

**PUBLIC WORKS COMMITTEE**  
9:00 a.m., Thursday, January 3, 2019

The regular meeting of the Public Works Committee was held at 9:00 a.m., Thursday, January 3, 2019 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Kinghorn, Rice and Smith, Interim Administrator Fragoso, Public Works Director Pitts and City Clerk Copeland; a quorum was present to conduct business.

1. Interim Administrator Fragoso 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**

Councilmember Kinghorn nominated Councilmember Rice as Chair and Councilmember Smith as Vice Chair; Councilmember Rice seconded. Councilmember Rice informed the Committee that she would be out of town for the months of June and July 2019 and asked Vice Chair Smith to preside over the meetings while she is travelling.

Councilmember Kinghorn asked to amend his nomination to add that the Vice Chair should attend the monthly meetings of the IOP Water and Sewer Commission.

The vote unanimously favored the candidates.

**3. Approval of Previous Meeting's Minutes**

**MOTION:** Councilmember Kinghorn moved to approve the minutes of the regular meeting of November 8, 2018 as submitted; Councilmember Smith seconded and the motion **PASSED UNANIMOUSLY.**

Chair Rice thanked Clerk Copeland on her writing of the minutes of the November 8<sup>th</sup> meeting since it was a long and intense meeting.

**4. Citizens' Comments**

Jim Raih, 3904 Cameron Boulevard, repeated his comments to the Personnel Committee at their December 6, 2018 meeting that a person with project management experience might be better suited than an engineer to fill the Public Works Assistant Director position. He suggested that, if the Interim Administrator were to move into the Administrator's position, the City would "get more bang for its buck" if it could find a person who could assist the City Administrator and assist Director Pitts.

Katrina Limbach, 5 Duck Lane, indicated that she had seen that the Committee would discuss amend the ordinance banning single-use plastic bags. As an organizer of the IOP Cleanup Crew, she provided the Committee members with a breakdown of the counts and materials they removed from the beach sweeps beginning the fourth Monday in June through Labor Day. The sweeps were one-hour (1 hr.) each and limited to Front Beach area; participants removed twenty-three thousand one hundred one (23,101) items ranging from cigarette butts and bottle caps to

food wrappers to beverage cans. She noted that cigarettes and cigarette filters were the single biggest contributor to the collections, and she informed the Committee that cigarettes are the single largest, man-made pollutant to the oceans. Ms. Limbach recommended an educational campaign and signage close to the beach saying “Please don’t bring plastic bags to the beach,” “Please don’t bring canned drinks to the beach,” “Please don’t bring plastic straws to the beach,” etc.

Having participated in some of the Cleanup Crew sweeps, Councilmember Smith said that they could have happened every day, not just Monday mornings.

Ms. Limbach stated that she was interested in starting the project again in 2019 to compare numbers between the two (2) years.

#### **5. Department Reports for November and December 2018 – Director Pitts**

The Director reported that household garbage was up slightly in November and relatively flat for December, while miscellaneous garbage was up for the second month; he has not received the information from Charleston County to report for December. He had a meeting scheduled with an engineer from Charleston County to look at the ditch on 21<sup>st</sup> Avenue to discuss re-opening it; the meeting had to be cancelled because 21<sup>st</sup> Avenue was flooded on the day of the meeting. He will seek to re-schedule. In November, the City deployed its pumps on 29<sup>th</sup> and 51<sup>st</sup> Avenues.

Director Pitts reported that, in November, he had arranged for the Department’s fleet of vehicles to have their maintenance PMS; he was confident that the Department would end the year under budget.

Chair Rice reported talking with the resident at 2910 Palm Boulevard; she stated that he needs some kind of fill in the area of the drop-off – she described it as being similar to a sinkhole.

Director Pitts said that, when the pump runs, it pulls the solids away from the shoulder, but he noted that the problem would not be solved by his getting sand shell and leveling it in the ditch. Since it is in the DOT right-of-way, they should be contacted first, and he has told the resident to contact them. In the meantime, he can get the sand shell poured into the ditch and contact Mr. Pedersen about leveling it. The long-term solution is drainage, and the ditch has been cleaned by DOT and by the County.

The Interim Administrator informed the Committee that money was in the FY19 budget to replace the roof and to make other improvements to the Public Works building, such as a new roof, new garage bay doors, etc., identified in the Hill report. An RFB was developed that also included a reconfiguration of the building to accommodate the new Assistant Public Works Director; bids will be opened later in the month. Staff’s recommendation will be presented to the Committee at the February meeting.

Councilmember Smith stated that a resident had spoken to her about the gate being left partially open, and Director Pitts replied that the cantilever gate was budgeted to be replaced in this fiscal year. Currently the gate is a remote system, and, when the battery gets low, it does not close properly, so he will change the battery today.

The resident who called expressed concerns that coyotes were attracted to the Public Works site.

The Director informed the Committee that “household garbage is never left on the Isle of Palms.” Garbage can be found in the compactor, and the trash picked up from the beach is put into the container in the parking lot.

Councilmember Kinghorn commented that the urgent need for this new position was established six (6) months ago, but to-date no one has seen a resume. He added that, if he were Chair or Vice Chair, he would speak with the Chair of the Personnel Committee to learn the status of the search.

## **6. Old Business**

### **A. Update on Phase II Drainage project**

Due to the considerable rainfall in November and December, laying of the pipes was delayed. The primary crew is finishing the crossing under Palm at 52<sup>nd</sup> Avenue which will be the end of work on Palm Boulevard, and they will start down 52<sup>nd</sup> Avenue. A second crew is working on 49<sup>th</sup> Avenue, and, when that is done, they will move to 50<sup>th</sup> Avenue. Whatever crew completes its assigned work first will move to 51<sup>st</sup> Avenue. The contractor anticipates having all of the pipes underground by the end of January, assuming the weather continues to cooperate; the landscaper follows behind the work crews. The anticipated completion date is now mid-February.

Chair Rice stated that 45<sup>th</sup> and 46<sup>th</sup> Avenues had no flooding from the recent rainfall, so the system is working.

### **B. Update on removal/replacement of underground storage tanks at the IOP marina**

Interim Administrator Fragoso reported that the pre-construction meeting took place early in December with the marina tenants present to discuss the project and its impact on the marina; work is scheduled to begin on Monday, January 21<sup>st</sup>. In the first week, the contractor will be driving the sheet piles into the ground to make space for removing the old tanks and installing the new ones. This work is expected to be the most disruptive because it will be loud and the ground will shake, but the work will only take two to three (2 – 3) days. Once the old tanks are removed, they will test the site. The contractor has scheduled to have the new double-walled, fiberglass tanks to arrive within twenty-four (24) hours of removing the existing tanks; the new tanks will go directly from the truck into the ground. The project is expected to be completed in seven to eight (7 – 8) weeks.

Chair Rice reported that the marina store will close for the week of January 21<sup>st</sup> for annual maintenance.

According to the Interim Administrator, the City has not been told that Morgan Creek Grill will close for that week.

The contractor will stage in an enclosed space to prevent access to the work site, and, once the tanks are in the ground, less equipment will be needed so they will be removed from the site and the staging area will be reduced.

As required by the State, Summit Engineering is working on a Fuel Prevention and Control Plan; Council approved that contract a couple of months ago.

### C. Update on trashcans with lids on the beach

Director Pitts learned that Myrtle Beach uses trashcans with lids, and he is waiting for a return call. He wants to borrow one (1) on Friday to see if it is compatible with the equipment that empties the trashcans and for “show and tell” for the Committee. He noted that seventeen (17) green cans are deployed to Front Beach which do not contribute to the aesthetics; he expects these cans to be cleaner looking. With each trashcan with a lid costing three hundred dollars (\$300), to replace the seventeen (17) at Front Beach would be expensive.

Interim Administrator Fragoso related that the IOP Cleanup Crew has expressed an interest in becoming a 501(c)(3) organization and helping with fund raising.

Councilmember Kinghorn stated that a 501(c)(3) organization on the island; it is the Isle of Palms Community Corporation. He noted that they have a public interest domain and some resources; as a 501(c)(3), they can apply for some of these resources.

Director Pitts said that he was going to ask Myrtle Beach how they funded the purchase of these cans.

Councilmember Smith agreed that Front Beach needed an alternate trash receptacle; she added that an opportunity for fund-raising campaign exists for the City toward acquiring the trashcans with lids.

Councilmember Kinghorn acknowledged that the trashcans were an important issue and it should be done properly, but this Committee and the City face major issues that have serious consequences and neither the City nor the staff need another project at this time.

Chair Rice concluded the discussion saying that there was nothing to discuss until the Committee sees the trashcans and learns whether it works with the equipment.

### D. Update on ditches and drainage issues

- **At 21<sup>st</sup> – 22<sup>nd</sup> Avenue** – Director Pitts will try to set up another meeting at the site.
- **At 31<sup>st</sup> – 32<sup>nd</sup> Avenue** – Mr. Werner had complained that the base put down at the new construction behind his house had infiltrated the ditch between 31-31<sup>st</sup> Avenue and 31-32<sup>nd</sup> Avenue, but site visits by the Director Pitts and Director Kerr indicate the ditch appears to remain a one foot swail ditch.
- **Between 30<sup>th</sup> and 31<sup>st</sup> on Hartnett** – When the Charleston County engineer is on the island, the Director will take him to this location as well to see where the ditch was and to arrange to have it dug out again.
- **32 – 32<sup>nd</sup> Avenue** – Charleston County is scheduled to reinforce the walls to stabilize the ditch this month.
- **267 Forest Trail** – The Chair commented that this situation continues to get worse as houses continue to be constructed. Forest Trail is in one (1) of the basins to be addressed by Phases 3 and 4 Drainage.

Councilmember Kinghorn reiterated his opinion that drainage and island-wide sewer should be addressed simultaneously; the discussions of the island’s drainage have not referred to the backed-up septic tanks that leech effluent that is washed into the waters surrounding the island. He asked Director Pitts to place red-colored, adhesive circles identifying the most urgently needed outfall improvements on the backside of the island; he noted 26<sup>th</sup>, 30<sup>th</sup>, 34<sup>th</sup>, and 41<sup>st</sup> Avenues;

the next priority down were the outfalls marked in yellow and were 19<sup>th</sup> and 21<sup>st</sup> Avenue and through the lakes system of Wild Dunes. Director Pitts said that the worst flooding was in the middle of the island from 21<sup>st</sup> to 41<sup>st</sup> Avenues.

Councilmember Kinghorn opined that the City could solve all of its drainage problems and have the best drainage system money could buy, and, based on rising seawater and the higher water table, when these occur together, septic systems backup putting sewerage in the ditches that flows to the waters surrounding the island. With improved outfalls, the contaminated water moves faster and relatively unimpeded into the ocean and Intracoastal Waterway. He restated emphatically that island-wide sewer and drainage must be tackled at the same time; he also acknowledged that the planning, financing and implementation of such an urgently needed project would take years.

When asked to define septic issues, Director Pitts indicated that his experience has been primarily when the Water and Sewer Commission shut down the grinder pumps because the water table is higher than they are. At those times, the City's priority is to pump the street to get the water table below the grinders so the homes will have sewer; grinder pumps are located primarily between 45<sup>th</sup> and 51<sup>st</sup> Avenues. Although the worst flooding is in the middle of the island, the City cannot pump there, so he does not have firsthand knowledge of the septic problems there. The grinder pumps on these streets failed in the one thousand year flood, and the City arranged for portable toilets to be deployed until the pumps could be re-started.

Councilmember Kinghorn thought the next step would be for the Water and Sewer Commission to label their hotspots to see where overlaps exist on the island; he expressed concern that the concentration of septic systems that was going to be sent to the improved outfalls.

Chair Rice suggested having another joint meeting with the Water and Sewer Commission once the Memorandum of Understanding (MOU) is completed.

The Interim Administrator stated that she and Director Kerr met with the Water and Sewer Commission and Thomas and Hutton before the holidays and that the MOU is being finalized by the attorney. While the Interim Administrator believes the biggest challenge to having island-wide sewer will be the mandatory tie-in to the sewer, it will be necessary in order to guarantee financing for the project. She recalled that an ordinance defining requirements for a mandatory tie-in was presented to City Council in 2018, but it was postponed until the MOU could be developed and a master plan completed. Interim Administrator Fragoso opined that the same strong opinions that hindered adoption of the ordinance a year ago will continue to exist.

Councilmember Kinghorn noted that he has assisted local governments in obtaining the necessary funding for sewer projects.

In conclusions, Councilmember Kinghorn stated that sewer should be the City's Number One priority because of its long-term implications on the quality of life and on the health of island residents and visitors; he thought that forming "a special task force to hone in on the details."

**MOTION: Councilmember Kinghorn moved for the Public Works Committee to recommend to City Council that the City's goal is to get the entire island on public sewer; Councilmember Smith seconded and the motion PASSED UNANIMOUSLY.**

**E. Consideration of expanding the plastics ban and differences between the Isle of Palms' ordinance and the ordinances for Mount Pleasant and Sullivan's Island**

Interim Administrator Fragoso prepared a short PowerPoint presentation to summarize the key points on various plastics bans in the area; a copy is attached to the historical record of the meeting. The Committee's goal is to expand the City's ordinance in an effort to eliminate or reduce the use of plastics and Styrofoam on the island and in the waterways to protect marine life and to improve the quality of life. Both the Isle of Palms and Folly Beach ban only single-use plastic bags and have the same exemptions; enforcement on IOP is by the Police Department and by the Public Safety Department at Folly Beach. In the Town of Mount Pleasant, plastic items banned are single-use plastic bags, straws, stirrers, single-use napkins and any polystyrene products at point of sale; all businesses are required to shift to recyclable or compostable substitutes; enforcement is by the Police Department. Sullivan's Island has banned single-use plastic bags, straws polystyrene products at point of sale; in addition, the SI ordinance expressly bans single-use plastic bags, straws and polystyrene products on the beach, for example, cannot be taken from a vehicle to the beach. Sullivan's Island exempts plastic drink lids, cutlery and other items; the ordinance is enforced through the Police Department. The Sullivan's Island ordinance is the most comprehensive and aggressive in the Charleston area. The ordinance passed by the City of Charleston will not go into effect for another year, January 1, 2020; it bans single-use plastic bags, straws, stirrers, and polystyrene products at the point of sale, but exempts meat trays, egg cartons, plastic drink lids, cutlery and to-go condiment packages, and a few other things. The City of Charleston will enforce its plastics ban by the Livability and Tourism Department. Consistent with all of the municipalities were the penalties for violating the plastic ban ordinances; the fine for the first offense is two hundred dollars (\$200); for the second violation within a year, the fine is three hundred fifty dollars (\$350), and for third and more in a year, the fine is five hundred dollars (\$500).

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Although State legislators debated prohibiting local municipalities from enacting laws banning single-use plastic bags, it is expected to be re-introduced in 2019. The possibility also exists that the State could roll back the ordinances the local governments have already passed; nationwide, ten (10) states have succeeded in prohibiting the local municipalities from passing ordinances regulating single-use plastic bags.

Based on that information, the City should act to expand the use of plastics and Styrofoam products before the legislature has reaches a decision.

Councilmember Kinghorn said that, in the master plan, the City is required to have an anti-littering campaign which could incorporate the plastics ban, but the City would also need an education program. He was impressed by Sullivan's Island's efforts to keep plastics off the beach.

As a member of the IOP Cleanup Crew, Councilmember Smith indicated that she had given this topic some thought. Speaking pragmatically, she thought that the City should keep up with what is happening in the Statehouse, should "consider what is do-able and what can be done quickly." She said she would like to see the City expand the current ban on single-use plastic bags by following the model set by the City of Charleston because it seemed to have more in common with other municipalities in its ban on straws and polystyrene products. She questioned that such a law was enforceable and pointed out that the Sullivan's Island ordinance contains some "complicated exemptions." She opined that an advertising and educational campaign should involve the business community and could be effective using catchy phrases.

Chair Rice recommended including plastic straws, stirrers and polystyrene products, at a minimum, to join the other local communities that have banned them, and to be less confusing to the visitors to the island.

Although the Chair thought that any expansion to the plastics ban might fare better under state scrutiny as an amendment to the existing ordinance than a new ordinance, Councilmember Smith stated that she had heard from people on the Statehouse level that a new ordinance would be better because it would not put the original ordinance in jeopardy.

Chair Rice asked the Interim Administrator to contact the Municipal Association to find out what they are recommending to local governments.

**MOTION: Councilmember Smith moved to recommend to City Council a ban on plastic straws, stirrers and polystyrene products at the point of sale and to allow the usual exemptions; Chair Rice seconded and the motion PASSED UNANIMOUSLY.**

## **7. New Business**

### **A. Consideration of proposal to install a flap gate on Tabby Lane**

Interim Administrator Fragoso informed the Committee that two (2) residents had intended to attend the meeting to present their proposal for the flap gate, but they were unable to be present and asked that the Agenda item be postponed until the February meeting.

### **B. Discussion of FY20 Budget and 10-Year Capital Plan**

The Interim Administrator reported that the 2003 Mack flatbed truck was scheduled for replacement in FY20 but has been deferred to FY21; Director Pitts explained that this truck is slightly under weight, therefore, does not require a CDL driver providing the City with more versatility. To be replaced in FY20 is a 2014 Ford F150 truck at thirty-four thousand dollars (\$34,000). The truck for the Assistant Public Works Director is included in the FY19 budget and will be purchased before the end of the fiscal year; in the next iteration of the budget, this item will not be included in FY20. New to the budget in FY20 is a Building Maintenance Contingency initially set at twenty-five thousand dollars (\$25,000); a similar amount is included in each Department's budget to be used for the ongoing maintenance needs defined in the Hill report for the coming year.

Listed first Under Special Projects is seventy thousand dollars (\$700,000) for a drainage contingency for small projects; the amount has been increased from the amount in the FY19 budget. The next year in Eadie's rotation for maintenance of the island's ditches is budgeted at one hundred eighty-four thousand five hundred thirty-eight dollars (\$184,538). Seven hundred thousand dollars (\$700,000) has been budgeted for the design, engineering and permitting for Phases 3 through 5 Drainage Projects.

Councilmember Kinghorn suggested that the seven hundred thousand dollars (\$700,000) would be better spent on preliminary engineering toward an island-wide sewer system, rather than improving outfalls that will push effluents into the surrounding waters.

Chair Rice stated that Thomas & Hutton who was doing the engineering for the City's drainage was also doing engineering for the Water and Sewer Commission; therefore, the Water and

Sewer Commission is well aware of the City's plans.

Interim Administrator Fragoso added that the contract awarded to Thomas & Hutton last month was for investigative work and for developing different ways to improve the outfalls. The options Thomas & Hutton develops will be presented to City Council with the costs and a recommendation for Council to then choose the option with which the City will go forward. This phase of work was budgeted in FY19 at one hundred thousand dollars (\$100,000) and expected to be complete in May. Once the selection has been made, Thomas & Hutton and the City will enter into another contract for surveying, engineering and permitting for the chosen project for which the City has funding in the FY19 budget.

Councilmember Kinghorn asked that Thomas & Hutton be asked to address the issue holistically, and, if the Committee disagrees with Councilmember Kinghorn's assessment of the need for drainage and sewer work be done simultaneously, he suggested asking the contractor for the Phase 2 Drainage Project.

When Councilmember Kinghorn asked what the timeline was for completing Phases 3 through 5, The Interim Administrator said the current plan was for Phases 3 and 4 to be completed by FY27.

Councilmember Rice was concerned that seventy thousand dollars (\$70,000) would be insufficient to fix, for instance, the broken pipe on Marginal Road which will be six (6) figures to repair; therefore, she proposed increasing that line to one hundred twenty-five thousand dollars (\$125,000).

Director Pitts reminded the Committee of the stormwater funds being held by Charleston County that would be available for the City's use for the repair of drainage problems; Interim Administrator Fragoso estimated that the Council was holding approximately forty-eight thousand dollars (\$48,000).

The Interim Administrator offered to increase the contingency to one hundred thousand dollars (\$100,000) for the next version of the budget, and the amount can be refined as the budget process continues.

Councilmember Kinghorn voiced his concern that the schedule did not have a line for revenue; therefore, he asked where the funds would come from for these expenditures.

Interim Administrator Fragoso noted that the schedule under discussion was the Ten-year Capital Plan; at the next meeting, the operating budget will be presented with the estimated revenue for FY20. The Public Works Department does not have a dedicated revenue line, but she recalled that user fees for garbage collections were discussed at the workshop as a new source of revenue. She stated that the Isle of Palms was one (1) of the few municipalities in the state that does not charge a user fee for garbage pickup, but staff could prepare a schedule for user fees for consideration at the next meeting.

Councilmember Kinghorn recalled that he had also suggested franchise fees for water and sewer as a source of revenue to pay for the sewer and drainage projects. He also asked that staff be more creative, for example, using a portion of the revenue from the parking lots to fund the anti-litter campaign especially as it pertains to the Front Beach area.

The Interim Administrator stated that staff was evaluating the use of impact fees for drainage on new construction.



**8. Miscellaneous Business**

**Next Meeting Date:** 9:00 a.m., Monday, February 11, 2019 in the Conference Room

**9. Executive Session – not needed**

**10. Adjournment**

**MOTION: Councilmember Kinghorn moved to adjourn the meeting at 10:55 a.m., Monday, February 11, 2019; Chair Rice seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk

DRAFT