

**ISLE OF PALMS**  
**REGULAR CITY COUNCIL MEETING**  
April 24, 2007

The regular meeting of the Isle of Palms City Council was held at 7:00 p.m. on Tuesday, April 24, 2007 in Council Chambers, 1207 Palm Boulevard, Isle of Palms, South Carolina, all requirements of the Freedom of Information Act having been satisfied. Present were Mayor Sottile, Council Members Bettelli, Buckhannon, Cronin, Hanbury, McMackin, Marino and Taylor; City Administrator Tucker, City Attorney Sottile, Recreation Director Page, Building and Planning Director Kerr, and Public Works Director Pitts.

**A. INTRODUCTION OF MEETING**

Mayor Sottile called the meeting to order and stated that members of the press and public were duly notified of the meeting in accordance with State Law. He asked everyone to stand for the invocation and to remain standing for the pledge of allegiance.

**B. APPOINTMENT AND ADMINISTRATION OF OATH TO NEW EMPLOYEES.**

**MOTION: Councilman Marino made a motion to appoint Nick Bako to the Recreation Department and Donald Nesmith to the Fire Department; seconded by Councilman Bettelli; MOTION UNANIMOUSLY PASSED.**

Mayor Sottile administered the Oath of Office to Mr. Bako and Mr. Nesmith.

**Special Recognition:** Mayor Sottile presented long-time resident Mark Bayne with a plaque to honor him bringing recognition to the City of Isle of Palms through his shipbuilding skill and leadership, and the creation of Charleston's *Spirit of South Carolina* ship, launched March 4, 2007.

**C. READING OF THE JOURNAL OF PREVIOUS MINUTES.**

Mayor Sottile stated the previous minutes of meetings will be deferred until the May meeting.

**D. CITIZENS' COMMENTS**

**Jeff Minton**, Director of Golf and Sports for Wild Dunes Resort

Mr. Minton asked Council to consider allowing the temporary use of 50 gallon sand bags landward of the state agency line until a long term solution for erosion can be determined. He noted they had recently asked the State for an emergency order to place 50 gallon sand bags at the golf course to alleviate the erosion problem. In addition to trying to protect the golf course, the infrastructure of high-powered irrigation lines using reclaimed sewer water are being affected. Their request to use the 50 gallon sand bags was denied

by OCRM. He stated that next week the tides will be extremely high, and the erosion will seriously impact this problem.

Mayor Sottile noted that Council will meet in executive session this evening to receive legal advice concerning the erosion matter.

**Jim Edwards**, 3014 Palm Blvd.

Mr. Edwards asked Council to consider what happens to surrounding property when 50 gallon sand bags are used, especially if the result is the same as when a hard structure is used.

**Curt Walter**, 5 Twenty-second Avenue

Mr. Walter stated that he and his wife had picked up over 100 sand bags on the beach. He asked Council to revisit this issue and research the alternatives. Mr. Walter presented photographs and actual sandbags they had found on the beach. He stated that these sand bags are a litter problem, they are a threat to anything in the water and are a threat to people's lives. He stated he would hate to see this risk of property issue turn into a risk to human and animal life.

Mayor Sottile briefly addressed the erosion problem, stating that in his opinion the smaller bags are washing away and becoming a problem and the bags are not doing their job. He stated the City is looking at a long-range erosion renourishment program, and a committee has been appointed to work with the engineer. He stated he appreciates everyone's concern about this problem.

Councilman Bettelli asked that Chris Moore of Zande, Jon Guerry, Taylor speak at this time concerning an item on the Real Property Committee agenda. Mr. Moore had the results of the electrolysis study completed on the bulkhead. Mr. Moore stated that last fall eight pieces of aluminum had been placed in different areas of the marina to test for possible deterioration by electrolysis. He pulled up a couple of the sheets last month and brought a sample to show to Council. The aluminum was pitted and corroded. Mr. Moore stated that due to these results, he recommended the use of steel for the bulkhead replacement instead of aluminum. The steel would be coated with epoxy for durability, although the epoxy will begin to chip over time.

## **E. REPORTS FROM STANDING COMMITTEES**

1. **Ways and Means Committee.** Councilman Taylor, Committee Chairman, reported on the April 17 regular meeting. He stated that the Committee held its first formal budget work session and will continue with another work session next month. Councilman Taylor made the following motions, which came from the meeting:

### **A. Recommendation from Recreation Committee:**

**MOTION: Councilman Taylor made a motion to approve up to \$2,000 to purchase a new laptop for the Recreation Department; seconded by Councilman Bettelli; MOTION UNANIMOUSLY PASSED.**

**B. Recommendation from Public Safety Committee:**

Councilman Taylor noted that the funds were not available in this year's budget to move forward with Cole + Russell Architects for design services for the public safety outpost.

**MOTION: Councilman Taylor made a motion to defer back to the Public Safety Committee for further review the project of Cole + Russell Architects for design services for the public safety outpost; seconded by Councilman Cronin, MOTION UNANIMOUSLY PASSED.**

2. **Public Safety Committee.** Committee Chairman Marino reported on the April 11, 2007 regular meeting. He reported that the RFP proposals for the Island-wide parking study are due on May 7, 2007. There was discussion of the Public Safety Complex, along with the beach outpost, with David Arends and Mark Shoemaker from Cole + Russell Architects to help facilitate the discussion. The construction of Fire Station No. 2 is approximately one to two weeks behind schedule, but time will be made up by working five days a week. The City Wireless Net continues to be researched. He reported that the first Livability Court last month went well. There was discussion of beach access and preparedness for the Summer 2007 season. The Public Safety radios were discussed, and will be discussed again next month. The proposed budget for FY07-08 was discussed. He noted that it is being determined if the no wake zone can be increased in size to include the whole section back near Goat Island. Miscellaneous items discussed were parking for motorcycles at the Windjammer and County consolidation of telecommunications. He noted that the Taste of the Islands is May 5, 2007. Mayor Sottile asked Administrator Tucker to explain the methods for procurement as presented by the Cole + Russell Architects at the Committee meeting. She stated there are two methods that can be used for the procurement of design services in the construction of a building. One is the design/bid/build, which was the method used for the Recreation Center. The other is design/build, and it is the method used for Fire Station #2. The architects reported that the design/build method works best in a circumstance where one has a design and is going to construct a series of buildings by that design, such as a fast-food restaurant. They are all constructed to the same design. But in a circumstance like the City might be facing with a new Public Safety building, where one is not sure of the design, Cole + Russell are advocating that there might be some time savings to consider using a design/bid/build method because the city could be moving forward with some elements of the design now, even though the City has not made a decision on location.

3. **Public Works Committee.** Committee Chairman Bettelli reported on the April 9, 2007 regular meeting. He reported that Carol Anderson inquired about recycling on the beach, and the Committee is researching this idea. Items to report from

the monthly maintenance report included the Palm Boulevard crosswalks were resurfaced, the 25<sup>th</sup> Avenue ditch was cleaned and barrel painting was completed. He noted that there was an increase in yard debris pick-up. In March last year, 877 cubic yards were collected; during the same time this year, 937 cubic yards were collected. Under Old Business, he reported that the Waterway Boulevard Bike Path replacement is in the final stage; a letter was submitted to Charleston County regarding the NPDES Storm Water Management; and an engineer has been contacted regarding the drainage at Hartnett and Twenty-ninth Avenue. New business included discussion of drainage between Twenty-fifth and Twenty-sixth Avenue and the Long Range Shore Management Plan.

4. **Recreation Committee**. In the absence of Committee Chairman Rice, Councilwoman Hanbury reported on the April 10, 2007 regular meeting. Councilwoman Hanbury stated that the Doggie Days and Easter Egg Hunt events went well, as did the Community Yard Sale. Upcoming events are being promoted in a new brochure, including a special one for Piccolo Spoleto; and the Blood Drive will be held on May 10<sup>th</sup> at the Recreation Center. The Committee reviewed the budget, mindful of the funds needed for the Fire Station. The Committee decided that although they would like to recommend the redesign of the ball fields, they decided to wait because of the large expense. However, the lighting system does need to be replaced. The Committee asked that these funds be put into reserve funds. The Committee will be meeting with members of the Exchange Club, since the Club is interested in helping the Recreation Department in serving the community and they do not want to duplicate efforts. Mayor Sottile commented that the Easter Egg Hunt was very nice and thanked the staff for their hard work.

5. **Personnel Committee**. Committee Chairwoman McMackin reported on the April 4, 2007 regular meeting. A motion was passed to approve \$9,000 for Archer Consulting to conduct a compensation study for the City staff. There was no employee of the month. Employee suggestions included options to prevent u-turns at the large traffic circle at front beach, which may cause traffic problems, and the marketing of City t-shirts and bricks at the front beach kiosk.

#### **Safety Sweepstakes Winners for March 2007**

Fire Department - **Carol Nilsen**

Police Department – **Monique Jenkins**

Public Works Department – **John Graham**

Recreation, Building and General Government Departments – **Kerrie Ferrell**

Mayor Sottile noted that there were many firefighters in the audience, and he wanted to thank them on behalf of City Council for going beyond their duty for picking up sand bags on the beach; along with Vicki Cook of the police department and Director Pitts and his staff, and that it was a good team effort. Mayor Sottile also thanked Councilwoman McMackin for the Committee's work on the new website. He also acknowledged the efforts of Administrator Tucker and Recreation Director Page.

## **F. REPORTS FROM CITY OFFICERS, BOARD AND COMMISSIONS**

1. **Board of Zoning Appeals** – Minutes of the April 10, 2007 meeting attached.
2. **Planning Commission** – Minutes of the April 11, 2007 meeting attached.
3. **Real Property Advisory Committee** – Minutes of the April 12, 2007 meeting attached. Chairman Bettelli reported that it was the consensus of the Committee that Council needed to make the shift official to using steel as the material for the bulkhead rather than aluminum.

**MOTION: Chairman Bettelli made a motion to use steel as the material for the bulkhead; seconded by Councilwoman McMackin.**

**Discussion:** Councilman Cronin inquired about the cost of the product. Chris Moore stated that steel is more expensive. Aluminum costs about \$1,800-\$2,200 a foot, while steel costs about \$2,200 to \$2,400 a foot. He also informed Council that another option, cement, is extremely expensive, and installation can be a problem because it has to be jetted into the soil. Mr. Moore recommended not using the cement option. He noted that steel will corrode and rust, but it will not be affected by electrolysis and will not fall apart. Unlike aluminum, there are two cap options for steel. One is an I-beam put on sideways and concrete is poured into the web area, as is used at Morgan Creek. The other cap option is a regular concrete cap, which would be labor intensive to form, and would be expensive. Mr. Moore stated that the steel is an off-the-shelf item, and they are different weights. Councilman Marino noted a thicker steel should be considered if that would increase the life expectancy. After voting on the material substance, Councilman Bettelli stated the schedule for the work needs to be considered.

**Call for the question: MOTION PASSED UNANIMOUSLY.**

**Further discussion:** Councilman Bettelli inquired whether Council wanted to pursue the project this year, or wait until the Fall of 2008.

**MOTION: Councilman Marino made a motion to start this project in Fall 2008, and continue with the bulkhead studies that we have done in the past as far as monitoring the movement of the bulkhead; seconded by Councilman Cronin.**

**Discussion:** Mayor Sottile noted he was reluctant for the City to take on any more major projects at this point. Councilwoman Hanbury commented that without monetary figures to consider, the project should be considered conceptually. Administrator Tucker noted that the project needs to go out for bid first. The City could get an estimate based on current similar projects of this type. Councilwoman McMackin stated that because Council would be prioritizing capital projects at the next Ways and Means Committee, she would prefer to defer this matter until the meeting. She noted she would like all Council members to go look at the bulkhead, and see the earth moving out of boundaries

of the current bulkhead, and creating havoc with other structures near the docks. Mr. Moore stated that it is difficult to predict the life span of the current bulkhead since some areas are more critical than others. Councilman Taylor asked Mr. Moore to prepare a document noting steel prices, along with weights and life expectancy, for the next Ways and Means Committee meeting. Councilman Marino withdrew his motion.

Other items discussed at the Committee meeting included getting power to Tidal Wave Water Sports and landscaping at the marina. There are irrigation connections at the marina, so an impact fee will not need to be paid. The Committee voted to choose the landscape proposal of Miracle Green for the marina, for which funds are already in the budget. Prices are being researched for shallow wells to irrigate the large parking lot at the front beach. The bathroom reconfiguration at the marina will be discussed again at the next meeting. Councilman Bettelli urged Council members to visit the marina at low tide and observe the bulkhead and surrounding area.

#### **G. REPORTS FROM SPECIAL OR JOINT COMMITTEES**

1. **Accommodations Tax Committee** – No meeting was held in April.
2. **Beach Advisory Committee** – No meeting was held in April.

#### **H. PETITIONS RECEIVED, REFERRED OR DISPOSED OF**

Mayor Sottile noted there were no petitions to report.

#### **I. BILLS ALREADY IN THE POSSESSION OF COUNCIL**

Mayor Sottile noted there were no bills in the possession of Council.

#### **J. INTRODUCTION OF NEW BILLS, RESOLUTIONS AND PROCLAMATIONS**

**MOTION: Councilman Bettelli made a motion to approve First Reading, by Title Only, of Ordinance 2007-9, 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, 2007 and Ending June 30, 2008; seconded by Councilman Marino, MOTION UNANIMOUSLY PASSED.**

#### **K. MISCELLANEOUS BUSINESS**

Councilwoman Hanbury commented on the excellent participation in the Triathlon by Isle of Palms residents.

Councilwoman McMackin inquired as to the status of the short-term rental maximum house size being reviewed by the Planning Commission. Mayor Sottile noted that it is still under discussion, and they have not yet reported back to Council.

**MOTION: Councilman Cronin made a motion to go into executive session to discuss legal matters concerning beach erosion; seconded by Councilman Marino; MOTION UNANIMOUSLY PASSED.**

*Council went into executive session at approximately 8:10 p.m. and returned to general session at approximately 8:55 p.m.*

Mayor Sottile noted that Council returned from executive session where Council received legal advice pertaining to erosion in the City of Isle of Palms; however, no votes were taken and no motions or decisions made.

**MOTION: Councilman Cronin made a motion for an Emergency Ordinance to be based on the finding that there is a public emergency affecting health and safety resulting from severe erosion affecting certain parts of the Island; to amend Section 5-4-15 (B)(1) to allow 50 gallon sand bags to be erected, designed, and the installation to be approved by the Zoning Administrator; and that this ordinance will apply only in the areas where the erosion is causing a substantial threat to the public health and safety as determined by the Zoning Administrator; seconded by Councilman Marino.**

**Discussion:**

Councilwoman McMackin stated that while she supports this motion, she wanted to emphasize that this affects the areas that are in the Isle of Palms jurisdiction only, and that we are not trying to affect those areas that are in the OCRM jurisdiction; residents need to apply to OCRM for approval of 50 gallon sand bags in OCRM jurisdiction.

**Call for the question: MOTION UNANIMOUSLY PASSED.**

**M. CONCLUSION/ADJOURN:**

**MOTION: Councilman Bettelli made a motion to adjourn; seconded by Councilman Marino; MOTION UNANIMOUSLY PASSED.**

The meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Ellen McQueeney, Acting City Clerk

To be approved at the May 22, 2007 Regular Council meeting.