

## REAL PROPERTY ADVISORY COMMITTEE

Wednesday, October 1, 2008

The regular meeting of the Real Property Advisory Committee was held at 8:30 a.m., Wednesday, October 1, 2008 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Committee members Jim Raih, Councilman Cronin and Chairwoman Rice, City Administrator Tucker, Marina Manager Brian Berrigan, Morgan Creek Grill Operations Manager Carla Pope, Assistant to the Administrator Dziuban and City Clerk Copeland.

1. Chairwoman Rice called the meeting to order and acknowledged that the press and the public had been duly notified of the meeting in accordance with the Freedom of Information Act.

### 2. Approval of Previous Meeting's Minutes

**MOTION: Councilman Cronin moved to approve the minutes of the regular meeting of September 8, 2008 as submitted; Mr. Raih seconded and the motion PASSED UNANIMOUSLY.**

3. Citizens' Comments - None

### 4. Marina Manager's Report – Manager Berrigan

Manager Berrigan stated that he had nothing to add to his written report. Chairwoman Rice asked if he had contacted DNR on the subject of the oil spill he had spoken of in the September meeting. Mr. Berrigan stated that he had written to DNR about the spill, but that he had not received a response. Mr. Raih asked how large the spill had been and what the cost of cleanup had been; Mr. Berrigan responded that there had been more than ten (10) gallons of fuel in the spill and the cost had been just over five hundred dollars (\$500). When asked by Mr. Raih if the Coast Guard had been notified, Mr. Berrigan stated that the Coast Guard and DNR had brought the boat to the marina; the boat had burned and sank the night before. The spill occurred as DNR was dragging the boat up the boat ramp. Chairwoman Rice asked that Mr. Berrigan keep the Committee informed on this issue.

Mr. Raih asked that the Committee discuss how to deal with the "boat bandits," the boaters who park their boats on the restaurant side with no intention of dining at Morgan Creek Grill. Mr. Raih was seeking a way to penalize or to stop this daily occurrence at the marina. Manager Berrigan recalled that he had been instructed by this Committee that this issue fell under the jurisdiction of the Livability Officer and to contact him when there was a problem. Ms. Pope informed the Committee that the persons who had been habitual violators appear to have found another spot; she reported that she is seeing a different group now. She also noted that, when they have customers leave their boats overnight, there is a logbook at the restaurant where they are listed.

Chairwoman Rice noted that the best action would be to consistently call law enforcement when there is a boat illegally parked overnight. Administrator Tucker remarked that there are police patrols through the marina every morning who could take action regarding boats that should not be there, but the officers would need to verify through the restaurant that the boat is truly illegally parked. Ms. Pope stated that she has a good relationship with the officers and that she could express to them the need to investigate any boats docked in the restaurant slips early in the morning because there should be none.

**5. Morgan Creek Grill Report – Carla Pope**

Ms. Pope reported that Jay Clarke, restaurant owner, had spoken with Vincent Sottile, the termite bond inspector, and the only relevant leak at Morgan Creek Grill is the walk-in, of which everyone was aware.

Mr. Berrigan stated that underneath Marina Market had been cleaned out, as well, including re-routing the drains outside of the building.

**6. Old Business**

**A. Update in Bulkhead Replacement**

Since Administrator Tucker had been out of town for the pre-construction meeting, she asked Assistant Dziuban, who did attend, to give the report. Administrator Dziuban stated that attendees were tenants of the marina, Tony Landry of Misener, Project Manager Bubba (last name not gotten), the electrical sub-contractor, and Chris Moore and Mike Kirby from Jon Guerry Taylor. The goal of establishing lines of communication with the contractor was met. The Notice to Proceed was delivered on September 19, and Misener stated that construction should begin on Monday, October 6. Mr. Berrigan noted that construction was to begin at the Dewees Island boat landing and work toward the Intracoastal Waterway. Mr. Landry agreed to provide a detailed construction schedule that should arrive at any time.

**B. Status of Contracts**

1. Morgan Creek Grill – Administrator Tucker reported that the City was waiting for a response from the restaurant.
2. Marina Joint Ventures – Administrator Tucker noted that there had been no progress on the marina management RFP, but, since there was an existing model, she thought it would be easier to prepare and an additional extension was possible.

3. Tidal Waves Water Sports – Administrator Tucker asked that this entity be taken off the agenda; the staff has again reviewed the contract and found that there is an automatic renewal clause in it.
4. Front Beach Parking Lots – In order to have a contract in place by the time the season starts, Administrator Tucker reported that the RFP is probably eighty percent (80%) complete. She stated that Rick Linville, the contractor who is leaving, reviewed the contract and made a couple of observations that have been integrated into it. The Administrator asked the Committee's approval to send the RFP to them via email once it is ready. The City Attorney has been told that the contract must be a companion to the RFP.

Chairwoman Rice informed the Committee that she had requested of the Administrator to send Attorney Sottile an email asking that he research the City's need for a lease with Coastal Expeditions and any liability the City might have. Administrator Tucker stated that Ms. Pope had indicated that there is a rental arrangement between Coastal Expeditions and Morgan Creek Grill. Ms. Pope confirmed that revenues from Coastal Expeditions flow through Morgan Creek Grill so the City does get its share. The issues being resolved are the liability and some form of permission for the relationship to exist between the restaurant and Coastal Expeditions.

## **7. New Business**

### **A. Employee Suggestion – Annual Boat Launch Fee Paid for Employees**

Chairwoman Rice stated that the employee's suggestion was for annual passes for City employees to use the City's marina. Manager Berrigan stated that he would favor a discount, possibly the island resident rate; with the parking problems that already exist at the marina, he was opposed to a wholesale distribution of passes to City employees. The Administrator noted that all City employees have picture identification to qualify for the island rate.

**MOTION: Councilman Cronin moved to offer the resident rate to City employees upon the presentation of their City identification and vehicle registration for an annual pass or for daily rate for use of the boat ramp; Chairwoman Rice seconded and the motion PASSED UNANIMOUSLY.**

**8. Miscellaneous**

Next Meeting Date: 8:30 a.m., Thursday, November 13, 2008.

**9. Executive Session** – not necessary

**10. Adjourn**

**MOTION:** Having completed the work of the Real Property Advisory Committee, Councilman Cronin moved to adjourn the meeting at 9:05 a.m.; Mr. Raih seconded and the motion **PASSED UNANIMOUSLY.**

Respectfully submitted,

Marie Copeland