

PUBLIC WORKS COMMITTEE

5:30 p.m., Tuesday, April 5, 2016

The regular meeting of the Public Works Committee was held at 5:30 p.m., Tuesday, April 5, 2016 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Ferencz and Kinghorn, Chair Ward, Administrator Tucker, Public Works Director Pitts, Assistant Administrator Fragoso and Clerk Copeland; a quorum was present to conduct business. Guests in attendance were Jim Neal, Director of Charleston County Public Works, Bill Spearman, stormwater consultant to Charleston County, and Frank Pandullo, Stormwater Manager for Charleston County, as well as County Council member Dickie Schweers, who represents the Isle of Palms.

1. Chair Ward 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.

2. Approval of Previous Meeting's Minutes

MOTION: Councilmember Ferencz moved to approve the minutes of the regular meeting of March 1, 2016 as submitted; Councilmember Kinghorn seconded and the motion PASSED UNANIMOUSLY.

3. Citizens' Comments

Presentation by Jim Neal and Frank Pandullo on NPDES Process and Stormwater Fee Increase

Mr. Neal introduced his companions and provided some background information on each; he stated that the Committee would be seeing the same presentation that was made to Charleston County Council relative to an increase in stormwater fees. (A copy of the presentation is attached to the historical record of the meeting.)

Mr. Spearman initiated the presentation with a history and the evolution of the Clean Water Act of 1972, which required the Environmental Protection Agency (EPA) to develop the National Pollutant Discharge Elimination System (NPDES) permit program. In 1987, the Clean Water Act was amended and tasked the EPA with developing a NPDES permit program for municipal sewer systems referred to as Municipal Separate Storm Sewer Systems (MS4). In the state of South Carolina, the SCDOT is the only large MS4; three (3) medium MS4s are the City of Columbia, Greenville County and Richland County; and the state has over seventy (70) regulated small MS4s. The unincorporated areas of Charleston County, outside the municipalities, are small MS4s and the City of Isle of Palms is a small MS4. Charleston County established a stormwater management utility fee in September 2006 as did the City to cover the following minimum control measures:

- Public education and outreach;
- Public participation/involvement;
- Illicit discharge detection and elimination;
- Construction site runoff control;
- Post-construction site runoff control; and
- Pollution prevention/good housekeeping.

A new NPDES permit requirement is the development of a program to address total maximum daily load (TMDL) allocations; every body of water in South Carolina has been classified for a certain use, and certain requirements have been set up for each classification. DHEC periodically takes a sample, and, if the criteria are not met, the body of water is put on an Impaired Water Bodies List. DHEC is then to write a TMDL, which is pollution diet for that water body; currently Charleston County has eighty-five (85) impaired water bodies, including Breach Inlet and two (2) spots in the Intracoastal Waterway near the Isle of Palms. Once the TMDL is written for the sampled site, a TMDL Monitoring Plan must be written and followed; if with more frequent monitoring the necessary criteria are met and submitted to DHEC, the water body may be removed from the impaired list. If a problem is found, an implementation plan must be developed and install best management practices (BMP), whether it be street sweeping, bio-retention, better cleaning of catch basins, etc. to get the pollutants out. This required monitoring is one (1) of the key factors in the need to increase the stormwater management utility fee, and County Council has had first reading to increase the fee to seventy-two dollars (\$72) per year for residential properties.

Another factor is the new stormwater program initiative referred to as the Flood Incident Reduction and Mitigation Project to address the needs that were seen and felt last October after the historic flood; this initiative will fund capital improvement and mitigation projects.

Charleston County is proposing a simpler way of determining the stormwater fee; it is to measure the amount of impervious area, divide it by three thousand square feet (3,000 sq. ft.) and the result is the number of equivalent residential units (ERU) to be multiplied by the base rate. A single family dwelling is equivalent to one (1) ERU; a vacant lot is equal to one-half ($\frac{1}{2}$) ERU; agricultural land equals one (1) ERU; and, for other developed properties, the number of ERUs is calculated by the formula previously discussed. In order to have regulatory compliance, i.e. cover the six (6) minimum control measures and the new TMDL requirement, Charleston County Public Works has determined that a rate of forty-eight dollars (\$48) per ERU is sufficient for a period of five (5) years. The increased federal regulations have caused the need for increased stormwater management fees.

County Council decided to add an additional twenty-four dollars (\$24) that would allow Charleston County Publics Works to bring on additional work forces to do operations and maintenance and do projects of cost-sharing toward repairs to the drainage systems.

When asked if the fees would increase again in five (5) years, Mr. Spearman stated that special interest groups are pushing the EPA for further regulations, so future increases are likely.

According to Mr. Neal, the additional twenty-four dollars (\$24) will allow the County the opportunity to get some projects done in the unincorporated areas where the acquisition of easements is necessary.

When Chair Ward asked how the fee would be impacted if the City were to dissolve its agreement with Charleston County for stormwater management, Councilmember Schweers asked to speak. He noted that the fee of thirty-six dollars (\$36) per ERU has been sufficient to cover mandated services since 2006 and that County staff has calculated that to add compliance with the new mandate that fee should increase to forty-eight dollars (\$48). In light of the thousand year (1,000

yr.) storm last fall, County Council decided the time was right to raise more money for other optional drainage projects; Councilmember Schweers stated that he did not support the seventy-two dollar (\$72) fee. He stated that he asked whether the Isle of Palms and Sullivan's Island could opt for a lower fee since the money raised from the Isle of Palms and Sullivan's Island is only to be spent there, not in the unincorporated parts of Charleston County.

According to Mr. Neal, the City was asked to mirror the County's plan and fee schedule under the existing agreement, but he thought that the County could accommodate a lower fee as long as it covered the mandated requirements at forty-eight dollars (\$48).

Although there was no vote allowing Isle of Palms and Sullivan's Island to have a rate lower than seventy-two dollars (\$72), Councilmember Schweers was hopeful that County Council would acquiesce.

Any new fee would go into effect January 1, 2017.

Administrator Tucker referenced the existing agreement with Charleston County that states the City must increase its fees when the County does and that the City must give a year's notice to terminate the agreement. Therefore, whatever change the County makes must also allow the intergovernmental agreement to be amended.

Mr. Neal stated that County Council had given the County Administrator the authority to negotiate the intergovernmental agreement with the other entities and the current ordinance as written does not specify a dollar amount or that they must be the same. Unless County Council were to say that an intergovernmental agreement cannot have a different amount, it could – without a vote from Council.

Charleston County Council requires three (3) readings to pass an ordinance, and third reading will be at the end of the month; therefore, they expect nothing to change until after that reading.

With no further questions or comments, Chair Ward thanked the gentlemen for their time and information.

Barbara Harrington, 523 Carolina Boulevard, referenced a letter she sent to the Committee about dumping of yard debris on the beach access path at 6th Avenue; since there is a dip in the path, she has thought that the person doing the dumping was trying to level it out. In her opinion, the dumping is unsightly and unsafe, and the City should fill in the depression with the proper material. She voiced hope that the Committee could help to resolve the problem.

MOTION: Councilmember Kinghorn moved to reorder the Agenda to address item 5.G at this time; Councilmember Ferencz seconded and the motion PASSED UNANIMOUSLY.

5. Old Business

G. Consideration of Improvements to 6th Avenue Beach Access

Administrator Tucker stated that the first thing the City needed to know was whether the low-lying area of the beach path was in OCRM's jurisdiction; if it is, the City would need a permit or some sort of validation to move forward. The second step would be to locate beach compatible sand to fill in the depression, assuming the City is granted permission from OCRM if needed.

On another front, the Administrator thought that the illegal dumping issue should be brought before the Public Safety Committee.

Chair Ward thanked Mrs. Harrington for bringing this matter to the Committee's attention and assured her that it would follow-up.

4. Department Reports for March 2016 – Director Pitts

Vehicle Maintenance and Trash Collection Tracking Reports

Director Pitts noted that more than thirty-nine and a half tons (39.5 T.) of miscellaneous debris were taken to the Bees Ferry landfill in March. Right-of-way maintenance got started, and some beach paths were mowed, but many were still too wet to mow. Vehicle maintenance was only routine for the month, but the Director anticipates purchasing some new tires next month. Yard debris collection was up considerably this year over last year, but household garbage was up only slightly.

5. Old Business

A. Update on golf cart path between 20th Avenue and the Island Center

In meeting packets are the design sketches that were submitted to SCDOT; they, in turn, sent a list of things they want involving a jog in the path once it intersects with the City's property, footings that were not originally included and some asphalt also not originally included. At this point, SCDOT has not asked for anything that would stop the golf cart from being constructed.

This was not a budgeted project, but, with the added requirements from SCDOT, staff does not think the project will be complete by the end of the fiscal year, so the path will be built into the FY17 budget. The only expenses to-date have been the survey, land disturbance and the design to be submitted for the permit.

Administrator Tucker plans to re-read the Greenbelt Agreement to make sure that the path does not jeopardize the grant in any way.

B. Discussion of public restrooms and beach access

Councilmember Kinghorn asked about the status of painting the public restrooms; he had thought it would be done before the Easter weekend and spring break.

Director Pitts stated that the restrooms had been pressure washed for the second time today and were to be painted Thursday and Friday, April 7th and 8th.

Responding to Councilmember Ferencz, the Director said that the toilets have been repaired but one shower remains to be repaired.

Councilmember Kinghorn began with the assumption that the public restrooms are an under-utilized space – it is a million dollar (\$1,000,000) piece of property with a twenty-six (26) year old restroom on it. (The Councilmember's presentation is attached to the historical record of the meeting.) The property has undergone two (2) studies in the past three (3) years, and they concluded that the City has three (3) options for the space and they are:

- 1) Make minimum improvements to what currently exists at the location;
- 2) Replace the existing facilities with new and upgraded ones; or
- 3) Redevelop the property for the highest and best use, considered to be commercial redevelopment by the Hartnett report.

The justification in the title Tri-County Hospitality Center is to create something that has added value for all of the communities. It would be "a twelve thousand square foot (12,000 sq. ft.) two or three (2-3) story, class A multi-use facility that will maximize its value and serve the Charleston region's growing population by improving beach access and providing flexible multi-use facilities." In his research, he found that there is no public front beach access facility like the one described, and he imagined a long list of possible uses.

Partners for the venture who would find benefits for their residents were listed as the City of Isle of Palms, the Town of Mount Pleasant, Charleston County, Berkeley County, Dorchester County, South Carolina Parks, Recreation and Tourism, and possibly others.

In addition, Councilmember Kinghorn's suggestion also included financials with the cost of construction, revenue and expense estimates with a small net gain for the City.

Councilmember Ferencz thought the idea was ambitious and queried about the staffing needed to operate and maintain the facility.

Councilmember Kinghorn thought it would be staffed primarily through subcontractors as the City does at the marina; he also pointed out that the City's contribution up front was the land on which the structure would sit.

Councilmember Ferencz questioned that, if this was such a good idea, why has it not been tried somewhere before along the coast? She also thought that the kind of business the City would want to draw is going to Wild Dunes.

Administrator Tucker opined that, very likely, other beach communities do not have ownership of beach front property.

One issue that came to light during the work with Liollo and the front beach merchants was the future need for secondary restroom facilities in addition to the existing location, possibly in the large parking lot. The utilization of the public restrooms continues to steadily increase.

Councilmember Kinghorn noted that, as the City presents the concept to other jurisdictions, staff must emphasize that this restroom is serving their constituents.

In addition to the proposal for the Tri-County Hospitality Center, Councilmember Kinghorn included a to-do list and a draft cover letter to the prospective partners.

Councilmember Ferencz said that she did not think the surrounding counties would “give the City a million dollars to do what it has always done.”

Chair Ward wished Councilmember Kinghorn good luck with the counties because he saw this as a “hard sell” and that he did not think it was a good idea; in the Chair’s opinion, an event space above a public restroom was not the type of thing anyone would invest in.

Considering alternatives, Councilmember Kinghorn thought about testing the private sector market to sell the property with the restriction that the buyer must provide twenty-five hundred square feet (2,500 sq. ft.) of restrooms and outdoor showers.

Councilmember Ferencz liked the idea of selling the property with the stipulation that public restrooms must be on the site; she added that the City could possibly use the proceeds from the sale to construct additional restrooms in the large parking lot.

Administrator Tucker reported that Councilmember Kinghorn’s proposal was also on the Real Property Committee’s agenda, and Councilmember Kinghorn suggested that the issue be turned over to the Real Property Committee.

Councilmember Kinghorn thanked Directors Pitts and Kerr, Treasurer Suggs and Assistant Fragoso for their assistance in preparing his proposal.

C. Update on improvements to Public Works site

The Administrator reported that the City was in receipt of the bid specifications; once they are reviewed, the project will be put out for bid.

D. Update on Mayor Carmen R. Bunch Park

A brief ceremony to unveil the plaque has been scheduled for Saturday, May 14th at 10:00 a.m.; the marker is ready and will be installed on May 2nd. The sign will be covered until the ceremony; Assistant Fragoso has been working with the family to get names and addresses of invited guests.

E. Status of Phase II Drainage

Administrator Tucker reported that the City is lacking an easement from the IOP Water and Sewer Commission and one from the Morgan Cove Marina Association; the temporary easement requested on Frank Sottile Lane is not being granted because the property is for sale. The work will likely begin at the end of the peak golfing season since the outfall will be at the back of the golf course.

F. Update on the Undergrounding of Utilities

Included in meeting packets was a copy of an email from Westy Westmoreland with the estimates for undergrounding power lines; on Palm Boulevard from Breach Inlet to 11th Avenue the estimate is twelve million dollars (\$12,000,000), and Palm Boulevard from 11th to 21st Avenue is six million dollars (\$6,000,000). In the balance of his email, he detailed six (6) smaller projects; the Administrator has asked him to estimate the cost for these projects which he believes he can have in thirty (30) days to present to the Committee.

Councilmember Kinghorn thought that the marina project should be at the top of the list and that the Committee should identify projects to ensure that the money in the account is spent.

Administrator Tucker urged the members of the Committee to visit the marina with an eye on the above ground utilities, which are not substantial – unlike the entrance on 41st Avenue.

6. New Business

A. Review of FY17 Operating Budget

Global to all Departmental budgets are the following:

- A 3% wage increase for employees composed of a 2% merit and 1% COLA;
- A 1% increase in health insurance premiums effective January 1, 2017;
- Fuel computed on last 2 years average actual cost per gallon and last 12 months actual usage; and
- Liability, property, underground fuel tank insurance increase of 5% and flood insurance increased by 15%.

Assuming that the City will be operational with the NPDES improvements at the Public Works site, an additional ten percent (10%) has been added to the line for Electricity and Gas to cover the wash-down facility; fifteen hundred dollars (\$1,500) has been added to the line for Maintenance and Service Contracts for the pump-out of separator holding tank for washing facility; and five hundred dollars (\$500) has been added to Professional Services for added backflow testing.

Director Pitts would like to purchase a rock grapple attachment for the skid steer at fifty-five hundred dollars (\$5,500) in Non-capital Tools and Equipment. The budget for uniforms has been increased by one thousand dollars (\$1,000) based on actual costs in this fiscal year.

Director Pitts directed attention to the Overtime line that has been increased significantly to allow for Saturday debris pickup in peak season.

Councilmember Kinghorn asked Director Pitts how he would manage the Department if the budget were frozen at FY16's number.

The Director responded that he has frozen his budget for fifteen (15) years; for those items he can control, he hesitates to increase the budget.

Since the Capital Budget has already been reviewed, the Administrator only pointed out the changes. Staff has gotten new estimates on the cost of the underground storage tanks and the amount has increased to two hundred forty-six thousand six hundred seventy-five dollars (\$246,675). For the Public Works Drainage – Eadies line, staff has added twenty thousand dollars (\$20,000) for any unexpected project(s) that would need Eadies' expertise and knowledge of the island's drainage system.

Chair Ward asked for a full accounting of the money being spent on the NPDES improvements to the Public Works site, and the Administrator replied that the City would not know the cost until it has been bid.

In the Municipal Accommodations Fee Fund, Public Works Maintenance and Service has been increased by five thousand dollars (\$5,000) for supplemental mowing/clearing of underbrush in the busy season; staff is recommending entering into a maintenance contract for the wayfinding signs at seven hundred fifty dollars (\$750).

The Hospitality Tax Fund pays for the City-wide landscaping contract that has been increased based on additional work asked of them. The City plans to use State Accommodations Taxes for pooper-scoopers and beach trash barrels, as well as mobi mat and a portion of the radio replacements.

Councilmember Ferencz questioned that money could be put into one (1) of the savings accounts from State Accommodations Taxes toward the purchase of garbage packer trucks and a Caterpillar loader.

The Administrator explained that, since the money is allocated for a specific purpose, it can be held back.

B. Consideration of \$3,000 from the Capital Projects Fund for the out-of-budget replacement of failed ice machine

Director Pitts reported that the ice machine was on the Capital Plan to be replaced next year, but it no longer functions; he believes that the primary reason for the failure was the environment. If the purchase is approved, he is going to move it into the building with a cleaner environment with less humidity. The Director got quotes from three (3) vendors for the same machine – a Scotsman that produces three hundred ten pound (310 lbs.) of ice in twenty-four (24) hours; the recommended vendor is Ice Machines Plus for twenty-five hundred thirty-nine dollars and ninety-nine cents (\$2,539.99) including tax.

MOTION: Councilmember Ferencz moved to purchase one Scotsman ice machine from Ice Machines Plus for \$2,539.99; Councilmember Kinghorn seconded and the motion PASSED UNANIMOUSLY.

C. Discussion of Paving Palm Boulevard and Addition of Pedestrian Crosswalk

Administrator Tucker recalled reporting that section of Palm Boulevard to SCDOT as being in poor condition after Joaquin, and it was reported again when the bike path was being

compromised by the debris from the holes in the road. Since then she noted the survey markers along the Ben Sawyer and called her counterpart on Sullivan's Island and learned that SCDOT was going to re-surface the area soon. She followed up with SCDOT about having the contractor come to the Isle of Palms to do the repair on Palm Boulevard; they are going to do an estimate of the job and try to incorporate the work into the Ben Sawyer contract. SCDOT also has a couple of other contracts for secondary roads, so the work on Palm should get done through one of them.

Typically crosswalks are handled in the Public Safety Committee after the Police Department determines that the crosswalk is warranted; SCDOT must agree and the City must get an encroachment permit.

7. Miscellaneous Business

Next Meeting Date: 5:30 p.m., Wednesday, May 4th in the Conference Room.

8. Adjournment

MOTION: Councilmember Kinghorn moved to adjourn the meeting at 7:48 p.m.; Councilmember Ferencz seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk