

**REAL PROPERTY ADVISORY COMMITTEE  
CITY OF ISLE OF PALMS**

9:30 a.m., Wednesday, April 9, 2008

The regular meeting of the Real Property Advisory Committee was held at 9:30 a.m. on Wednesday, April 9, 2008 in the Magnolia Room of the Recreation Center, 24 Twenty-eighth Avenue, Isle of Palms, South Carolina. Attending the meeting were Chairwoman Rice, Councilman Cronin, Committee member Raih, Marina Manager Berrigan, City Administrator Tucker, Assistant to the Administrator Dziuban and City Clerk Copeland. In his position as Chairman of the Ways and Means Committee, Councilman Taylor was also present. Chris Moore of Jon Guerry Taylor was invited to discuss the monitoring of the bulkhead.

1. **Call to Order** and acknowledgement that the press and the public were duly notified in accordance with the Freedom of Information Act.
2. **Approval of Previous Meeting's Minutes – March 6, 2008**

**MOTION: Councilman Cronin moved to approve the minutes of the regular meeting of March 6, 2008 as submitted; Mr. Raih seconded and the motion PASSED UNANIMOUSLY.**

Referencing the marina walkabout, Administrator Tucker stated that the Real Property Advisory Committee had made neither decisions nor commitments in the course of the earlier gathering. She further stated that, effective immediately, all financial requests for the marina had to be made in writing to her and responses would also be put into writing.

3. **Citizens' Comments:**

**Presentation by Mark Fiem of TidalWave –** The Committee was in agreement that Mr. Fiem had described his issues in writing prior to the meeting and that he had pointed them out to the members at the marina walkabout earlier in the day. In his written statements, he had requested that the City finance the restoration of the electricity to his location on the dock; he had acquired an estimate of \$1,600.

**MOTION: Mr. Raih moved to recommend to the Ways and Means Committee up to \$1,600 to hire a licensed contractor to make the repairs to the outlets and lights at the TidalWave site; the lights are to be put on a timer or in some other way handled so as not to offend the neighbors; Councilman Cronin seconded.**

Mr. Fiem confirmed to Mr. Raih that the bid was firm and had come from a licensed contractor ensuring that the work would be to or would exceed code.

**Call for the Question: The motion PASSED UNANIMOUSLY.**

On Mr. Fiem's request for the City to pay for canvas coverings for his business, Mr. Raih expressed his opinion that, due to the influences of the weather, any type of materials would be short-lived; therefore, he described such an action as "a losing battle." The committee agreed and took no action on this request.

#### **4. Marina Manager's Report**

Marina Manager Berrigan had two (2) financial requests to make to the Committee; they were as follows:

- \$5,000 to complete the re-planking of the face dock; and
- \$10,000 to extend the finger docks to two (2) feet beyond the pilings on the City-owned docks on the Intracoastal Waterway and, at the same time, remove the two (2) northern most pilings and replace the missing one (1).

In the discussions that followed, Manager Berrigan was clear that he was most interested in getting the work accomplished to complete re-planking the face dock before this tourist season begins.

**MOTION: Councilman Cronin moved to recommend to Ways and Means to fund up to \$5,000 for materials to complete the re-planking of the face dock; Councilwoman Rice seconded.**

Mr. Raih stated that he thought that the Committee should know how much money remained in the Marina budget before making a decision on any expenditures; he also wanted Manager Berrigan to be certain that this was the project he wanted done with the last remaining funds in the FY 2007-2008 budget.

**Call for the Question: The motion PASSED on a vote of 2 to 1 with Mr. Raih casting the dissenting vote.**

Administrator Tucker charged Chris Moore from Jon Guerry Taylor with researching the existing permit for the City-owned finger docks along the Intracoastal Waterway and to determine if the permit allowed for the extensions proposed by the Marina Manager.

#### **5. Old Business**

**A. Discussion of bulkhead replacement and marina dredging in light of the recent monitoring report from Jon Guerry and Taylor.**

Before Chris Moore began, Administrator Tucker informed the Committee that the "pink"

budget included the bulkhead replacement and marina dredging project. She also related that she had been informed by Jon Guerry Taylor that the dredging window of November 2008 through March 2009 was closed to the City; since the City had not yet made its decision, there would not be enough time to get the agreements together, go out for bid, get the necessary permitting, etc.

Mr. Moore commented that Braxton Kizer, also of Jon Guerry Taylor, had stated that he was trying to set a meeting of the stakeholders on the dredging project, i.e. the City, Dewees Homeowners and Morgan Creek residents, to prepare for the timeframe of November 2009 through March 2010. Mr. Moore also stated that Mr. Kizer had been led to understand that the Corps of Engineers was going to require considerable site work at the spoil site, which would have to be accomplished before the dredging project could begin.

On the subject of the bulkhead, Mr. Moore related that a crew had spent one and one-half to two (1½ to 2) days on the marina site surveying all of the bulkhead and that a very accurate survey had been done using *total station*, a traditional surveying instrument that was accurate to within a quarter of an inch. Mr. Moore also reported that this type survey work had not been done previously; the most recent monitoring by ADC had been a structural one that was done visually. He stated that the bulkhead had been observed at low tide and that areas continued to bulge up requiring continual maintenance due to the erosion. He reported that the initial bulkhead wall was in very bad condition and believed the next wall to be as well. The exact condition of the bulkhead would not be known until the data was available from the next monitoring, in two (2) to three (3) months,

In response to Councilwoman Rice's question as to how imminent was the failure of the bulkhead, Mr. Raih answered that the consultants had said for over a year that the bulkhead needed to be replaced as soon as was possible; in his opinion, a catastrophe was likely.

Councilman Taylor asked Mr. Moore to describe for the City Council the status of the marina bulkhead based on the data derived from past monitoring. He asked Mr. Moore for a plan of action should there be a catastrophic failure; he further asked what the City could do today to prevent such an occurrence.

During the site visit to the marina earlier today, Councilman Taylor had been told that one of the floating docks sat in the mud at low tide and that there were two (2) fuel lines and sewer and electrical lines that ran under the dock. Manager Berrigan had stated that there was the strong odor at low tide, so he was suspicious that was a leak and was concerned for possible leak in the fuel line. With that information, Councilman Taylor asked Mr. Moore to inspect that dock and to inform the City Administrator what

action could be taken immediately and the cost associated with it to protect the lines for at least a year when the dredging could take place. Councilman Taylor stated that this would be an item on the Ways and Means agenda for Tuesday, April 15.

When Administrator Tucker asked for direction from the Committee on the bulkhead, Mr. Moore noted the “drop dead” date for the bulkhead replacement this year would be mid-May or early June. The Committee agreed that the replacement needed to be done as soon as possible despite the fact that the marina would be shutdown twice since the dredging could not be done simultaneously as hoped.

**MOTION: Councilman Cronin moved to recommend to the Ways and Means Committee to proceed with the replacement of the bulkhead in FY 2008-2009 and the dredging in FY 2009-2010, and to provide for the extension of the docks on the Intracoastal Waterway prior to the replacement of the bulkhead; Mr. Raih seconded and the motion PASSED UNANIMOUSLY.**

#### **B. Review of FY 2008-2009 Capital and Operating Budgets**

Administrator Tucker began the budget discussions on page 32 of the “pink” budget with Marina Fund Revenues; she pointed out that the rents had been increased based on the Consumer Price Index.

Continuing on page 33, the Administrator remarked that the *Debt Service-Interest* (line 39) increase was attributed to re-financing the marina bond to a taxable bond. She commented that she anticipated that the next line of interest on debt would be refined down since the Committee was eliminating the dredging project from FY 2008-2009. The Committee agreed to eliminate eight thousand dollars (\$8,000) budgeted for a restroom trailer for peak summer months. Administrator Tucker noted that *Professional Fees* might also be reduced without the inclusion of the dredging project in the bond administration fees.

On page 34, **Marina Operations and Marina Restaurant**, the Administrator said there were no significant changes from previous versions of the budget.

The staff had decided to allow five thousand dollars (\$5,000) for *Maintenance and Service* for **TidalWave Operations** for incidentals that could arise over the year.

The cost of the bulkhead replacement, a figure of \$2,526,033, was shown on page 40 to be repaid from the Marina Fund.

Finally, on page 41, payments of the principal and interest on the marina debt were shown as follows:

<u>DEBT</u>	<u>Payment</u>	<u>Hosp Tax</u>	<u>State Acco</u>	<u>Marina</u>
Marina G. O. Bond-Principal	176,000	50,000	101,000	25,000
Interest	181,350	75,000	50,000	56,350
Potential Bulkhead Rev Bond (\$1.1 mil)				
Principal	87,500			87,500
Interest	35,750			35,750

There were no questions on the budget from the members of the Committee.

## 6. New Business

Administrator Tucker related that she had been copied on e-mails from Councilman Loftus regarding the parking study for the marina; Councilman Loftus had asked Director Kerr to do oversight of an engineering student to do the study. Councilman Cronin picked up the conversation stating that Jack Winchester knew an Associate Professor in the Engineering Department at the Citadel who might be interested in doing the study. Administrator Tucker reminded the Committee members that having the study done and a design presented did not mean that the project would move forward; any reconfiguration of the marina parking areas would have to be approved by City Council, as well as the leasees who all have parking delineations defined in their leases.

**MOTION: Councilman Cronin moved to contact the Citadel about assistance in a parking study that would include input from the marina stakeholders; Councilwoman Rice seconded.**

In discussion, Mr. Raih stated that the motion should not be specific to the Citadel, but other schools as well.

**Call for the Question: The motion PASSED UNANIMOUSLY.**

## 7. Miscellaneous

Brian Berrigan, Managing Partner of "Marina Market," stated that the store was open and doing well despite business being slower than they had hoped. Work was continuing in the deli with an opening anticipated around May 15<sup>th</sup> with a breakfast bar and lunch. As noted in the initial proposal, "Marina Market" management hopes to hold

special events on a quarterly basis; these events could include an oyster roast, father-son fishing tournament, etc.

Administrator Tucker announced that she had received information on a grant being offered through DHEC from the federal government related to marine debris removal, i.e. abandoned vessels in the waterway. Councilwoman Rice commented that this was not a problem around the Isle of Palms and that, since there was so much going on now, the City should pass at this time.

Councilman Raih asked if there were any way to program the parking meters on Front Beach so they would not accept payment after 6 p.m.; the Administrator stated that she would check with Chief Buckhannon.

Councilman Raih commented on the fact that the County has increased its parking rate at the County Park to seven dollars (\$7.00) and asked if the City were going to follow suit. It was agreed to invite Rick Linville who leases the City lots to the May meeting.

Mr. Raih proposed that a meeting be re-scheduled, only in the absence of both the Chair and the Vice-chair. Councilwoman Rice apologized for having to re-schedule this meeting, but added that changes frequently occurred with Council Committees. Mr. Raih asked that, in the future, as a member of the Committee, he be allowed to have input in a change; Councilwoman Rice agreed.

Public Works Director Pitts explained that the Administrator had asked that he respond to questions posed to her during the site visit relative to parking issues. He described a concrete slab in the ground behind the entrance sign that has 6"x6" posts approximately twelve inches (12") from each of the four (4) corners; along the road side of this slab are protective barriers. Director Pitts stated that this was a part of the storm water watershed that began at the creek side of the marina. If the Committee were to decide to change its location, it would mean the re-design of the watershed, and replacement of the collection box was a very costly item.

Director Pitts also informed the Committee that the irrigation installation at the parking lot at Front Beach would be completed today, Wednesday, April 9.

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

- 8. MOTION: With no further business to come before the Real Property Advisory Committee, Councilman Cronin moved to adjourn at 10:58 a.m., Mr. Raih seconded and the motion PASSED UNANIMOUSLY.**