

## CITY COUNCIL

7:40 p.m., Tuesday, June 28, 2011

The regular meeting of the Isle of Palms City Council was held at 7:40 p.m., Tuesday, June 28, 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 in accordance with the Freedom of Information Act. The Mayor offered a brief invocation followed by the Pledge of Allegiance to the Flag; Clerk Copeland called the roll.

### 2. Appointment and Administration of Oath to New Employee

**MOTION: Councilmember Bettelli moved to appoint James Catchot as a Telecommunicator in the Police Department; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.**

Mayor Cronin administered the Oath to Mr. Catchot and welcomed him to the City.

### 3. Reading of the Journal of Previous Meetings

**MOTION: Councilmember Loftus moved to approve the minutes of the Public Hearing of May 24, 2011 and the regular City Council meeting of May 24, 2011 as submitted; the motion PASSED UNANIMOUSLY.**

Prior to moving forward with the Agenda, Mayor Cronin made the following announcements:

- 1) On July 4<sup>th</sup>, the "Salute from the Shore," held last year, will be repeated along the entire South Carolina coast; the flyover will take place at approximately 1:10 p.m. and include four (4) F16 Viper jets from Shaw Air Force Base. People on the beach at that time should wear red, white and blue and/or carry a flag. The flyover will be filmed for viewing by the troops stationed overseas.
- 2) The Mayor announced that the Isle of Palms will be participating in a program called "Operation R&R Charleston, South Carolina" that will provide expense-paid vacations for active duty service men and women returning from deployment overseas. The program summary is as follows:
  - “. . . to give military families a chance to spend some time away from everyday worries to strengthen relationships strained by long separations and extreme circumstances. Families accepted into the program are awarded a four to seven (4-7) day stay in . . . the Charleston area between September and May. In addition, businesses offer discounts and include restaurants and service-related companies and grocery stores.”

Mayor Cronin stated that a meeting for persons interested in volunteering to assist the program will be held early August at the Recreation Center. Information on the program is attached to the historical record of the meeting.

- 3) A letter to the Charleston County School District expressing the support of the Isle of Palms City Council to rebuild Sullivan's Island Elementary School on Sullivan's Island has been composed, and Councilmembers are asked to sign.

#### **4. Citizens' Comments**

Dr. Arnold Karig, 5102 Palm Boulevard, had prepared comments for City Council regarding the proposed parking nodes on Ocean Boulevard; the written statement is attached to the historical record of the meeting.

Thomas Johnson, 200 Ocean Boulevard, expressed his concern over the City's FY12 Budget that offers a net deficit in his estimation. He reiterated comments made at the Public Hearing related to the proposed parking nodes on Ocean Boulevard; he questioned that an environmental impact study should be done before any action is taken. He commented that he did not understand why parking was not allowed in the rights-of-way along Ocean Boulevard as it is on Palm; he suggested that parallel parking be allowed with parking kiosks like on Front Beach.

#### **5. Reports from Standing Committees**

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

Mayor Cronin indicated that the minutes of the Special Meeting of June 6, 2011 had been discussed extensively over the past hour relative to the parking nodes, so he chose to review the minutes of the regular meeting of June 21, 2011. Will Millman spoke about the proposed parking nodes on Ocean Boulevard; since the meeting, he has received more information on the project, but remains concerned. Treasurer Suggs reported that the City had received eighty-four percent (84%) of anticipated revenues, which is ninety-nine percent (99%) of revenues collected year-to-date in FY10. The eleven (11) month target for expenditures is ninety-two percent (92%); expenditures are being well-controlled at eighty-one percent (81%) of budget. Cash in the General Fund is at the thirty percent (30%) of annual expenditures; that is considered optimum. All tourism-related revenues are running ahead of FY10 receipts. The Committee discussed in detail the provisions of GASB 54 that are being implemented.

**MOTION: Mayor Cronin moved to approve Change Orders 4, 5 and 6 to Eadie's Construction for the 53<sup>RD</sup> to 57<sup>TH</sup> Avenue Drainage Project to relocate utility lines in an amount not to exceed \$9,000 in total; Councilmember Duffy seconded and the motion PASSED UNANIMOUSLY.**

The Mayor commented that the GASB 54 Resolution included in meeting packets will bring the City's accounting standards into conformance with the accepted regulations; at the Mayor's request, Administrator Tucker read the resolution in the minutes. A copy of the resolution is attached to the historical record of the meeting.

**MOTION: Councilmember Bettelli moved to approve the GASB 54 Resolution as read; Councilmember Bergwerf seconded.**

Mayor Cronin noted that, while the adoption of this resolution is required, it does not change the procedures that the City's staff follows currently.

**VOTE: The motion PASSED UNANIMOUSLY.**

The next Ways and Means Committee meeting will be at 5:45 p.m., Tuesday, July 19, 2011.

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

After an in depth discussion of revisions to Ordinance 2011-04 related to changes to City's alarm ordinance, the Committee charged staff with discussing further options and generating another draft of the ordinance. The Committee was told that the earliest that construction to widen the IOP Connector on the Mount Pleasant side from the bridge to Highway 17 would begin is June 2013. In an effort to ensure that the ranks and responsibilities of the staff in the IOP Fire Department are properly understood by other municipalities, Chief Graham proposed changing the title of "Captain" to "Battalion Chief" and the title of "Lieutenant" to "Captain" to be consistent with the use of titles in other departments in the County. Councilmember Loftus requested a current and a proposed organizational chart for the Fire Department for the next meeting in an effort to put the request in the proper perspective. As a result of the recent ISO visit, the City has improved from a rating of four (4) to a rating of three (3); because insurance rates are partially based on ISO ratings, the improved rating could have a positive effect of rates. In an effort to fight littering on the island, Councilmember Loftus recounted the anti-littering slogan of "You get a fine if you leave it behind." In the Fire Department report for May, Chief Graham noted that the Department responded to sixty-nine (69) calls during the month; forty-three (43) were EMS calls. According to the Chief, EMS presence on the island on the weekends is improving response times. During the month, three hundred twenty-three (323) hydrants were inspected, and twenty (20) required maintenance. Chief Buckhannon reported that more residents are taking advantage of the Special Patrol Requests, where officers will check residences when the owner is out of town; in May the Department completed one thousand two hundred fifty-five (1,255) checks. Telecommunicators took four thousand five hundred sixty-six (4,566) calls in May – an increase of seven percent (7%) over May of 2010. For the month, officers issued thirty (30) speeding tickets and one thousand ninety-five (1,095) parking tickets; sixty-three (63) arrests were made in May, including one (1) for narcotics. Due to the increased beach activity, uniformed patrol officers are asking more visitors for identification. The Police Department served four (4) warrants and participated with the Sheriff's office on a narcotics investigation. Officers responded to forty (40) noise complaints and issued seven (7) citations.

The Public Safety Committee will meet again at 5:30 p.m. on Wednesday, July 13, 2011.

Councilmember Piening noted that, when not tied up on the island, the City's Public Safety personnel typically respond to Goat Island, but Goat Island residents do not pay any fees to the City for such services. Councilmember Piening asked whether the City invoiced the Goat Island recipients of public safety services. Councilmember Bettelli responded that the City's response is a part of the City's agreement with Charleston County for reciprocal services; Administrator Tucker added that Goat Island residents understand that their distress calls are answered after Isle of Palms residents are taken care of.

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

Councilmember Duffy noted that twice a week garbage collection has begun and that the seasonal increase in yard debris has been observed. A brief discussion of vehicle maintenance for the department pointed out that the Department will end the year within budget. One (1) item of public interest was stated that personnel do not pickup paint cans that still contain paint, because they will not be accepted at the landfill. Councilmember Loftus reminded citizens that paint cans containing paint can be disposed of at the City's annual household hazardous waste collection in the spring. The 53<sup>rd</sup> to 57<sup>th</sup> Avenue Drainage Project's projected completion date is mid-July; in addition, Eadie's has completed Year One of the most recent ditch maintenance contract. Beach monitoring results for May 2011 were satisfactory.

The next Public Works Committee meeting will be at 4 p.m., Wednesday, July 6, 2011 in Council Chambers.

### **D. Recreation Committee**

Councilmember Bergwerf announced that several classes had been suspended for the summer months to resume in the fall, but the Senior Exercise, yoga, hip hop, Zumba, Friday Night Hoops and semi-personal training classes will continue through the summer because of good attendance. Jimmy Ward will be conducting another Theater Camp in August; the Beach Run will be Saturday, July 23, and the Half-Rubber Tournament is scheduled for August. Councilmember Bergwerf wanted to recognize the efforts of Recreation Department personnel to lay down the white stripe four (4) feet from roadway along Palm Boulevard.

The Committee decided to hold the next meeting at 4 p.m. on Tuesday, September 6, 2011.

### **E. Personnel Committee**

The Personnel Committee did not meet in June. Councilmember Thomas announced the June Safety Sweepstakes winners as Ben Hull of the Recreation Department, Trent Buzille of the Fire Department, Melissa Dawson of the Police Department and Bernard Gourdine of the Public Works Department.

The next Personnel Committee meeting will be at 5:45 p.m., Tuesday, July 12, 2011 in Council Chambers.

### **F. Real Property**

Councilmember Loftus reported that little activity on the Beach Restoration Project took place in June. For the dredging project, the Corps of Engineers is requesting in-kind service in lieu of payment for the use of a spoil site. Administrator Tucker reported that GEL continues to talk with the Corps; the City has requested copies of any permits that could relate to the Isle of Palms. Administrator Tucker suggested that the City establish a legally bound escrow account to be used for an in-kind project of the USACE's choosing at such time as the project was identified in order to provide assurance to the USACE without compromising the City's timeline. A project entitled "City Council Walk" has been initiated under the auspices of the Building

Department as a means of recognizing the service of past City Councilmembers. Pursuant to a discussion on the condition of 1301 Palm Boulevard, the Committee unanimously voted to recommend demolition of the building to City Council.

**MOTION: Councilmember Loftus moved to demolish 1301 Palm Boulevard; Councilmember Bergwerf seconded.**

Mayor Cronin commented that the building was not leasable at a reasonable rate for the City in its present condition; Councilmember Bettelli recalled that the original plan for the building had been demolition.

**VOTE: The motion PASSED UNANIMOUSLY.**

Councilmember Piening asked whether the marina restaurant was current in its rent payments to the City; the Mayor noted that the restaurant was current at the time of the meeting.

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

### **A. Accommodations Tax Advisory Committee – minutes attached**

Mayor Cronin reported that, in a Special Meeting, the ATAX Committee had voted not to approve the FY12 Budget that included the parking nodes along Ocean Boulevard.

### **B. Board of Zoning Appeals – minutes attached**

### **C. Planning Commission – minutes attached**

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

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

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

### **A. 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: Councilmember Duffy moved to waive the reading and to adopt for Second Reading Ordinance 2011-05; Councilmember Bergwerf seconded.**

Councilmember Duffy commented that, based on the citizens' comments made at the Public Hearing held earlier, he was dismayed; he recalled that two (2) public, joint meetings had been held with the Planning Commission to discuss possible parking solutions, as well as a public forum to receive citizens' input. He expressed hope that residents closely follow developments on the parking management plan; he also thanked Guy Taylor for providing some history on Ocean Boulevard parking. He noted that funds had been included in the FY12 Budget to move forward on the parking management plan as the plan dictates, thereby indicating his agreement with Dr. Karig that a comprehensive plan is needed before funds are expended.

Councilmember Bergwerf voiced her opinion that having a comprehensive parking plan for citizens to understand was “crucial.”

Councilmember Loftus stated that “Administrator Tucker and her team have done a phenomenal job” putting the FY12 Budget together; he noted that FY12 is the fourth consecutive year that the residents have not experienced a tax increase.

Councilmember Stone, on the contrary, expressed concern that the City “is borrowing money from our reserves to float this budget through; this is not a budget that is going through on pure income.” He commented that the parking initiative is an expensive endeavor that has “no return on investment if [the City] continues on with the parking.” In addition, Councilmember Stone stated that he wanted to hear from the sixteen (16) Ocean Boulevard property owners adjacent to the proposed eight (8) parking nodes.

**VOTE: The motion on a vote of 8 to 1; Councilmember Buckhannon cast the dissenting vote.**

**B. Second Reading 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.”**

**MOTION: Mayor Cronin moved to waive the reading and to adopt Ordinance 2011-07; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.**

#### **10. Introduction of New Bills, Resolutions and Proclamations**

**A. First Reading, by title only, of Ordinance 2011-08 – An Ordinance Amending Title 8, Motor Vehicles and Traffic, Chapter 1, Traffic Regulations, of the City of Isle of Palms Code of Ordinances to Provide Exceptions for Designated Public Parking on Beach Accesses.**

**B. First Reading, by title only, of Ordinance 2011-09 – An Ordinance Amending Title 5, Planning and Development, Chapter 4, Zoning, Article 1, General Provisions, Section 5-4-15, Beach Regulations, of the City of Isle of Palms Code of Ordinances to Provide for Designated Public Parking on Beach Accesses.**

**MOTION: Councilmember Loftus moved to approve for First Reading, by title only, Ordinances 2011-08 and 2011-09; Councilmember Bergwerf seconded.**

Mayor Cronin noted that Ordinances 2011-08 and 2011-09 are companion ordinances; Ordinance 2011-09 will require a public hearing that will be scheduled in July.

**VOTE: The motion PASSED on a vote of 8 to 1; Councilmember Buckhannon cast the dissenting vote.**

**11. Miscellaneous Business**

Mayor Cronin announced that he will be serving on the board for the South Carolina Mayor's Association, a new organization under the umbrella of the Municipal Association of South Carolina. The first meeting conflicts with the scheduled July meeting of the Real Property Committee; the Committee meeting was re-scheduled for 8:30 a.m., Friday, July 8 in Council Chambers.

**The next City Council meeting will be at 7 p.m. on Tuesday, July 26, 2011.**

**12. Executive Session** – not necessary

**13. Conclusion/Adjourn**

**MOTION: Councilmember Loftus moved to adjourn the meeting at 8:37 p.m.; Councilmember Piening seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk