Change Order #3 to Eadie's Construction in the amount of \$12,000

Mayor Cronin explained that this change order was to relocate a water line that was on the as-builts; the amount is in line with the original bid.

MOTION: Mayor Cronin moved to approve Change Order #3 in the amount of \$12,000 to Eadie's Construction; Councilmember Loftus seconded, and the motion PASSED UNANIMOUSLY.

3. Recommendation from Real Property Committee to approve up to \$3,500 for ventilation fans in the Front Beach Public Restrooms

MOTION: Mayor Cronin moved to approve up to \$3,500 for ventilation fans in the Front Beach Public Restrooms; Councilmember Loftus seconded.

Mayor Cronin reported that the actual expenditure may be less because a reputable contractor attending the meeting stated that he could do the work for two thousand dollars (\$2,000).

VOTE: The motion PASSED UNANIMOUSLY.

4. Recommendation from the Real Property Committee to approve a no-cost reallocation of \$3,640 for Coastal Science and Engineering

The Mayor stated that this action is recommended by Coastal Science and Engineering to move \$3,640 from photogrammetry to Task 7 in Year 2 with a net change of zero (0).

MOTION: Mayor Cronin moved to approve the no-cost reallocation of \$3,640 as requested by Coastal Science and Engineering; Councilmember Loftus seconded, and the motion PASSED UNANIMOUSLY.

Mayor Cronin noted that he would call a Special Ways and Means meeting early in June to address the cost of the parking improvements planned for Ocean Boulevard.

The next meeting of the Ways and Means Committee is scheduled for 5:45 p.m., Tuesday, June 21, 2011.

B. Public Safety Committee

Chair Bettelli stated that, during Citizens' Comments, Crisp McDonald of Setup Events had requested an approval from the Committee for an event to be held on the beach in June. Mr. McDonald was told that, at the beginning of each year, City Council approves a listing of events to be held on the island that year because the City receives so many requests each year. During the discussion, the Committee learned that Setup Events is a for-profit organization and that only a small percentage of the proceeds would go to the charity that was tied to the event. The Committee did not grant approval for the event. The Committee gave a final review to the FY12 capital and operating budgets for the Fire and Police Departments. In addition, the Committee approved the organization chart, the job descriptions and salary ranges as presented by Chief Buckhannon; the chart, descriptions and salary ranges had previously been approved by the Personnel Committee. Chief Buckhannon reported that the Department had received five thousand ninety-two (5,092) calls in April 2011 as compared to two thousand four hundred (2,400) in April 2010. The Committee also discussed the logistics involved when a home is rented by the owner, a rental agent dispenses the key and the renter generates a livability call. Among the highlights in April for the Fire Department were locating an autistic child playing in the surf and rescuing persons stranded in an elevator. The Fire Department responded to seventy-one (71) calls; thirty-eight (38) of which were EMS calls. Chair Bettelli was pleased to announce that the Fire Department has received a grant for eight thousand dollars (\$8,000) for mobile data terminals, reducing the FY12 Capital Budget by a like amount.

The next Public Safety Committee meeting will be at 5:30 p.m. on Tuesday, June 7.

Mayor Cronin asked what had precipitated the increased call volume; Chief Buckhannon stated that he believed the increase was attributable to the unusually warm weather.

3. Public Works Committee

Vice Chair Thomas reported that, in April, new yellow barrels had been placed on the beach and Public Works personnel had done two (2) beach sweeps. Director Pitts reported that the Caterpillar used to pick up debris has been repaired and placed back into service and that vehicle maintenance continues under budget for the year. Under "Old Business," the Committee was told that the 53rd to 57th Avenue Drainage Project will be completed by the end of June. Relative to the FY12 Budget, 2009 Mack truck will be paid off, saving the City twelve thousand dollars (\$12,000) in interest, and the repair/replacement of one (1) beach walkover remains in the budget – no particular walkover has been designated. The Vice Chair also reported that preparations continue on the bid for commercial waste hauling and the County will remove e-waste at no charge which is recycled once two (2) pallets of materials have been collected.

The next Public Works Committee meeting will be at 4 p.m. on Wednesday, June 8.

5. Recreation Committee

Chair Bergwerf reported that the Committee reviewed the FY12 Operating and Capital Budget and made no changes. Performances of the spring production of "Peter Pan" will begin tomorrow and run through Saturday, May 28; all performances are sold out. Many classes will be taking a summer hiatus, but Zumba and adult hip hop will continue as long as attendance warrants. The last middle school dance of the 2010-2011 school year was held on Friday, May 13. In addition to Camp Summershine and Wee Camp, the Recreation Department is offering camps for volleyball, lacrosse, basketball and baseball. The annual sand sculpting contest will be held on Saturday, May 28, and the IOP Beach Run is planned for Saturday, July 23. The Committee unanimously approved and recommended the replacement of the HVAC compressor in the Palmetto Room.

The Recreation Committee will hold its next meeting at 4 p.m. on Tuesday, June 7.

6. Personnel Committee

Reviewing the FY12 Capital and Operating Budgets for the Building Department and General Government, the Committee agreed no changes were warranted. Under "New Business," Chief Buckhannon discussed the organization chart, job descriptions and salary ranges for the positions being created to fill the vacancy left by the retirement of Lieutenant Wright. The suggested changes provide for a more even distribution of the span of control, but no reductions in service. The proposed changes do not increase the number of personnel in the Police Department and result in a savings of fourteen thousand dollars (\$14,000) in wages. The Personnel Committee unanimously approved Chief Buckhannon's proposal.

MOTION: Chair Thomas moved for Council approval of the revised organization chart, job descriptions and salary ranges for the positions of Captain of

Operations and Captain of Support Services; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

Safety Sweepstakes Winners for the month of April were Amy Wilkerson – General Government, Eric Stinnett – Fire Department, Kraig Thompson – Police Department and John Graham – Public Works.

The next Personnel Committee meeting will be at 5:45 p.m., Tuesday, July 12.

F. Real Property Committee

Phillip Smith spoke to the Committee, during “Citizens’ Comments,” about the sediment from the drainage ditch along 41st Avenue that is being deposited under his dock; he was seeking inclusion in the dredging project being planned for the marina. The Committee agreed for Jack Walker of GEL Engineering to look at the problem and make a recommendation to the Committee at the June meeting. The Committee approved and recommended Council approval for the reallocation of funds requested by Coastal Science and Engineering. Related to the drainage project, Jack Walker discussed the new fees procedure from the Corps of Engineers whereby municipalities pay via in-kind services, rather than cash; the Committee is considering an offer to stockpile rocks at the disposal basin sites adjacent to the Isle of Palms to be used for future erosion projects at a cost of approximately twenty-nine thousand dollars (\$29,000). According to Chair Loftus, the Committee unanimously approved and recommended the purchase and installation of ventilation fans for the Front Beach Public Restrooms. Director Kerr has offered the services of the Building Department to develop a recognition area for past Councilmembers utilizing the City’s program of commemorative bricks on Front Beach. The area to be used starts at the corner at the Sea Cabins and continues to the entrance to the County Park; the area could be referred to as Council Walk. Immediately following the meeting, the Committee toured 1301 Palm Boulevard to determine the feasibility of rehabilitating the building sufficiently to rent; discussion will continue at the June meeting. The Committee discussed methods of obtaining an accurate count of the number of vehicles paying for parking each day in the City lots and the possibility of increasing the daily rate.

The Real Property Committee will hold its next meeting at 8:30 a.m. on June 2 in the second floor conference room in City Hall.

5. Reports from City Officers, Boards and Commissions

- A. Accommodations Tax Advisory Committee – minutes attached
- B. Board of Zoning Appeals – did not meet
- C. Planning Commission – joint meeting, see above

Councilmember Loftus asked Administrator Tucker for an update on actions taken by staff as a result of the meeting with the Planning Commission on May 11. On the morning following the meeting, the Administrator met with several department managers, Assistant Dziuban and Treasurer Suggs to discuss the assignment given at the Joint Meeting; each participant was given an assignment associated with the implementation of creating parking nodes on Ocean

Boulevard in the area between Breach Inlet and 10th Avenue. The assignments included the following:

- Design and construction estimates from engineering firms;
- Costs for metering the nodes; and
- Information from regulatory agencies, including SCDOT and OCRM.

The information gathered generated further assignments for the staff involved and another meeting to determine exactly what staff could offer to implement based on the data compiled. Administrator Tucker stated that staff has several options to present at the Special Ways and Means Meeting to be called by Mayor Cronin; the decisions reached at that meeting will determine the changes to the FY12 budget to be presented at the June meeting.

The Administrator re-stated her understanding of the assignment given staff at the Joint Meeting as the implementation of the section of the parking plan calling for mini parking nodes along several of the forty (40) and sixty (60) foot wide beach access paths along Ocean Boulevard and make it permit parking only for residents and property owners who would have permits; signage in this area is another component of the proposals.

6. **Reports from Special or Joint Committees** – None
7. **Petitions Received, Referred or Disposed of** – None
8. **Bills Already in Possession of Council**

- A. Second Reading of Ordinance 2011-04 – An Ordinance Amending Title 7, Licensing and Regulation, Chapter 4, Regulation of Alarm Systems and business, of the City of Isle of Palms Code of Ordinances to Provide for New Definitions, Regulations and Penalties.

Mayor Cronin commented that staff was recommending that this ordinance be deferred back to the Public Safety Committee for another review because of the number of verbage changes made since the previous version.

MOTION: Mayor Cronin moved to defer Ordinance 2011-04 to the Public Safety Committee for review; Councilmember Loftus seconded and the motion PASSED UNANIMOUSLY.

- B. Second Reading of Ordinance 2011-05 – An Ordinance to Raise Revenue and Adopt a Budget for the City of Isle of Palms, South Carolina, for the Fiscal Year Beginning July 1, 2011 and ending June 30, 2012.

MOTION: Mayor Cronin moved to defer Second Reading of Ordinance 2011-05 to the June, 2011 City Council meeting for reasons previously explained; Councilmember Loftus seconded and the motion PASSED UNANIMOUSLY.

C. Second Reading of Ordinance 2011-06 – An Ordinance Granting Consent to Application for Video Service and Setting Franchise Fee.

The Mayor reminded Council that this ordinance refers to the presentation made earlier in the meeting by Jack Mitchell of AT&T.

MOTION: Mayor Cronin moved to suspend the reading and to approve Ordinance 2011-06; Councilmember Stone seconded.

Councilmember Stone indicated that he would vote against this ordinance because he is opposed to taxing the residents of the island through the franchise fee.

Administrator Tucker noted that the ordinance reflects the maximum franchise fee allowed of five percent (5%).

VOTE: The motion PASSED on a vote of 5 to 1; Councilmember Stone cast the dissenting vote.

9. Introduction of New Bills, Resolutions and Proclamations

First Reading, by title only, of Ordinance 2011-07 – An Ordinance Amending Title 5, Planning and Development, Chapter 4, Zoning, Article 2, District Regulations and Article 7, Signs of the City of Isle of Palms Code of Ordinances to Delete all References to “MF Multifamily Residential District.”

Administrator Tucker explained that this zoning district should have been deleted with the recodification of the City’s ordinances because the City no longer has a MF zoning district. The oversight was found as other changes have been made to the code in recent months, and the decision was made to proceed with the “housekeeping” to remove all references.

MOTION: Councilmember Bettelli moved to approve Ordinance 2011-07 for First Reading by title only; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.

10. Miscellaneous Business

Proclamation: National Beach Safety Week

At the Mayor’s request, Administrator Tucker read the proclamation into the minutes.

MOTION: Mayor Cronin moved to adopt the National Beach Safety Week proclamation; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

Councilmember Loftus stated that he has asked the Administrator to contact Charleston County to learn how activities were progressing in providing an additional lane of traffic from the Mount Pleasant side of the Connector to Highway 17; he asked for the results of her communication.

Administrator Tucker recounted that she had learned from the public hearing on this project that funding had been approved for the design of the project; funding for the construction has not been secured from County Council, but no problems are anticipated. Complications with wetlands in the ditch system that runs along the roadway were discovered during the design phase; the Administrator stated that residents may well see one (1) beach season beyond this one before getting any traffic exodus relief.

Councilmember Bettelli reported that, at the most recent Sullivan's Island Council meeting, the Council passed a resolution re-affirming its support to maintain the elementary school on the island.

Administrator Tucker announced that the American Shore and Beach Patrol Association has named the Isle of Palms as the 2011 Best Restored Beach Award.

Next Meeting Date: 7 p.m., Tuesday, June 28, 2011.

11. Executive Session – not needed

12. Conclusion/Adjourn

MOTION: Councilmember Bettelli moved to adjourn the meeting at 8:23 p.m.; Councilmember Loftus seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk