

Public Works Committee
11:00 A.M., Wednesday, March 1, 2017

The regular meeting of the Public Works Committee was called to order at 11:00 a.m., Wednesday, March 1, 2017 in the City Hall conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Harrington and Ward, Chair Ferencz, City Administrator Tucker, Public Works Director Pitts, Assistant Administrator Fragoso and City Clerk Copeland; a quorum was present to conduct business.

1. Chair Ferencz called the meeting to order and acknowledged that the press and public had been duly notified of the meeting in accordance with the freedom of Information Act.

2. Approval of Previous Meeting's Minutes

MOTION: Councilmember Ward moved to approve the minutes of the regular meeting of February 1, 2017 as submitted; Councilmember Harrington seconded and the motion PASSED UNANIMOUSLY.

3. **Citizens' Comments – None**

4. Departmental Reports for February 2017 – Director Pitts

Director Pitts reported that the work focus in February had been painting the green garbage barrels on Ocean Boulevard, repairing the potholes in the Marina parking lot and clearing the pampas grass from the sidewalk on Palm Boulevard. A Charleston County crew was on the island and repaired the RCP pipe at Sand Dollar Drive and Wildwood. Garbage collections were approximately twenty-four tons (24 T.) greater than the same month last year, and yard debris collections increased approximately seventy-five tons (75 T.) over the same month in 2016. The older Loadmaster was taken in for preventative maintenance and for other repairs/replacements as needed; although the work totaled forty-four hundred dollars (\$4,400), the Director is confident that this line in the Public Works budget will end the year at or under budget.

5. Old Business

A. Update on drainage issues

1. Sand Dollar Drive

Administrator Tucker reminded the Committee members that Kevin Klemm, the resident at 3 Sand Dollar Drive, attended the Council meeting of February 28th and appealed to the City for assistance with the flooding issue on his property. The Administrator thought Mr. Klemm had a misunderstanding when the line was originally videoed; his reaction to the repair that was made was that more repair was necessary. The City's reaction, Eadie's reaction and David Stevens' reaction was that the repair has been made, is holding and nothing more needs to be done. Mr. Klemm's point at the meeting was that the repair is failing and that the pipe should be dug up and be replaced, and more fill material added to increase the elevation. Since Eadie's video was not available, Director Pitts asked that Charleston County camera the line again.

What the City is learning is that users of the video-taping equipment have found it to be "temperamental," i.e. once repaired and used again they malfunction and do not produce any

recorded video. Charleston County has indicated that, when their equipment is used for this pipe, it will likely not produce a video, leaving the City in the same predicament, but they will come to the island to look at the pipe again and offer a recommendation on what needs to be done.

If he were at the meeting today, the Administrator would have posed the following questions to Mr. Klemm:

- If the recommendation is to replace that segment of pipe, is he aware of the level of disruption it will cause on the right-of-way adjacent to his property?
- Beyond the fill material, would he have any expectations of other improvements he would expect the City to make?

If Mr. Klemm wants the City to replace his driveway, he needs to communicate that to the City, and the City needs to make a decision about what it is or is not willing to do.

Director Pitts has gotten two (2) quotes on what the cost to the City would be if it decided to replace the pipe, and the work should be around five thousand dollars (\$5,000).

Administrator Tucker stated that, from Mr. Klemm's comments, he is not going to be satisfied until the pipe is replaced.

Councilmember Kinghorn expressed his understanding of the situation as one where Mr. Klemm brought an issue to the City's attention; the City hired an expert to evaluate it; and the expert came back with a conclusion that Mr. Klemm hoped would be different, i.e. the system is functioning as it should and nothing needs to be done.

If Mr. Klemm had attended this meeting, the Chair planned to tell him that, since the Committee was not composed of experts, it had to follow the recommendations of its expert. If he has issues with the expert's conclusions, he should communicate them to the expert.

Councilmember Kinghorn added that Mr. Klemm could hire his own expert for a second opinion. If that expert concluded the video was inconclusive, Councilmember Kinghorn asked if the City had ever cost-shared with a citizen.

Director Pitts cautioned that, before the elevation was raised an inch, members of the Committee should go to #5 Sand Dollar because it is lower than #3 Sand Dollar; raising the elevation at #3 Sand Dollar would have negative unintended consequences for the property next door.

One (1) area of concern in deciding what the City is willing to do is that many areas of the island flood more often and worse than what Mr. Klemm is experiencing. The Administrator noted that her concern is whether there truly is a problem to repair, and, if that is the case, she advocates for the City to repair it. She indicated that she would prefer for the City to locate a problem and establish limits to what it would do; anything beyond that would be the property owner's responsibility.

Chair Ferencz said that Mr. Klemm's second point was that the repair that was done was done improperly.

Referencing the material that was in the pipe when it was originally videoed, Director Pitts stated that the system was cleaned, according to Eadie's Construction, before it was vacuumed; Mr. Klemm was with Director Pitts to see the video that showed the level of sediment in the pipe to be minimal – material that would normally accumulate as water runoff goes through it.

2. Flapper valve on Tabby Lane

David Stevens went to the area and concluded it would be a good candidate for a flapper valve, and the City has received an estimate for purchase, installation, sales tax and contingency of less than ten thousand dollars (\$10,000), and money budgeted in Drainage Contingency will fund it if the Committee chooses to do so. The Administrator added that the valve would have to be maintained once installed.

When the island experiences the extreme high tides, the entirety of Tabby Lane is under water; there is enough water to flood out a car.

Chair Ferencz indicated that the same circumstance occurs on 25th Avenue; Director Pitts added 41st Avenue and Charleston Boulevard at 1st Avenue experience the same.

The matter was brought to the City's attention by Robert Ryan of 10 Tabby Lane via an email to Councilmember Carroll that was forwarded to the Administrator and then Committee Chair Ward.

Since this is an inconvenience that happens in extreme king tides on other streets, Councilmember Kinghorn again asked about cost-sharing with the residents on Tabby Lane.

Administrator Tucker said that staff could investigate whether the residents on the street would be willing to cost-share.

The Chair opined that installing the flapper valve on this street would be setting a precedent for it to be done on the other streets Director Pitts mentioned.

When Councilmember Kinghorn posed the question of cost-sharing to the Committee, the Chair said that her response would be "That's what I pay taxes for."

The Administrator recalled that the City has paid for the placement of two (2) flapper valves; i.e. one (1) close to the old Dangerfield property and one (1) in the area of the one hundred (100) block of Palm Boulevard.

Concluding the discussion, the Chair repeated that staff would look into cost-sharing by the residents of Tabby Lane, and the Administrator said that she would contact Mr. Ryan.

3. Handicap parking spaces on 21st Avenue

Administrator Tucker reported that the County would make the necessary improvements through Transportation Sales Tax (TST) funds, and the City will assume responsibility for on-going maintenance. The work will be getting underway shortly.

The Administrator noted that citizens and visitors have advocated for two (2) additional handicap parking spaces on the opposite side of the road on 21st Avenue. Having watched the existing spaces for a long time, Administrator Tucker said that she has seldom seen them both being used at the same time, and, if the spaces were to be added to the opposite side, there is no good way for someone who is physically challenged to get to the beach. The Administrator questions that the need exists for additional spaces at that location; she reported that another handicap parking space has been added at 42nd Avenue.

Councilmember Kinghorn recalled that handicap access has been requested for 5th Avenue.

According to the Administrator, the City has responded to the person wanting access at 5th Avenue that the topography will not accommodate handicap accessibility because the City cannot cut through the dune.

The list of beach accesses that are handicap accessible are noted on the City's website.

The Administrator told the Committee that, if the beach accessible wheelchair that is housed at the Lutheran Center is being used, the City will pay for a rental.

When Councilmember Ward asked about mobi-mat at 5th Avenue, the Administrator said it could be done, but it must be wide enough to accommodate a vehicle since the 5th Avenue beach access is also an emergency access.

Director Pitts indicated that the City does not have any wide mobi-mat in stock, but it could be ordered; he thought that one (1) emergency vehicle mat for the access at 31A was included in the FY18 budget.

If the Committee supports putting the wide mobi-mat at 5th Avenue, additional funds must be included in the FY18 budget or, possibly, find money in the current year's budget that is not going to be used.

Certain areas of the beach require an OCRM permit to legally install mobi-mat, and the City has four (4) applications pending with one (1) for 21st Avenue.

Since Director Pitts has not ordered mobi-mat in this fiscal year, fifteen thousand dollars (\$15,000) is available; the Director thought it was enough money to buy the wide mat for 5th Avenue.

MOTION: Councilmember Ward moved to recommend to Ways and Means the placement of mobi-mat at 5th Avenue assuming funds are available; Councilmember Kinghorn seconded.

Councilmember Kinghorn questioned the practicality of placing mobi-mat only part of the way to the beach, and the Administrator replied that it meant a shorter distance for the impaired person to be carried.

Director Pitts explained that mobi-mat cannot touch the toe of the ocean-side of the primary dune.

Director Pitts answered that 42nd Avenue is another beach access, and the mat is already in place.

The resident who has reached out to Councilmember Ward about 5th Avenue has rental property and has family members who use the house that are physically-challenged. The lack of handicap parking is not an issue in this situation.

Councilmember Kinghorn then asked about the possibility of creating handicap parking in the right-of-way, and the Administrator responded that the City could evaluate the area.

VOTE: The motion PASSED UNANIMOUSLY.

B. Update on NPDES project

Administrator Tucker reported that the construction kickoff meeting was held the previous day, and construction is to begin next week with a projected completion date of mid-June. The IOP Water and Sewer Commission has set the meter; the pre-engineered building to house white goods is due to arrive on June 8th.

C. Update on Phase II drainage

The Administrator stated that the bid package is being prepared by Civil Site Environmental (CSE) with the expectation of taking bids in May in anticipation of beginning construction in mid-August.

D. Update on overgrown lots on Wills Way

According to the Administrator, the property owner at #17 has been contacted and has indicated that the lot will be cleared in a couple of weeks. On #18, the original letter was returned to the Police Department; they have since obtained a more current address and mailed a second letter.

6. New Business

A. Discussion of stormwater fee cap for non-residential properties

Administrator Tucker recalled that Council recently passed an ordinance to cap the fees on residential properties; subsequent to that action, County Council has been discussing an increase to non-residential properties and inquired about whether the City would take similar action on non-residential properties. The opinion among staff was not to increase the fee for non-residents as well; the County has not yet sent out commercial bills after seeing just how high some bills would be with the proposed increase. In the course of drafting a second ordinance capping non-residential fees, a statement was made by the County that they would expect the City to make up the shortfall from its stormwater reserves for each year of the cap. The statement suggests that the County knows how much it is going to cost for the program, and, if the City caps its fees, it will be going into the red. With this statement, all work on an ordinance was stopped until Council has an opportunity to hear a presentation from Charleston County stormwater personnel and to get their questions answered before drafting an ordinance.

With the agreement of the Committee, Chris Wannamaker and Frank Pandullo from Charleston County will attend the next Ways and Means Committee to explain the situation.

The Administrator commented that this issue will bring to the forefront earlier discussions about the City's assuming responsibility for its stormwater program at some point. The County is doing a fine job administering the program for IOP, but it is a large organization supporting a lot of people, and a portion of the City's stormwater fees is going toward support of that.

Answering the Chair's question about what the City gets through its stormwater agreement with the County, Administrator Tucker stated that the County insures that the City complies with the seven (7) compliance standards associated with stormwater regulations, such as housekeeping, public education, construction improvements and monitoring. The entity directing the program must put the people infrastructure in place to do all seven (7) of the standards and document to DHEC and EPA that they are getting done. (Councilmember Kinghorn stated that the stormwater program is referred to as an unfunded mandate.) The fees charged are the way to fund the program.

Councilmember Kinghorn asked if any consideration had been given for the Council of Governments (COG) assuming the stormwater responsibility.

The Administrator said that she did not know about discussion with the COG, but she indicated that some local governments in the area do their own, like Mount Pleasant. When the City approached Mount Pleasant about directing the program, they were not close-minded; they did stipulate that they would do a total assessment of the City's system to determine if they wanted to take it on.

When the Chair asked what justification the County was presenting for doubling the fee, and the Administrator responded that new mandates for monitoring contributed, and she speculated that another was, after operating the program for a couple of years, they now know what the actual administration expenses of the program are. A good reason to be with the County is that they have been audited by EPA and gotten a clean audit.

B. Flood issues on Hartnett Boulevard

Director Pitts recalled that half way down the block from 29th to 30th Avenues, a plastic corrugated pipe that goes between two (2) yards to help the drainage; originally it was a swale ditch. In front of one (1) house there is a small portion of rip-wrap and a small piece of an open ditch; the rest of the area has become the resident's yard. In his opinion, the problem is the result of not having swale ditches.

The Administrator reported that Charleston County had affirmed the Director's assessment; they stated that there was very little drainage infrastructure present in the area and a closed line between 2909 and 2911 Hartnett.

The residents along that stretch of Hartnett are opposed to open ditches because there are many small children in the area.

According to Director Pitts, the ditch needs to be a depression type ditch. When asked, the Director said he could open the ditch, but the problem is the residents it would affect; he noted that, in the area in question, the ditch has been filled in for years.

Although the resident has been informed of the proper resolution verbally, Councilmember Ward suggested that it be put in writing.

Director Pitts added that Hartnett does not have enough elevation for a closed system.

C. Ditch adjacent to 26 Intracoastal Court

The Administrator explained that, in this situation, the ditch has a pipe in it and the pipe ends and the remainder is an open ditch to the outfall. The advocacy from the adjacent resident is that they would prefer for all of the ditch to be piped.

Director Pitts added that the resident had told him that over time erosion has occurred and the pipe needs to go back and fill added. The Director stated that the resident could build his bulkhead where it is now, but it could not extend into OCRM jurisdiction.

Chair Ferencz recommended that a letter of explanation be sent to the homeowner.

7. Miscellaneous Business – None

Next Meeting Date: 11:00 a.m., Wednesday, April 5th in the Conference Room

8. Adjournment

MOTION: Councilmember Kinghorn moved to adjourn the meeting at 12:25 p.m.; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk