

PUBLIC WORKS COMMITTEE
11:00 a.m., Wednesday, August 2, 2017

The regular meeting of the Public Works Committee was held at 11:00 a.m., Wednesday, August 2, 2017 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmember Ward, Chair Ferencz, Administrator Tucker, Director Pitts, Assistant Administrator Fragoso and City Clerk Copeland; a quorum was present to conduct business. Councilmember Kinghorn was absent.

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

2. Approval of Previous Meeting's Minutes

MOTION: Councilmember Ward moved to approve the minutes of the regular meeting of July 17, 2017 as submitted; Chair Ferencz seconded and the motion PASSED UNANIMOUSLY.

3. Citizens' Comments

Jim Burke, 32-32nd Avenue, recalled that he had submitted a request in June to pipe the drainage ditch at the rear of his property; he reported that the erosion "has gotten pretty bad." He said that the problem was discussed at the June meeting and tabled until the Committee could get more information that he was present to provide. He provided the Committee with pictures of the ditch and the situation it creates; he pointed out that the large pool of water is undermining the foundation of his home and uprooting trees. (Copies of the pictures are attached to the historical record of the meeting.) He stated that he has contacted everyone he knew to contact. Shannon Hicks with DHEC informed him that, based on the scope of the problem, the work would qualify for an automatic permit coverage umbrella, which applies to sites of one half (½) acre or less of disturbance and within one half (½) mile of a coastal receiving water. He informed the Committee that he and his neighbor, who has small children who play in the area of the large pool, have agreed to partner to pay to have the ditch piped; he showed the Committee an estimate he has received from Coastal Landscape and Design to pipe the ditch, cover the pipe and landscape. Mr. Burke stated that this company is not a lawn mowing service but a group that installs drainage for large developments around the County.

Mr. Burke said that he has also communicated with Herbert Nimz, a civil engineer with Charleston County Public Works; Mr. Nimz informed Mr. Burke that three (3) grates at fifty foot (50 ft.) intervals need to be installed and advised that a drainage study should be done to avoid "running into legal issues with upstream neighbors." Mr. Burke told the Committee that he and his neighbor were ready to proceed if the City would give them permission to do so.

Mr. Burke commented that the ditch across the street between 31st and 32nd Avenue has been piped and that water does stand in yards after a hard rain, but he attributes that to there being only one (1) grate and it is next to 32nd Avenue.

After looking at the estimate, Mr. Nimz also told Mr. Burke that "everything appeared to be in order."

Administrator Tucker reminded the Committee that typically an open ditch drains better than a closed one even with the proper drainage grates; she added that, even with the proper drainage grates, on a heavy rain, there is not the rapid evaporation that occurs with an open ditch. In the past when the City has allowed modification to the drainage system, it has been done under the supervision of the City's civil engineer; he would perform the drainage study and advise the City about piping the ditch so that the system is not compromised on either end of the project. If the City does the work and it is done in accordance with the civil engineer and the requirements the City must meet, the project would be more expensive than the estimate of twenty-five thousand dollars (\$25,000). If the neighbors were committed to pay their pro-rata share of the estimate from Coastal Landscape and Design, they could contribute it toward the City's project. The Administrator noted that many residents have come to the City with requests to pipe a ditch, but she only remembered two or three (2 or 3) being allowed.

Mr. Burke noted that, according to Mr. Nimz, the best course of action would be for the City to restructure the ditch and build up the side walls; the second answer would be piping the ditch.

Director Pitts explained that the ponding area is the place where the ditches from 31st Avenue and Harnett Boulevard converge and turn to go toward Forest Trail to the outfall.

After the Committee agreed that something must be done, the issues of who would do the work, who would pay for it and how quickly it could be done.

Of major concern for Councilmember Ward was that the ponding is threatening the foundation of Mr. Burke's house; he stated that he agreed with the City's policy regarding open ditches, but exceptions do come up.

MOTION: Councilmember Ward moved to retain the services of David Stevens to analyze the situation and to make a recommendation to the Committee about the best solution; Chair Ferencz seconded and the motion PASSED UNANIMOUSLY.

4. Departmental Reports for July 2017 – Director Pitts

Vehicle Maintenance and Trash Collection Tracking Reports

Director Pitts reported that the focus of work for the month had been keeping the beach clean, but he added that miscellaneous garbage had been abnormally high in July. Charleston County cleaned the Cross Lane ditch in Forest Trail after a resident complained. Since the Department was so busy in July, little vehicle maintenance was done. With the many visitors to the island, garbage was up considerably, but yard debris was down. As noted in the report, the Public Works Department had to work on a Saturday in July to collect yard debris, but the Director said now they are caught up.

5. Old Business

A. Update on NPDES Project

Administrator Tucker stated that work continues, but she has not received any updates from Thomas and Hutton to report on.

Director Pitts reported that the concrete slab has been poured.

B. Update on the City compactor and possible relocation

With the Chair's approval, Brett Jones, owner of The Dinghy, was asked to join the discussion.

Chair Ferencz stated that she drove by the compactor on the way to the meeting and the area appeared to have been cleaned up, and Snider Trees was cutting back trees in the area.

Councilmember Ward commented that trash was around the bin and some type of hard debris as well. He said that issues with the compactor, i.e. rats, odor, etc., were now running off customers, therefore, directly affecting The Dinghy's business; he noted that, on the previous Saturday, potential customers were walking away talking about the problems. The compactor had been put in the wrong place and was too far away; trash bags covered with flies were stacked high.

Chair Ferencz stated that the compactor was provided to the Front Beach businesses as a service, but in order to be a service to them, it should be clean and not generating its own set of problems. She noted that the City did not have the manpower to put an attendant at the compactor, but the time might have come to get assistance from the businesses that use it.

Councilmember Ward recalled that a motion was made at the July meeting authorizing staff to investigate improvements that could be made and the possible relocation of the compactor; he asked for an update on what has been done.

Administrator Tucker replied that everything that needed to be done could not be done in thirty (30) days, but progress has been made; she reported that the rat extermination the same day as the meeting as was the landscaper to clean up the area, which she did not think has been completed. After the experience of the last few days, the Administrator contacted Carolina Waste and threatened them with their contract because positioning the compactor the way they did was inexcusable in addition to the length of time it took for them to correct it. Directors Kerr and Pitts has been to the site and discussed possible improvements, both immediate and long term. The Administrator agreed with the Chair that the compactor needs daily attention, and, without a watchdog there daily to correct the problems as they occur, the problem will easily return to the recent circumstances.

Director Pitts reported that every Thursday, the compactor is taken off the island, emptied and returned.

Continuing to talk about the weekly removal of the compactor, Director Kerr noted that the City is dependent upon the driver to place the compactor back in the right spot; last week the truck placed it eighteen inches (18 in.) to the left, leaving a gap between the shoot at the top of the ramp and the dumpster. The result was that a lot of the trash that should have gone into the compactor ended up on the ground. The first improvement would be to find a way to retrofit the gate or the pad to close the gap to have a continuous shoot from the ramp into the compactor.

Responding to Councilmember Ward, Director Kerr said that he was thinking of hiring a metal fabricator to design a solution that could be a long term fix; he estimated it could be accomplished in a couple of months.

In the short term, Director Kerr has several recommendations:

- The general site should be made pristine and properly maintained; to insure that, the City has expanded the scope of the landscaper's work;
- In an effort to eliminate or, at least, reduce the stench emanating from it, the City should arrange with Carolina Waste to clean of the dumpster on a regular basis, possibly quarterly;
- Replacement of the gate
- When the compactor is off-island, the pad should be thoroughly cleaned as well, maybe power-washed by Mr. Gosh.

Administrator Tucker interrupted and said that, if the goal was not to let it get back into the condition that existed over the weekend, the Public Works Department could not be counted on to do the work while effectively performing their prescribed functions.

According to Director Pitts, the problem is that a regular cleaning of the pad cannot be scheduled because Carolina Waste cannot be counted on to take the compactor off the island at the same time every week.

Although scheduling might be complicated, he firmly believed that the pad should be power-washed weekly.

Continuing with his recommendations, Director Kerr added:

- A sign stating the rules for use of the compactor should be posted since some might not know they are not doing it right; and
- The installation of a surveillance camera might induce users to be more careful, identify employees who are causing some of the problems and eliminate mattresses from being dropped off; this can be accomplished for about fifteen hundred dollars (\$1,500).

These short-term strategies will take approximately three (3) months to be fully implemented.

Director Pitts stated that Carolina Waste charges one hundred ninety-five dollars (\$195) to power-wash the compactor; this will start immediately.

Administrator Tucker agreed that all of these measure were necessary and should be done, but she also wanted the Committee to be aware that they will be on-going expenses that were not contemplated in the FY18 budget; she estimated that they will add approximately seven thousand dollars (\$7,000) to the Public Works operating expenses.

Councilmember Ward commented that he was certain that the businesses that use the compactor pay the City more than seven thousand dollars (\$7,000) a year in Hospitality Taxes. He added that, in his opinion, Hospitality Taxes should be used to give back to the businesses what they pay in.

Director Kerr then turned to the long-term measures the City could undertake as follows:

- The second ramp that enters from J.C. Long is used only by The Windjammer and The Dinghy and is not a necessity; his recommendation is to eliminate it, reconstitute the fence where the ramp is currently. For safety reasons, Director Pitts said that a sidewalk for these two (2) businesses should be constructed to get to the other ramp.
- If the short-term actions do not eliminate or significantly reduce the problems, a tall cinder block wall should be constructed to restrict the odor to the compactor space and up into the air with in a chimney-like effect.

According to the Director, ultimately the site needs to be completely cleaned up and then to offer the parking spaces created to the commercial businesses in exchange for daily maintenance of the compactor. The City would require a formal agreement with the business.

Director Kerr voiced the opinion that relocating the compactor would move the problems; the source of the problems need to be identified and rectified.

Director Kerr estimated the cost of the short-term fixes to be in the neighborhood of ten to fifteen thousand dollars (\$10,000 – 15,000).

Administrator Tucker voiced confidence that staff could find the money in the FY18 budget to cover these expenses. She recalled that the bid for landscaping came in well below budget; the remaining funding was to be used toward the long-term vision of Council and the appearance of the island they desire. The landscape requirements could be paid from the landscaping budget, and the other activities could be paid from various maintenance line items although doing so might tip some lines over budget by the end of the fiscal year.

Chair Ferencz stated that she wanted to move forward without spending ten to fifteen thousand dollars (\$10,000 – 15,000); she wanted to see more concrete numbers for the work discussed.

When the Administrator noted that to bring more exact numbers to the Committee would delay action for thirty (30) days, Councilmember Ward stated that time was of the essence because the business most impacted must have some relief as soon as possible.

Since the Committee has a consensus, Administrator Tucker suggested that, when the Chair gives the meeting report at City Council, the message should be that the City is “taking pro-active steps relating to the fact that the compactor has become a problem and that those steps involve multiple different activities which may throw some line items in the budget slightly over at the end of the year.” The Administrator commented that Council should be aware that staff did not anticipate the need for such an aggressive effort in building the FY18 budget; the expenses will be included in the FY19 budget.

Director Pitts asked for direction from the Committee on how often the compactor was to be sanitized since the cost is one hundred ninety-five dollars (\$195) each time; he added that funds might be available in the Department’s commercial dumpster budget.

Chair Ferencz stated that, in the summer months, the compactor should be sanitized monthly,

and she thought that the retrofit for the shoot was important to eliminate garbage from ending up on the ground and not in the compactor.

Since Director Kerr thinks that the retrofit would be a custom fabricated gate with an articulating arm, he estimates the cost to be two to three thousand dollars (\$2,000-3,000).

MOTION: Councilmember Ward moved to authorize staff to proceed with the short-term recommendations in an amount not to exceed \$10,000; Chair Ferencz seconded and the motion PASSED UNANIMOUSLY.

The Chair asked Director Kerr to get cost estimates on the long-term fixes for the Committee to consider next month.

Responding to Mr. Jones, the Administrator said that the landscapers have been authorized to do a major clean-up immediately and then it becomes part of the weekly contract.

C. Update on Phase II Drainage

Administrator Tucker reported that staff had a good meeting with the IOP Water and Sewer Commission last week related to coordination that will be required as the drainage project moves forward to ensure that the drainage installation does not interfere with the Water and Sewer infrastructure. She reported that the City is waiting on the final piece of funding to enable the award of a contract; County Council will meet on August 17th and the City anticipates an award of funds. Staff is in the process of having the granting agency with the biggest piece of funding to approve the contract. The Administrator said that, once the City gets the final funding piece, Council must hold a Special Meeting to award the contract; the project is already behind because construction was scheduled to begin August 1st. She told the Committee that, once the contract is awarded a ten (10) day protest period begins, and only after that period can the City issue a Notice to Proceed.

D. Drainage Issues on Hartnett Boulevard between 29th and 30th Avenues

The Administrator stated that she has nothing new to report.

6. New Business

A. Discussion of sale of Schupp Enterprises for beach trash and recycling removal

Mr. Schupp who lives at 608 Palm Boulevard, informed the Committee that he was interested in selling his business and that he has found a buyer. According to his contract, this Committee and City Council must approve; the prospective buyer is Scott Eadie who owns a small trash business in Ridgeville.

MOTION: Councilmember Ward moved to approve Mr. Schupp's request, and Chair Ferencz seconded.

According to the Administrator, the process would be for Council to approve the assignment of the contract, meaning that the City would need to do its due diligence to determine whether the new owner would be able to perform the functions in the same manner as the current owner.

The Administrator has voiced concerns particularly to the hands-on way Schupp Enterprises has operated; since Mr. Schupp lives on the island, when a problem arises, he has been quick to respond. The Administrator questions that an off-island owner could be as responsive to the City's needs as Mr. Schupp has been. She questioned that this Committee might want for Mr. Eadie to attend a meeting to reply at concern.

Mr. Schupp noted that the first company doing the beach trash removal was Fennell, and their people lived in Moncks Corner.

Councilmember Ward stated that to find somebody who could react as Mr. Schupp has might be an unrealistic expectation.

Mr. Schupp added that included in the sale would be all of his equipment and it will remain on the island at all times. If there were to be an emergency, he would still be on the island to respond. He also assured the Committee that Mr. Eadie would meet all of the City's insurance requirements.

When Mr. Schupp informed the Committee that he and Mr. Eadie had not discussed a sale price, the Administrator said that Council would need to see the actual assignment document in order to vote and the buyer would have to be thoroughly vetted.

Councilmember Ward stated that he would like to meet and talk with Mr. Eadie at the next meeting.

Chair Ferencz commented that the volume of trash on the beach is significantly more than seventeen (17) years ago when Mr. Schupp started the job. She then questioned that the City has reached a point when it should be looking for a company with sufficient manpower and the equipment to handle the increasing volume of trash and who could be responsible for removing the chairs, tents, etc. that visitors leave on the beach.

Administrator Tucker said that to do that would mean not approving the assignment and rebidding when Mr. Schupp's contract expires.

Mr. Schupp stated that he has three (3) years remaining on his current contract and, if he does not contact the City within ninety (90) days, the contract will automatically renew for five (5) years.

The Administrator stated that she worried that, if the new owner was not as vested to the island the way Mr. Schupp was, he would not take the extra step to get off his equipment, take the broken chair out of the garbage and add it to the stack to be picked up by the City and that he might just not empty that can because it contained something that could not go into the hopper.

When Assistant Fragoso asked if the contract could be amended with a new owner, the

Administrator stated that the decision would rest with the new owner; he has purchased a specific contract and its terms at the time of purchase.

Mr. Schupp told the Committee that he and Mr. Eadie have discussed at length the idiosyncrasies of the job.

Director Pitts added that Mr. Eadie started his business within the last four or five (4-5) years. In his opinion, Mr. Eadie understands that this job would require rotating shifts that is based by the tides.

The Administrator said that the Isle of Palms was one (1) of the few beaches in Charleston County that has service on the beach; Sullivan's Island has cans on the streets; cans are placed at the head of beach access paths at Folly Beach.

Since Mr. Eadie is expected to attend the next meeting Councilmember Ward and Chair Ferencz withdrew the motion and second, respectively.

B. Consideration of regulating the impact of beach chairs in the dunes

The Chair stated that she has received complaints from residents about beach chairs being left in the dunes overnight, and Administrator Tucker indicated that this problem occurs every year.

Director Kerr explained that the beach chair rental companies hire a new batch of college-aged young people who must learn the nuances of the job, and there is always a learning curve. When a situation is reported him, he contacts the business owner who does not know it has happened and who then trains this young crew about chairs and the dunes. The Director and Administrator agreed that the situation described is likely never to change.

The second issue is that the City Code defines the beach as existing between the mean high tide into the water; what people believe is the beach, i.e. the fluffy sand, the dunes and the dune fields, are actually private property, therefore, not in the definition of beach in the City Code – with a very few exceptions added the Administrator.

Typically a couple of issues come up every year, and the Director tells them that it is not allowed on the beach, and no one has ever challenged him on it.

Administrator Tucker thought the best course of action was to continue to do what has been done in the past, i.e. report any sightings to the City and the call will be made to the company involved.

Director Kerr stated that, according to the letter of the law, it states that one cannot damage sea oats without the permission of the owner; the Code does not say that one cannot damage sea oats

C. Consideration of addition to The Greenery landscaping contract for a major cleanup of the parking lot and beach access path at Breach Inlet in the estimated amount of \$3,038.25

The Administrator noted that included in the meeting packet was an estimate from the Greenery for the work needed at Breach Inlet; she stated that, in addition, she and Director Pitts have discussed other areas outside the scope of their contract and has gotten estimates from them. The City received a second estimate for the same work from Bucky Buckhannon in the amount of three thousand dollars (\$3,000). She urged the Committee members really to look at the area focusing on the area south of the parking lot. She reported that Public Works cleans it up about twice year, but, in her opinion, it always looks terrible; therefore, she would like to take a more proactive approach to keep it looking better.

MOTION: Councilmember Ward moved to award the contract to Bucky Buckhannon's company; Chair Ferencz seconded and the motion PASSED UNANIMOUSLY.

The Chair asked if the City was going to identify different areas on the island "bit by bit."

Administrator Tucker replied that was what she was trying to do as she has time, and Director Pitts has driven around the island with the landscape contractor. One example is the Leola Hanbury Park; she reminded the Committee that the City has applied for CTC and TST funds to reconfigure the park to route the pedestrian bike path through it. She stated that the whole park needs a new design and a maintenance plan; she reported that she has discussed this with The Greenery. Gradually staff is beginning to talk to them about areas outside the scope of the contract with the goal of re-vamping them and, as that is done, adding them to the contract.

D. Discussion of golf cart path maintenance

The Administrator reported that the Carmen R. Bunch Park and golf cart are a part of the contract, and they have been told to sweep the rocks off the adjacent sidewalk on a regular basis.

Director Ward stated that going from 20th Avenue toward Harris Teeter, when a cart makes the turn to go around the park sign, there is a lot of undergrowth that creates a blind spot.

The Administrator said the City would look into it; she added that benches and a picnic table have been ordered.

7. Miscellaneous Business – None

Next Meeting Date: 11:00 a.m., Wednesday, September 6, 2017 in the Conference Room

8. Adjournment

MOTION: Councilmember Ward moved to adjourn the meeting at 12:44 p.m.; Chair Ferencz seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk