

PUBLIC WORKS COMMITTEE
9:00 a.m., Thursday, February 1, 2018

The regular meeting of the Public Works Committee was held at 9:00 a.m., Thursday, February 1, 2018 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Buckhannon, Kinghorn and Rice, Administrator Tucker, Public Works Director Pitts, Assistant Administrator Fragoso and City Clerk Copeland; a quorum was present to conduct business.

1. Administrator Tucker 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. Election of Chair and Vice Chair

Before nominations, Councilmember Kinghorn commented that the people with the most local government experience were appointed to the Public Works Committee; although he thought they would have been spread throughout the committees, he concluded that Council must have decided that the Public Works Committee was the most important committee. He stated that, as he had proposed at the January Special Council Meeting, he thought it would be beneficial for each Committee member to provide some background along with what he/she wanted to do as Committee chair before a decision was made. He stated that, if members wanted reform and fewer meetings to allow staff more time to get things accomplished, he would be the best candidate; if supported, he said that he wanted "to pursue some reforms aggressively designed to help the process," and to help the citizens. He added that he wanted the full support of the other members, especially in taking recommendations to City Council, including renaming the Committee. For background information, Councilmember Kinghorn stated that he has forty (40) years of experience in working with all of the governments in South Carolina and he was a liaison for the state's local governments in Washington. Councilmember Buckhannon commented that he was new to the Committee in this term and that, when on Council previously, he served as Chair and worked on drainage initiatives; currently he indicated that he was not looking to serve as Chair or Vice Chair. Councilmember Rice stated that she has never served on the Public Works Committee; she said that she wants to see the Department get the staffing it needs, and she would like to see a second hazardous materials/shred day in the fall. She stated that she has seen many little things over the years that she would like to see corrected or eliminated and she would be happy with whatever leadership decision the Committee made.

Councilmember Buckhannon nominated Councilmember Kinghorn as Chair and Councilmember Rice as Vice Chair; Councilmember Rice seconded. With no other nominations, the vote was unanimous to support Councilmembers Kinghorn and Rice, respectively.

3. Approval of Previous Meeting's Minutes

MOTION: Councilmember Buckhannon moved to approve the minutes of the regular meeting of January 11, 2018 as submitted; Councilmember Rice seconded and the motion PASSED UNANIMOUSLY.

4. Citizens' Comments

As a policy, Chair Kinghorn asked that Citizens' Comments be limited to three (3) minutes and that citizens should be encouraged to submit their comments in writing. The Chair also

recommended that the Committee respond in kind to citizens who do speak or, otherwise, submit comments to the Committee with an acknowledgement of their participation in writing about their issue, providing a record of the Committee's actions on the matter.

Jim Raih, 3904 Cameron Boulevard, stated that he has spent his career attending civic meetings not only at the Isle of Palms, but also in Mount Pleasant and at Charleston County. He noted that he recently attended a Mount Pleasant Public Works Committee meeting where they approved a new trash truck with a side pickup reducing their manpower on the streets. He suggested that the City should also look at the equipment it has for use in emergency situations and the equipment used for picking up debris after a storm.

5. Department Reports for January 2018 – Director Pitts

The Director stated that in January personnel worked a full eight-hour (8 hr.) shift to complete the weekly cycle from 30th Avenue through Wild Dunes that was interrupted by the snow event. The trash compactor pad missed one (1) weekly pressure washing due to the storm as well. The garbage collections were a little higher overall, but lower than January 2017. Debris collections were lower but he thought the reduction was due to the snow storm.

Director Pitts told the Committee that the City's garbage is taken from the island to the Carolina Waste transfer station and then taken to the Bees Ferry Landfill via cooperative efforts between Carolina Waste and Charleston County.

The Vehicle Maintenance Report was generated through the new BS&A software with the click of only a couple of buttons; previously the Director manually tracked maintenance expenses through the month on an Excel spreadsheet. The new report identifies the vehicle, the work done and the cost while keeping a running balance of budgeted funds. Seven (7) months into the fiscal year, approximately fifty-four thousand dollars (\$54,000) remains in the vehicle maintenance budget of eight-five thousand dollars (\$85,000).

The Administrator pointed out that this is one way that Department Managers were able to access current budget information for their department; for Administrator Tucker, this report is further evidence that the City is streamlining and consolidating financial information.

Chair Kinghorn commented that he preferred that reports be kept brief and, if possible, kept to a one (1) page dashboard overview containing the important items. He has been told that the new software has the ability to produce dashboard reports.

The Administrator stated that all department managers have been told that the City is moving in that direction.

The Chair also questioned that the members need five years' of information on the volumes of garbage and debris collected; he thought one year's data was sufficient.

For Director Pitts, having five years' data side-by-side made identifying a trend easier; in addition, the volumes were also relevant to accommodations taxes and hospitality taxes.

Chair Kinghorn then repeated a belief he has stated on multiple occasions, i.e. he wants the City's committees to be less involved with oversight and more involved in setting policy.

6. Old Business

A. Update on drainage issues at 32 Thirty-second Avenue

The Administrator acknowledged that Jim Burke, the property owner, was very frustrated with the length of time it has taken the City to be responsive to a problem he brought to the Committee about a year ago. She stated that the City has been working in two (2) directions, i.e. 1) not to do anything that would compromise the drainage system elsewhere on the island and 2) not to propose something or allow the property owners, Mr. Burke and Mr. Opoulos, to do something within the drainage system that would result in the imposition of a fine because the boundaries of a regulatory body were overstepped and/or allow them to do something that the City did not have the ability to give because it was not within the City's easement. Although staff has an idea on a proposed solution, the City does not have a complete answer about the ownership of the easement of the area where Mr. Burke would like the work to be done. The initial answer was that the easement fell under the County's jurisdiction; therefore, permission for work to be done must be approved by the County. However, Mr. Burke believes that the easement was turned over to the City, but the City needs something from the County to verify that they turned it over to the City or, if it is the County's, the City must get them to sign off on the proposed solution.

Administrator Tucker explained the City's solution as two-fold; first the City would get a survey and clean the ditches in the drainage basin in that area. The City will move forward with the survey work and then provide that survey to Eadie's for them to re-shape the open ditch downstream from Mr. Burke's property. Currently there is no flow in the ditch because it is blocked.

Displaying a map of the drainage basin involved, David Stevens of Civil Site Environmental further explained that portions of this drainage system are piped, but much is an open ditch; analyzing the ditch, they found a big clog in it at one (1) spot and silting throughout. He added that the ditch is higher at the end than at the beginning. He stated that, when an open ditch was piped, volume storage was lost, which would, in turn, effect downstream unless the ditch and pipe were kept clean. If the desire was to pipe it, Mr. Stevens' opinion was to install a lower profile pipe to get the water through quicker.

The Administrator noted that the recommendation was not to pipe the ditch.

Mr. Stevens added that the ditch needed to be cleaned with proper elevations put on it and then verified. He also recommended that the ditch be cleaned six inches (6 in.) lower than the inverts to hold sediment.

Councilmember Buckhannon asked if the material in the ditch was washout material or debris that homeowners were throwing into it.

Mr. Steven responded that the debris was leaves, branches, sediment, etc.

In summary, the Chair stated that the problem has been identified and several actions items have been developed related to a plan for a solution.

Mr. Stevens told the Committee that the Corps of Engineers has reversed its decision and the ditch is not under its jurisdiction, and a request has been submitted asking for something in writing to confirm this.

The Administrator added that the City would need this documentation before any digging could happen.

Mr. Steven explained that, when the Administrator referred to surveying, she was referring to staking the offset so that Eadie's has direction to know how much to dig and verify.

According to Mr. Burke, the problem behind his house "accelerated several years ago when Eadie's started coming through with their big vacuum trucks sucking the dirt out of the ditch." Now the water stands and seeps out of his yard; sink holes have appeared in his yard and a corner of the foundation of his home is exposed. He opined that his problem would not be solved by cleaning out the ditch, but he agreed that cleaning was the correct first step. Mr. Burke said that the estimate he got for piping the ditch included rebuilding his yard to make it level again, to cover the foundation and to fill in the sink holes.

Mr. Stevens was concerned that a dirt-covered twenty-four inch (24 in.) pipe would not let the water in because it would be at a low point; he proposed using smaller pipes, likely dual pipes, to lower the profile; to do that would not allow standing water in the yards.

In the Chair's opinion, the resolution to this problem was two (2) phased with Phase I being the survey work for Eadie's to clean the ditch and, in the interim, the Committee has the other issues to assess. He suggested that Phase I begin immediately and for Mr. Stevens and staff to come to the next meeting with recommendation for the other issues.

The Administrator stated that Mr. Stevens and staff had discussed dual eighteen inch (18 in.) pipes once the City resolves the easement issue with the County. The next issue would be how the City wanted to handle paying for the work; she explained two (2) different scenarios as follows:

- 1) For the City to enter into an agreement with Mr. Burke and his neighbor whereby the City would design and do the work, and Mr. Burke and the neighbor would reimburse the City; or
- 2) For the City to allow Mr. Burke to hire a civil engineer to design the project and construct it, and then Mr. Burke would turn over the ditch to the City for maintenance.

Chair Kinghorn recounted that, in his years on City Council, he has always heard that an open ditch was better than a piped ditch; he, therefore, asked that the Administrator and Mr. Stevens reconcile why installing pipes in this instance was best and to come to the next meeting with a recommendation. If it appeared that the recommendation would be a costly one, he asked that the City seek out funding opportunities from the County, the state or otherwise.

Pursuant to a conversation with Chris Wannamaker, Stormwater Civil Engineer for Charleston County, Mr. Stevens learned that the 2017 LIDAR (a new surveying technology that measures distance by illuminating a target with a laser light) will be introduced soon; if it is good, Mr. Stevens thinks it will be a very good tool for the City everywhere on the island.

Councilmember Rice informed the Committee that the process has begun in Columbia to allow accommodations taxes to be used for drainage; the bill unanimously passed in committee yesterday.

B. Status of Phase II Drainage Project Construction

Mr. Stevens reported that the first outfall box has been set in the first pond on the Links Course beside the outfall, and several more boxes have been delivered. He said that he would now be getting daily visual updates on the progress being made.

Responding to Chair Kinghorn's question, Assistant Fragoso said that the new completion date was the first or second week in June. Since the Rural Infrastructure Grant has a time frame specified in it, she is now in the process of gathering the documents needed in the application for an extension of time, which she is confident will be approved.

With the tourist season fast approaching, the Chair asked if any complications with the construction process could be foreseen such as traffic patterns and/or interruptions, and the Administrator stated that a conflict could occur at 45th and Palm as the work moves across the street. Mr. Stevens added that, once the construction crosses Palm, he does not anticipate any major problems.

Councilmember Rice inquired whether the construction on the Links Course would be complete by spring; Mr. Stevens said that the work there has been nearly completed now.

C. Continued discussion of needs in Public Works Department related to increased demand

Chair Kinghorn recalled that City Council received a briefing on the Continuity Plan that included immediate and future personnel needs in the Public Works Department.

Administrator Tucker commented that the situation in the Public Works Department has not changed since the Continuity Plan was distributed; she stated that decisions have to be made about additional staffing, and she has not had the opportunity to talk with Director Pitts about the idea brought forward by Jim Raih. She repeated that no one is doing the administrative side of Public Works and being responsive to citizens; the other duties of Public Works, including making sure signs are appropriately maintained, overseeing the work being done to the drainage ditches, etc. are being done when time allows or by employees of other departments.

The Chair stated that his intent was for the Committee not to meet until April, but he also acknowledged that the City was moving into its budget cycle.

Discussions have taken place that Director Pitts needs management level people to insure that these things are being handled, as well as some administrative staff; talk about sharing this person has also taken place, possibly the part-time person assisting with receptionist duties in the summer months in City Hall. The administrative person could ensure that follow-up phone calls were made, to make sure that tasks are being assigned and completed on a timely basis. The Director also needs someone responsible for drainage, responsible for general maintenance items throughout the City, responsible for supervising those with whom the City has contract to perform work on the island. Currently everything falls to Director Pitts, as well as managing the Department, and the extraneous items are spread over the City with some being done by the Administrator, some by Director Kerr, some by Rec personnel, etc.

In the Chair's opinion, this discussion has morphed into the next Agenda item because it is representative of what staff is doing anyway.

D. Continued discussion of name of the Committee and its jurisdiction

The Chair stated that the City was deeply involved with the environment, but it also dealt with infrastructure; he suggested that they could rename the Committee to the EPIC Committee, (Environment, Public Works and Infrastructure Committee). If the name were changed to EPIC Committee, it would institutionalize what is taking place already; he thought that Director Kerr could be responsible for the environmental piece. He asked the Administrator if the ladies in the Building Department would have the time to assist as well.

If the Committee were supportive, the Chair asked that staff get together to devise a plan to be presented at the April meeting representative of his suggestions. If staff could spread some the responsibilities around, and depending on where they were needed, tell the Committee to include in budget discussions.

Councilmember Rice indicated that she kept thinking of the continuity plan, and she was aware that Director Pitts does not have anyone who could possibly step in for him if necessary; no one else in the City has the credentials to do the DHEC testing on the underground storage tanks. She did not think that the Committee had begun to consider those things. She agreed that the Director needed a part-time, administrative person; in her opinion, the issues were clear and someone was needed to check on all of the City's contractors.

The Chair agreed with Councilmember Rice on the continuity issue and stated that the plan requested for the March meeting be comprehensive. As to the continuity plan, he suggested that the Administrator look into what the City outsources in terms of engineering oversight issues and determine when it would become cost effective for the City to bring that function in-house.

Assistant Fragoso stated that they have talked with HR Officer DeGroot about what kind of positions to present to this Committee; therefore, staff would like to get some guidance about what the Committee would support. She added that she worried about not having a meeting until April, because the budgeting process begins this month; she thought the City would be too far into the budgeting process to be recommending new positions to Council.

In the interim month, the Chair suggested that the Committee receive Director Pitts' report; and, if it contains worrisome data, a Special Meeting could be called. Chair Kinghorn stated that he plans to end each meeting with specific action items, who was responsible to do what and the target date when it was due.

The Chair stated that staff already has some analysis of what the additional needs are and the lack of continuity in the Department; he thought that a part of the analysis related to a technical person to help both Director Pitts and Director Kerr would be to make a business case for the position.

Councilmember Buckhannon confirmed that infrastructure for Public Works referred to the ditches, the roads, rights-of-ways, etc.

Chair Kinghorn stated that the action item here was a master plan for the Public Works Department to include the things discussed.

When the Chair asked the Committee members for their thoughts on the proposed name change, Councilmember Rice thought that the word "infrastructure " should not be included because she thought it would generate push-back.

Director Pitts commented that the infrastructure on the island came under multiple jurisdictions, and some are not under the City's control; he noted that, when residents have problems with any infrastructure, they will call Public Works for resolution. If it is not under the City's jurisdiction, Director Pitts notifies the appropriate agency.

Councilmember Buckhannon stated that he thought the change better defined what the Committee does; from campaigning, he stated that he found the Number One concern of residents to be drainage on the island. He agreed that infrastructure should be a part of the name.

MOTION: Councilmember Buckhannon moved to recommend to City Council renaming the Public Works Committee to the Environment, Public Works and Infrastructure Committee; Councilmember Rice seconded and the motion PASSED UNANIMOUSLY.

When asked about the process of changing the Committee's name, Administrator Tucker commented that the names of standing committees were set in the City Code; therefore, Council must pass an ordinance which would require two (2) reading. She suggested that the City not engage the City Attorney to draft a motion until Council has indicated that they would be supportive.

Chair Kinghorn stated that he did not want to introduce the subject to City Council without the specificity; without a draft of an ordinance, the process will take an additional thirty (30) days. He said that he preferred to have a draft ordinance explaining why the change was being put forth and what the recommendation was so that second reading could be in April.

7. New Business

A. Discussion of containment of trash

Councilmember Rice stated that she had asked that this be put on the Agenda, because, as she travels on the island, she has seen where people are emptying out houses and putting the contents on the street, everything from furniture to clothes to books to pots and pans, etc.; none of which is in any type of container. She opined that such actions should be illegal and the City should force people to contain their trash in some manner.

Director Pitts said that an ordinance would be needed to specify the types of miscellaneous garbage included. He added that Public Works is required to pick up the miscellaneous garbage except for specific items excluded in the existing ordinance.

Councilmember Buckhannon stated that, when someone empties a house or otherwise creates a pile of trash, by ordinance he is supposed to notify Public Works. He asked how an ordinance like that could be enforced.

The Chair's opinion was that the City has spoiled its residents, but he noted that, since the City has picked up the miscellaneous trash for years, how does it now become more restrictive?

The Administrator suggested researching how other local governments deal with the problem.

Director Pitts stated that the same thing happens in Mount Pleasant and the City of Charleston, particularly in the spring when the college students are moving out of their apartments.

Councilmember Rice asked if the City has any regulations about putting materials on the street when a house is being gutted and the contractor did not get a dumpster.

Director Pitts stated if, if the work was being done by a contractor, he was required to have a dumpster; if the work was being done by the homeowner, Public Works would pick up the materials removed from the house and left on the street as long as they were not hazardous.

Councilmember Rice questioned that homeowners should also be required to get a dumpster when gutting a house.

Chair Kinghorn suggested a public education campaign via the City's website and social media.

B. Discussion of abandonment of unnecessary drainage easement

Administrator Tucker explained that, when the City did the Phase I Drainage Project, it had an easement where it thought the drain pipe would go, but, when the construction took place, the drainage pipe was put in another location. Therefore, an easement bisects the development of the next phase in Wild Dunes, and they have asked that the un-used easement be abandoned. Since the City has no reason to use that easement, staff is recommending that the Committee recommend for the City to abandon it.

The only legal implication of abandoning the easement would be if the City needed it in the future, but that is not the case.

The Phase I drainage infrastructure must be repositioned when the construction of the new phase is started; Wild Dunes will relocate the drainage line at its expense and give the City the easement in the new location. Wild Dunes is currently getting the financing in order for their new construction, and having this easement will help that along.

MOTION: Councilmember Rice moved to recommend to City Council that the City abandon an unnecessary drainage easement in Wild Dunes; Councilmember Buckhannon seconded and the motion PASSED UNANIMOUSLY.

Chair Kinghorn asked what the City would get for abandoning the easement and what would happen if the City did not abandon the easement.

Administrator Tucker stated that the City was receiving the easement where the Phase I drainage would be relocated, and she thought that they could decide not to pay for the relocation of the Phase I drainage if the City refused to abandon the un-used and unnecessary easement.

When asked when construction would begin, the Administrator replied that she did not know. She indicated that she has tried to get them to make a presentation to Council about the new phase as they did for the Planning Commission, but they continue to say they are not ready.

Anticipating complaints once construction does begin, Chair Kinghorn encouraged City staff to be proactive by providing residents with plenty of notice and then progress reports via the City's website and social media sites.

8. Miscellaneous Business

Status of City compactor

Councilmember Buckhannon asked to be sent the minutes from earlier meetings when the compactor was discussed.

Since those initial meetings, the City has introduced a more aggressive effort to maintain the compactor and its surroundings. Director Pitts reported that the pad is being pressure washed each week and the compactor can be pressure washed when it is taken off island by Carolina Waste.

In discussing the next meeting date, the Chair stated that he would prefer not to meet in March, but wait until April to free up staff time to work on the action items from this meeting. In March he suggested that staff prepare a progress report for the Committee and, if necessary, call a Special Meeting. Chair Kinghorn asked the staff members present if they would find their time better spent in a meeting or working in their offices.

The Administrator voiced her agreement with the Chair, but she was concerned about the staffing plan, and, possibly, a meeting should be scheduled with staffing as the sole item on the agenda. She said that staff could present a more solid plan at the next meeting and get an impression of the Committee's reaction to learn what tweaks need to be made to it.

Chair Kinghorn said that the March meeting should be a Special Meeting for the purpose of discussing a strategic plan related to the staffing needs of the Public Works Department.

Next Meeting Date: 8:00 a.m., Thursday, March 1, 2018

The Chair stated that his intention for meetings was for draft agendas to go out before hand and to keep the meetings to under one (1) hour; regarding the staffing plan, the Committee was most interested in recommendations and justifications; history was unnecessary. He also plans to end each meeting with a recap of the action items from the meeting; for this meeting, the action items were a March 1 meeting to address staffing and to put forward to Council the renaming of the Committee. In addition, he stated that he would like staff to think about limiting the number of staff members attending meetings in terms of the reorganization and functional activity of the Committee; he stated that he finds it objectionable for more staff members than Councilmembers to be in attendance. With the expanding role of the Committee, he recommended that the agenda be organized in such a way as to allow people to move in and out; for example, in the first twenty (20) minutes, Director Pitts would give his reports and deal with any agenda items where his input would be needed, and, if Director Kerr was to handle the environmental aspects of the Committee, he would follow with a report and stay for any environmental issues on the agenda. Limiting staff time attending meetings is a sign of respect for the job each does; he added that he does not see the need for both the Administrator and Assistant Administrator to attend this Committee's meetings. He reminded the Director that he wants one-page reports as discussed earlier. When residents come to a meeting to voice their opinions, concerns, problems, he wants the City to respond to each one with a letter thanking them for their time and noting any action items that came from the discussion of their issue.

In drafting an ordinance for Council's consideration of the name-change for the Committee, Chair Kinghorn thought it should include the reason for the proposed change; he also suggested that the Administrator review the City Code relative to the existing Committee description that would validate it or add to it.

When the Chair then asked to go into Executive Session, the Administrator stated that the purpose of the Executive Session should have included the appropriate language on the Agenda for the sake of transparency. She added that, if it was the will of the Committee to go into Executive Session, a motion must be made to add an Executive Session to the agenda using the language from the January meeting, and it must pass on a two-thirds ($\frac{2}{3}$) vote of the Committee.

9. MOTION: Councilmember Rice moved to add to the Agenda an Executive Session in accordance with S.C. Code Section 30-4-70(a)(2) to receive legal advice concerning a potential claims related to IOPWSC; Councilmember Buckhannon seconded and the motion PASSED UNANIMOUSLY.

MOTION: Councilmember Rice moved to go into Executive Session in accordance with S.C. Code Section 30-4-70(a)(2) to receive legal advice concerning a potential claims related to IOPWSC; Councilmember Buckhannon seconded and the motion PASSED UNANIMOUSLY.

The Committee went into Executive Session at 10:30 a.m. and returned to open session at 10:40 a.m.; the Chair stated that the Committee had not taken a vote or other action while in Executive Session.

10. Adjournment

MOTION: Chair Kinghorn moved to adjourn the meeting at 10:41 a.m.; Councilmember Rice seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk