

## PUBLIC WORKS COMMITTEE

5:30 p.m., Thursday, April 9, 2015

The Public Works Committee was called to order at 5:30 p.m., Thursday, April 9, 2015 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Ferencz and Loftus, Chair Ward, Administrator Tucker, Director Pitts and City Clerk Copeland; a quorum was present to conduct business.

1. Chair Ward called the meeting to order and acknowledged that the press and public were 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 13, 2015 as submitted; Councilmember Loftus seconded and the motion PASSED UNANIMOUSLY.**

### 3. Citizens' Comments

Robert Combs of 9 Forty-ninth Avenue addressed the Committee regarding his concerns about the dune and the way stormwater drainage was being handled at the end of the street, and he confirmed his understanding that the City frequently pumped stormwater from 46<sup>th</sup> and 49<sup>th</sup> through 52<sup>nd</sup> Avenues through the dunes, which he thought was unhealthy. He said that his concern was about "a pretty large" trench through the dune at the end of 49<sup>th</sup> for the purpose of stormwater mitigation; in his eighteen (18) years in his residence, stormwater at the end of the street has been "an inconvenience." In his opinion, the dune has been compromised by the trench, and, in the erosion part of the erosion/accretion cycle on that part of the beach, the dune in question has become the primary dune. The dune also provided a path from the street to the beach. In his interpretation, pumping stormwater to the beach was a violation of the City's Beach Management Plan. Mr. Combs also opined that the trench was dug without the involvement of DHEC or OCRM and that the majority of it was in an area under State jurisdiction.

The most knowledgeable person on this issue was Director Kerr, who was present for the meeting. The Director gave the history of the issue as being a new home construction at 1 Forty-ninth Avenue was given permission to install a septic system, referred to as a modified system; the system sits higher in the ground and appears as a mound in the yard. When the septic system was installed, the adjacent neighbor Mr. Tessler contacted the Director asking him to make a site-visit to see the standing stormwater under his house where water had never been in the past. According to the City Code, anytime an owner must change the grade, the owner must involve a civil engineer to generate a drainage plan to deal with the run-off; the onus for a solution falls to the owner. The Director informed the owner and the contractor about the issues at the Tessler house and requirements of the City Code. The civil engineer did a topographical survey and produced a stormwater plan that was approved by the Director and implemented; both the engineer and the Director acknowledged that sending the stormwater onto the beach was not ideal, but it would satisfy the requirements of the City Code and prevent stormwater from standing under the Tessler's home. During the work, the contractor was required to flag the State's jurisdiction, and the work was all done on the landward side of the State's jurisdiction. The City Code also prevented anything from being done to the primary dune, but, in this case, the primary dune was closer to the ocean.

Director Kerr informed the Committee that he has been back to 49<sup>th</sup> Avenue since the work was completed, and, while there, the Kesslers did not have stormwater under their home.

Director Pitts reported that, historically, the Public Works Department has pumped 49<sup>th</sup> Avenue, including once earlier in the year and that, since the trench was dug, no pumping has been needed. The Director stated that water was pumped from 46<sup>th</sup>, 50<sup>th</sup> and 51<sup>st</sup> Avenues on March 2<sup>nd</sup> and water was also pumped from 50<sup>th</sup> on March 23<sup>rd</sup> and 24<sup>th</sup>.

Responding to the question from the Chair, Mr. Combs stated that what he would like to see done would be for the dune to be restored to its condition prior to the trench; he reported that the trench was eighty feet (80 ft.) long and had a depth of four to four and a half feet (4-4½) in places, leaving the dune compromised. In addition, he disagreed with Director Kerr and reiterated his opinion that the trench was within State jurisdiction based on his reading of maps and landmarks.

Director Kerr stated that the persons involved in the topographical survey had place flags along the State's jurisdiction line, but he added that they could be gone by now. Mr. Combs stood corrected.

When Councilmember Ferencz asked about another solution for 49<sup>th</sup> Avenue, Director Kerr commented that the stormwater would carry silt and that the path would naturally silt back in pretty quickly; the trench was a short-term stormwater solution since 49<sup>th</sup> Avenue would be included in Phase II of the drainage project for that end of the island. Administrator Tucker noted that the project would likely be two to three (2-3) years in the future.

Chair Ward thanked Mr. Combs for bringing his concerns to the Committee and said that they would take it under advisement.

Mr. Combs asked if the City thought constructing this trench was a good way to mitigate stormwater and whether the City would compromise the dunes by trenching at the end of each street normally pumped. He, personally, thought that it was "a terrible remedy" for the convenience of the people on the street; he stated that the water on the street had never been so high as to prevent someone from driving through it.

Councilmember Loftus explained that the Committee had reviewed this issue at the March Real Property Committee meeting, and residents had attended that meeting to report the problems they had, like having difficulty getting to their car due to the flooding. That Committee agreed that this was not the best solution, but it would suffice until the drainage project could be done. The Councilmember reported receiving several emails from residents of 49<sup>th</sup> Avenue, saying that they want the trench to remain because it had eliminated the flooding on the street.

Mr. Combs voiced skepticism that the flooding at the end of the street caused a problem on the Tessler's lot; he stated that he had never seen water in their driveway and that the elevation of the neighboring lot was the source of their problems.

Director Kerr attested to seeing water up the Tessler's driveway and under their house and acknowledged that the elevation of the adjacent property had exacerbated their water issues.

Chair Ward said that the Committee wanted to do the right thing for all involved and that it appeared that, at this time, that this as the only option to make everyone happy.

**MOTION: Councilmember Loftus moved to reorder the *Agenda* to handle Item D under Old Business; Councilmember Ferencz seconded and the motion PASSED UNANIMOUSLY.**

**5. Old Business**

**D. Consideration of a contract term extension to September 2020 for Schupp Enterprises for collection of beach and roadside containers**

Mr. Schupp stated that he has asked for a five-year (5 yr.) extension for the City's beach trash and garbage collection with no increase in price.

Administrator Tucker noted that the current contract would expire in September 2015 and that staffers in the City were pleased with the services Mr. Schupp provided.

**MOTION: Councilmember Loftus moved to extend the Schupp Enterprises Contract to September 2020; Chair Ward seconded.**

Councilmember Loftus asked how this request would affect the contract for beach recycling; Mr. Schupp replied that there would be no change. Mr. Schupp added that the volume of clean recycling was increasing.

The Chair asked whether the increases were all along the beach, and Mr. Schupp responded that, from 23<sup>rd</sup> Avenue down and at Grand Pavilion, all of the containers were filling up.

Since he must work around the tides, he could often be found on the beach in the middle of the night or in the wee hours of the morning.

Presently, Mr. Schupp stated that he empties a total of one hundred thirty (130) barrels between Breach Inlet and Dewees Inlet.

**VOTE: The motion PASSED UNANIMOUSLY.**

Administrator Tucker told Mr. Schupp that the Committee's action would go to Ways and Means as a recommendation and then to City Council.

**MOTION: Councilmember Loftus moved to reorder the *Agenda* to address Item A under New Business at this time; the Chair seconded and the motion PASSED UNANIMOUSLY.**

**A. Update on NPDES Improvements**

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Administrator Tucker reported that, in the FY16 budget for the NPDES work, money was added for a civil engineer to assist the City with the project; staff felt that a civil engineer was needed because there were so many parts to this project, i.e. reconfiguration of the site, the white-goods shelter and a drain system to treat the runoff from the truck wash so that it was cleansed before being discharged. Directors Pitts and Kerr would be in charge of the project; the City will be very careful to follow Charleston County's rules relative to NPDES to ensure that the City receives reimbursement from stormwater funds for those elements of the project that qualify.

According to Director Pitts, Neil Desai is now directing the Charleston County stormwater program, and he has agreed to assist the City financially by applying as much reimbursement as possible and with other aspects of the project as well.

Since the City has County engineering as a resource, Councilmember Loftus inquired about the need for a civil engineer. Director Pitts explained that the County would not design the system.

Director Kerr stated that, with David Stevens' assistance, he had a draft RFP, and he hoped to have three (3) engineering proposals for the Committee to review at the May meeting that would include the civil and architectural designs. He indicated that the civil engineer would have oversight for the entire project.

Responding to the Chair's question about the inclusion of the fuel storage tanks in the project, Administrator Tucker reported that the timeline for replacement of the fuel tanks was now December 2018 and that the tanks were not in the area where the reconfiguration would be happening. In addition, the Administrator noted that the fuel tanks would be replaced where they currently were.

Responding to a question from Councilmember Ferencz about the reason the fuel tanks must be replaced, Director Pitts explained that the City's tanks were single-walled and all single-walled tanks east of Highway 17 must be replaced by double-walled tanks.

Administrator Tucker indicated that NPDES work at the Public Works site would be completed by the end of FY16 mainly because staff has multiple projects on the table with a limited number of people to do them all.

Councilmember Ferencz advocated for reconfiguring the site and replacing the fuel tanks in the same project; on the other hand, Councilmember Loftus did not want to replace the fuel tanks as long as there was usable life and wanted to avoid spending money before it was necessary to do so. Director Pitts informed the Committee that the fuel tanks were installed in 1990 after Hurricane Hugo.

Councilmember Ferencz stated that the tasks did not have to be done simultaneously, but they could be planned together with phasing of the actual work.

The Administrator voiced concern about the City's financial ability to do both tasks at once.

Chair Ward inquired about contingency plans, and Director Kerr acknowledged that they would come up, so the City would have a contingency fund for the project that was typically fifteen percent (15%) of the cost of the project.

**MOTION: Councilmember Ferencz moved to consider the reconfiguration of the Public Works site and the replacement of the fuel tanks as one (1) project with one (1) budget and to be completed in phases; Chair Ward seconded.**

Councilmember Loftus thought the projects should be two (2) separate projects and that the City would be spending money prematurely when the tanks might not have to be replaced for seven (7) years. He also stated that he did not think it was in the best interest of the taxpayers to take a serviceable piece of equipment out of service.

Director Kerr noted that the replacement of the fuel tanks was not included in the FY16 budget as presented to-date.

Administrator Tucker commented that consideration has been given to replacing all of the fuel tanks, at the marina and at Public Works, at one (1) time, trying to be as cost-effective as possible. Staff needed to produce an analysis of doing both projects to know if the fund balances were sufficient to do them in FY16.

Chair Ward said there was nothing more important than what is done to the environment and that he would like to see what was under the tanks as soon as possible as long as it was cost-effective.

If that was the direction the City was going to go, Director Kerr stated that he would delay getting proposals for the May meeting.

Chair Ward was clear that he did not want a delay and that he wanted the NPDES work to begin as soon as possible; if including the fuel tank replacement was going to postpone the work at the Public Works site, he stated that he could not support it.

Director Kerr summarized Councilmember Ferencz' concerns as being the possible failure of the single-walled fuel tank and the duplication of construction and the possibility of damage when one (1) project follows another.

The Administrator stated that she did not think one (1) large construction project would save the City any money because the tank replacement was a highly specialized field and would require a dedicated engineer.

Councilmember Ferencz indicated that she wanted to have some rough idea of the cost for having one (1) project to determine whether it was feasible for the FY16 budget year.

According to the Administrator and Director Pitts, the anticipated costs for the fuel tank replacement were one hundred fifty thousand dollars (\$150,000) plus twenty thousand dollars (\$20,000) for the canopy; combined with the NPDES work, the total project cost would be four hundred seventy-four thousand dollars (\$474,000).

Director Kerr reiterated that the tank replacement was so specialized that it would likely require a second engineer and a second RFB, meaning that he could not have the proposals for the May meeting and a delay to the start of the project. In actuality, the Director saw the two (2) projects melding in the end, but still being two (2) separate projects.

Councilmember Ferencz and Chair Ward withdrew the motion and second respectively.

#### **4. Department Reports for March 2015 – Director Pitts**

The Director reported incurring a small amount of overtime because a limb punctured a hydraulic hose on the Cat, and an employee was sent to get a spare and do the repair.

In general everything was upgraded for March because beach traffic has already started. Pumping on 46<sup>th</sup>, 50<sup>th</sup> and 51<sup>st</sup> Avenues was required on March 2 and again on 50<sup>th</sup> Avenue on March 23<sup>rd</sup> and March 24<sup>th</sup>.

The major expense to vehicle maintenance was preventative maintenance on four (4) trucks; one (1) still remains to be done. The Director again expressed confidence that the Department would end the year at or under budget for vehicle maintenance.

Garbage collection in March was a five-year (5 yr.) high and evidence that people are already coming to the island. Yard debris was also high.

The Director stated that he plans to incur overtime on Saturday to remove the yard debris from Hartnett Boulevard; he reported that there had been no debris removal from Breach Inlet to 14<sup>th</sup> Avenue.

#### **5. New Business**

##### **B. Update on Drainage**

- **Lauden**

Administrator Tucker noted that Lauden has open ditches and that the City had received a complaint from a resident. The Administrator explained that Lauden ditches were affected by the water table, and when the water table was high, the ditches filled up; in addition there was a drainage issue. Charleston County was on-site and would provide assistance to the City.

Director Pitts reported that the ditch has been cleaned to the end of the City's jurisdiction, and the County has gotten permission from OCRM to clean the balance of the ditch.

- **Palm Boulevard Along Bike Path, 43<sup>rd</sup> toward 42<sup>nd</sup> Avenues**

A void in the drainage line in this area has occurred, and Eadie's has investigated and found that only the rebar remains. The recommendation was made to place a new line ocean-ward of the compromised line. This repair would fall to the City, and the cost was anticipated to exceed the balance in the Drainage Contingency line of the FY15 budget. Cones have been placed at the site since it was a physical safety hazard.

Director Pitts added that the line would run two hundred fifty feet (250 ft.); the compromised line was fifteen inches (15 in.) in diameter. The plan was to fill the existing pipe with flowable fill so that it would not be compromised further, remove five (5) palm trees and lay the new pipe along the existing pipe. The City wanted to get the work done before the asphalt work begins on April 20th; the palm trees would then be replanted when the project was completed.

- Ditch at 29<sup>th</sup> and Palm

The sand-shell has stabilized the ditch, and the NO PARKING WITHIN 4 FEET OF PAVEMENT sign will be installed soon.

- Handicap Space at 21<sup>st</sup> Avenue

The Administrator stated that the County had agreed to evaluate the problem, but she has not heard anything further from them.

### **C. Update on Old Lights and Poles at Front Beach**

Administrator Tucker recalled the earlier discussion that involved taking the old lights down or possibly reusing them at other places on the island. The Administrator went to Front Beach in the evening and was surprised to see so many still functioning; she also noted that the old lights shine on the sidewalk while the new lights shine more toward the street. She recommended that the lights should stay, providing additional light to the area, and the four (4) that were not working could be repaired – assuming the repairs can be done at a reasonable cost.

Director Pitts reported that the four (4) lights are in sequence beginning with the light across from the *Windjammer* on J.C. Long Boulevard; the Director commented that he has arranged for Handyman Services to look at them and determine if they can be repaired at an acceptable cost.

### **E. Review of FY16 Operating and Capital Budgets and Budgetary Tools**

The Administrator initiated her review with two (2) global comments:

- This version of the budget did not contemplate any revenue or expense associated with the managed beach parking plan; and
- The impact of the 1.62% COLA on the 5% merit pool actually left a merit pool of 2%.

On the subject of managed beach parking, the Administrator reported that the City had received only one (1) bid from a Texas company named NuPark; a teleconference has been scheduled for Tuesday, April 14<sup>th</sup> with them that will include all members of staff that have been involved in discussions. Depending on how the conference goes, NuPark will or will not make a presentation to City Council about what they could do for the City; in addition, if the conference goes well, staff would be ready to prepare a budget for the parking plan for review at Ways and Means later in the month.

Councilmember Loftus again disagreed with the merit pool calculations, and the ensuing discussion did not resolve the issue; Administrator Tucker stated that examples would be available for the Ways and Means meeting.

For clarification on the increases to the property and liability insurance, the Administrator recalled that, in FY15, the City took advantage of a one-time accounting correction in the amount of approximately one hundred twenty-five thousand dollars (\$125,000) that represented an advance payment; in FY16, there would be no accounting correction and the insurance premiums have increased.

The primary influence on the workers compensation increase was an experience rating added to the City's premium.

Chair Ward asked how many pickup trucks were in the Fire Department, and, from checking the budget, the Administrator accounted for four (4) pickup trucks, but encouraged the Chair to confirm the number with Chief Graham at the Budget Workshop.

The Chair then asked how many cars were in the Police Department; from the budget, the Chair counted fourteen (14) patrol cars, seven (7) four-wheel drive vehicles, an ATV, and a small truck for Animal Control. The next question was about the number of sworn officers, and the Administrator thought that the number was seventeen (17) plus Animal Control and BSOs.

Chair Ward added that all sworn officers have vehicles and are allowed to drive them to and from home; he noted that the policy has been in place for many years. The Administrator said that tests have shown that, when an officer takes his vehicle home, he would be more vested in the vehicle and would take better care of the vehicle.

#### Capital Projects Fund

Two-thirds ( $\frac{2}{3}$ ) of the NPDES work was included in this budget, as well as the balance of the engineering and design and twenty-five percent (25%) of the construction costs for Phase II drainage, which was re-budgeted from FY15. The Administrator noted that five thousand dollars (\$5,000) has been added to the drainage contingency fund.

Chair Ward asked why the City was buying a one hundred thousand dollar (\$100,000) financial software package; Administrator Tucker answered that the City's current software was not integrated and that the recommendation has been made by the auditors on multiple occasions.

Since the software was deferred a couple of times, it was included again.

Councilmember Ferencz suggested using the seventy-five thousand dollars (\$75,000) earmarked for the undergrounding of lines for the financial software.

Chair Ward asked the Administrator if she felt this was a necessity for FY16; Administrator Tucker stated that it has to be done at some time, and, according to the auditors, the risk for fraud would be diminished with integrated software.

#### Municipal Accommodations Fee Fund

The amount assigned for signs has been increased by one thousand dollars (\$1,000); these signs would be placed in tourist-related areas of the island, also included was the 2009 Ford pickup

with hopper as decided by the Committee. One-third ( $\frac{1}{3}$ ) of the NPDES improvements at the Public Works site would be paid from this fund; other items included mirror the FY15 budget.

Hospitality Tax Fund

Twenty-six hundred dollars (\$2,600) was added to Maintenance and Service Contracts for landscaping services at Mayor Carmen R. Bunch Park; other expenditures from this fund match the FY15 budget.

State Accommodations Tax Fund

The budget for Capital Outlay has decreased; it includes the purchase of the skid steer apparatus for beach path maintenance and Mobi-mat.

Mobi-mat has typically been in the budget because the City either replaces or adds Mobi-mat to each paths during the year.

**6. New Business – None**

**7. Miscellaneous Business**

Hazardous household materials collection and shred day will be Saturday, April 25<sup>th</sup> in the large parking lot. Notification is on the website and will be on the message boards; Director Pitts stated that he has informed Carolyn at Wild Dunes and will contact her again asking that an announcement be put on their message board.

Next Meeting Date: 5:30 p.m., Monday, May 13, 2015 in the Conference Room.

**8. Adjourn**

**MOTION: Councilmember Loftus moved to adjourn the meeting at 7:38 p.m.; Chair Ward seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk