

## **PUBLIC WORKS COMMITTEE**

11:00 a.m., Wednesday, October 4, 2017

The regular meeting of the Public Works Committee was held at 11:00 a.m., Wednesday, October 4, 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, Public Works Director Pitts, Assistant Administrator Fragoso and City Clerk Copeland; although Councilmember Kinghorn was absent, a quorum was present to conduct business.

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 August 2, 2017 as submitted; Chair Ferencz seconded the motion and it PASSED UNANIMOUSLY.**

### **3. Citizens' Comments**

Jim Burke, 32 Thirty-second Avenue, addressed the Committee again about drainage issues in his yard and progress made regarding piping the ditch; he presented more pictures showing his yard as a result of the rains and tidal surge from Hurricane Irma. Since the flooding seen in the photographs was tidal, he asked what difference would there have been if the ditch had been piped or open; he stated that the flow out of the ditch is determined by the slope and the obstructions the water meets along the way out. He noted that he lost two (2) more trees due to the erosion of the ditch as can be seen in the photos; additionally, he stated that his yard is eroding away, and a portion of the foundation of his home is above ground now. On the way to the meeting, he saw that the amount of water in the ditch was minimal, and the ditch on 25<sup>th</sup> Avenue, which is one (1) of the major ditches leading out to the Intracoastal Waterway, has barely a trickle of water flowing through it. He commented that he is constantly told that open ditches are better, but, by looking at his yard and the street, open ditches are not doing the job. He noted that the water from 32<sup>nd</sup> Avenue goes to Forest Trail on its way to the outfall serving it despite the existence of an outfall from 30<sup>th</sup> Avenue. He reminded the Committee that piping the ditch did not have to impact the City's budget because he and his neighbor were willing to pay for the ditch to be piped. He again asked the Committee what he had to do to get authorization to have the work done and to solve the problem for the City and for him since he believed that he has already gotten approval from.

**MOTION: Councilmember Ward moved to re-order the Agenda to take up item E under Old Business at this time; Chair Ferencz seconded and the motion PASSED UNANIMOUSLY.**

### **5. Old Business**

**E. Consideration of proposal Civil Site Environmental in the amount of \$13,200 for drainage issues at 32 Thirty-second Avenue**

Administrator Tucker stated that the approval Mr. Burke has received from Charleston County is related to stormwater for individual lots, meaning that the project is small enough that it would not require any kind of stormwater review.

In meeting packets was a proposal from David Stevens of Civil Site Environmental (CSE) for an engineering drainage study necessary for an evaluation of potentially piping the ditch at a cost of thirteen thousand two hundred dollars (\$13,200) plus reimbursables and any permitting fees they might incur. The proposal does not include an estimate for construction oversight.

Administrator Tucker told the Committee about a ditch between 21<sup>st</sup> and 20<sup>th</sup> Avenues that was piped – not by the City – several years ago where the adjacent residents are now asking the City to remove the pipe and re-open the ditch. The Administrator also commented that, since this ditch is subject to tidal flooding, when the pipe is full and a heavy rainfall occurs, there is no place for the water to go so it stays on top of the ground. That is what is happening in this case, and the water that was once in the backyard is now under the house.

When asked about a recommendation from CSE, the Administrator explained that the engineering evaluation must be done before Mr. Stevens would be prepared to make a recommendation. She explained that the City has never allowed a private property owner to make modifications to the City's infrastructure without a licensed civil engineer doing the design work. Director Kerr reminded the Administrator that, on the occasion when the drainage ditch is in the SCDOT right-of-way, a citizen can go to SCDOT with an engineered design that SCDOT would approve, allowing the ditch to be piped; SCDOT would also come out after the construction for a final approval.

Councilmember Ward inquired about a possible source of funds from the FY18 budget since this would be an unbudgeted expenditure.

The Administrator explained that the City must insure that change(s) in one (1) location do not have a negative impact on adjacent properties and the overall drainage system.

Mr. Burke countered that was not the situation in his case because 32<sup>nd</sup> Avenue was the head of the flow; he said that a pipe was in place between 31<sup>st</sup> and 32<sup>nd</sup> Avenues that they planned to connect to.

When the question was asked about what could be done for Mr. Burke, Administrator Tucker recommended that the Committee follow the City's historical process by having a civil engineer study the problem in order to provide a recommendation about what could be done to insure that nothing is compromised throughout the system. The next step would be for the Committee to approve CSE's proposal and to forward it to Ways and Means and City Council for approval. In most cases like Mr. Burke's, the project would be funded from the Drainage Contingency, but, since funds have been spent in response to the hurricane that may not be recoverable, the line may end the year over-budget.

**MOTION: Councilmember Ward moved to recommend approval of the proposal from CSE for evaluation of 32-32<sup>nd</sup> Avenue and to fund from Drainage Contingency; Chair Ferencz seconded and the motion PASSED UNANIMOUSLY.**

Director Pitts pointed out that the water on Mr. Burke's property from Irma was storm surge, not rain water. When asked where the water would have been if he had already installed the pipe and three (3) drains one hundred fifty feet (150 ft.) apart, the Director opined that the surge would have been at his front door step as opposed to his front yard.

Chair Ferencz told Mr. Burke that City Council has given the Planning Commission the task of developing a drainage plan for the entire island because he was not the only property owner experiencing drainage/flooding problems. The Chair added that, in her opinion, the City was somewhat responsible for the problem by allowing so much construction on the island with impervious surfaces.

The Chair asked the Administrator to get Mr. Stevens to begin work as quickly as possible, and that, if necessary, the Committee could hold a Special Meeting to hear his findings and recommendation.

In his frustration, Mr. Burke stated that, if a resident was willing to pay for something that would benefit the island at his expense, he should be allowed to do so without discussions of budgets, processes and FEMA.

#### **4. Departmental Reports for August and September 2017 – Director Pitts**

According to Director Pitts, the highlights for the month of August were emergency street-sweeping services Charleston County provided and the emergency drain work provided by Eadie's. He stated that garbage and debris collections for the month were average and that vehicle maintenance was minimal. For September, the highlight was the preparations for, pump maintenance during and after, and clean-up after Hurricane Irma. Between September 12<sup>th</sup> and September 30<sup>th</sup>, three hundred eleven tons (311 T.) of yard debris were collected; the total for the month was three hundred thirty-one tons (331 T.) with approximately two hundred fifty-two tons (252 T.) were from Beachwood East. In addition, personnel collected approximately forty tons (40 T.) of white goods (C&D). The Director commented that the SkidSteer is a stick-shift with a hydrostatic control; the preventative maintenance for that equipment with the replacement of the hydrostatic control had a significant impact on the vehicle maintenance budget. Charleston County again assisted with extra street-sweeping after the storm and will assist Eadie's with vacuuming ditches; they are currently mobilizing, but the Director is uncertain about when they will begin working in strategic areas of the island as follows: Myrtle Avenue – boxes and line, 2908 Palm Boulevard – box, 31<sup>st</sup> to 33<sup>rd</sup> Avenues – boxes and line, 3008 Harnett – boxes, 42<sup>nd</sup> and 43<sup>rd</sup> – boxes and line, 44<sup>th</sup> and 45<sup>th</sup> – boxes and line, and 53<sup>rd</sup> through 57<sup>th</sup> – boxes and lines.

Chair Ferencz told the Director that she has heard nothing but good reports from citizens about how quickly the City started the clean-up in the aftermath of Hurricane Irma; based on the degree of flooding, the impact on the beach and the volume of debris, residents can only imagine the damage if the island were to sustain a direct hit. She noted that places on the island that have never flooded, flooded with this storm.

#### **5.A. Discussion with prospective buyer for Schupp Enterprises**

Administrator Tucker introduced Scot Eadie, the person interested in buying Mr. Schupp's garbage collection business.

Mr. Eadie stated that he is one of three (1 of 3) brothers operating the drain and vacuum business where he currently serves as manager of the vacuum division with eighteen (18) trucks and approximately forty (40) employees. He said that they have enjoyed their relationship with the City that goes back many years. In January of this year, he started garbage collection for people in rural areas that would not be serviced otherwise; currently he has one hundred fifty (150) rural customers and one hundred seventy-five (175) neighborhood residents in Summerville, which is growing by twelve (12) households per month. After getting a review of the contract requirements with Mr. Schupp, he indicated that he was interested in buying the business with its equipment; he told the Committee that he has not yet reviewed the contract between the City and Schupp Enterprises.

The Administrator explained that the purchase would require an assignment of the Schupp Enterprises contract to Mr. Eadie's company and approval by City Council; another option open for Mr. Schupp would be to opt out of his contract early at which time the City would re-bid it.

Administrator Tucker told Mr. Eadie that her biggest concern was the lack of proximity between the Eadie's operations in the Ridgeville/Summerville area; since Mr. Schupp is a resident of the island, the City has enjoyed the benefit of calling upon him any day at any time and having him respond as quickly as humanly possible.

Chair Ferencz voiced concern that Mr. Eadie has not experience with garbage and recycling removal from the beach. When she noted that he would be buying Mr. Schupp's equipment, she questioned that the equipment was no longer capable of handling the volume of debris that frequently accumulates and, as a result, newer equipment may be needed.

Councilmember Ward agreed that this was a unique job that required a unique contractor, and he thought the City was lucky to have Mr. Eadie come forward. In his opinion, the City would find it hard to find a contractor who could meet the needs of the City and was interested in taking on the contract. When he asked when the transfer would take place – if it does, Mr. Eadie indicated that it would likely be the first of the year.

Director Pitts reported that for the past fourteen (14) years, when he has called Keith or Scot Eadie, they have been on the island in one or two (1-2) hours, and he was confident they would continue to respond in the same manner.

Responding to the Committee's concerns, Mr. Eadie stated that, between the four (4) Eadie's companies, they employ approximately ninety (90) people that they strive to cross-train over the four (4) companies. He said that his employees were scattered from Georgetown to Summerville to North Charleston, and his plan for IOP was to hire two (2) people, one full-time and one part-time, who lives in close proximity to the island so that they could continue the responsiveness the City is accustomed to. He also stated that he was a hands-on person; therefore, he would run the route with Mr. Schupp several times and actually run it himself before finalizing the transaction to fully understand what the job entailed, how the equipment operates and the time required to complete the route.

**B. Update on NPDES Project with timeline and cost**  
• **Consideration of Amendment to Thomas and Hutton Agreement**

The Administrator explained that this item was in relation to the vehicle wash-down and white goods storage project at the Public Works site to bring the City into compliance with NPDES regulations. She informed the Committee that she has been withholding payment to them for an outstanding engineering invoice because they were very near the ceiling defined in the contract; at this time, Thomas and Hutton has invoiced the City for approximately twenty-six hundred dollars (\$2,600) more than approved in the contract for engineering alone. For the past few weeks, the City has been asking Thomas and Hutton to do an analysis that would estimate the cost of work yet to be done in order for the City to approve an amendment with a ceiling to their contract. Based on the information they have provided, an amendment with a ceiling of up to ten thousand dollars (\$10,000) in additional engineering expense needs to be made to their contract. Administrator Tucker noted that Thomas and Hutton think the expenses should be paid because they were under the impression that they were working under "time and expense" terms, rather than a contracted ceiling; Director Kerr is verifying the contract terms.

**MOTION: Councilmember Ward moved to authorize an amendment to the Thomas and Hutton contract up to \$10,000; Chair Ferencz seconded.**

Councilmember Ward asked how the project was proceeding, particularly in terms of cost.

Based on the project worksheet through mid-August, four hundred thousand dollars (\$400,000) remain in the contract.

The Councilmember then asked for a full accounting of the project year-to-date.

Director Kerr explained that, according to Thomas and Hutton, the reason for the additional engineering expense is that they have had to do "a lot more hand-holding" with the contractor than they anticipated. Their budget was based on a certain number of hours and a specific number of site visits, but they contend that the actual numbers have been two to three (2-3) times what they budgeted. Director Kerr reported that the project has turned out to be much more complicated than he thought it would be; he added that having Thomas and Hutton responsible for the construction oversight has saved the City a considerable amount of money in change orders. He reminded the Committee of the change order for debris removal and that Mark Yodice had worked diligently to get the amount reduced.

**VOTE: The motion PASSED UNANIMOUSLY.**

**C. Update on the City compactor**

Director Kerr stated that the cameras have been installed, but were not yet functional, and the signs are also yet to be placed.

Chair Ferencz stated that, from her observations, the serious problems from a couple of months ago do not appear to have returned.

Director Kerr said that the situation at the compactor remains fluid and can change overnight; today there is used motor oil and a pile of debris next to it. He reported that a lot has been done to alter the site; at this time, it is much easier to get trash into the chute. He noted that the problems outside the gate are still happening; the compactor is being cleaned routinely as is the pad. According to Mr. Jones at The Dinghy, the flies continue to be bad, the rat population is down by half and the stench is considerably better.

**D. Update on Phase II Drainage**

Administrator Tucker stated that things are beginning to happen, like the marking of existing underground infrastructure. Letters are ready to go out to all of the property owners in the project area, informing them that the “long-awaited” project is about to begin and requesting that they remove unauthorized encroachments from the right-of-way. Included in the mailing is a small-scaled plan of the project, but they will also be directed to the website for a larger view.

Piping is expected to begin the week of October 16<sup>th</sup> at the outfall.

**E. Consideration of proposal from Civil Site Environmental in the amount of \$13,200 for drainage issues at 32 Thirty-second Avenue – see Page 2**

**F. Update on replacement of underground storage tanks, timeline and cost**

Assistant Fragoso reported that the request for bid should go out by the end of the week; questions are due by October 16<sup>th</sup> and the bid opening is scheduled for October 30<sup>th</sup>.

**G. Consideration of future personnel requirements/changes in Public Works**

Chair Ferencz asked that this item be included on the Agenda pursuant to Director Pitts’ comments at the September Ways and Means Committee meeting, particularly his comments about future personnel needs in the Public Works Department. She stated that she had planned to follow-up this discussion with another at the Personnel Committee meeting, but it has been cancelled. When the Chair asked about including the Human Resources Officer in this discussion, Administrator Tucker said that she did not think the HR Officer was aware of the demand put on Public Works, which she thought would be the crux of this discussion; when job descriptions and organizational charts are crafted, she will be brought in.

In the Administrator’s opinion, the City has ignored for too long that the demand on Public Works is greater than current Public Works personnel can meet.

Director Pitts stated that his greatest concern was the fuel systems and staying in compliance with the associated regulations, and the Director is of the opinion that DHEC/EPA keep changing the rules of the game. The debris and garbage collections are handled by long-standing personnel; they know what to do and do it. He stated that his second concern was drainage.

The Director acknowledged that he is the only City employee that has a Class A license to perform the necessary tests and monitoring of the underground storage tanks; he stated that the Fire Inspector was a Class C operator who was well-versed on what the Director must do. Director

Pitts indicated that the Fire Inspector would be a good person to have as a back-up once trained because Director Pitts thought he could handle the responsibility. He is working to obtain an AB license, which would qualify him to be the second operator for the City.

Chair Ferencz commented that, if the Fire Inspector were to become the City's second AB operator for the fuel systems, it would amount to adding a responsibility to an employee who already has a full-time job and adding this new responsibility was not an extension of his current job description.

Administrator Tucker stated that, as an AB operator, he would serve an inspection-type function – inspecting that the system was functioning in compliance with regulations.

Director Pitts added that, if a second AB operator was hired for the Public Works Department, he would advocate for a third employee of the City to be a licensed operator; he did not think the City could have too many employees licensed and qualified to perform this function.

The Administrator stated that Director Pitts was very frugal and works very hard to keep expenses to a minimum in his department, but, at time, the City has minimized the level of demand for all activities for which Public Works is responsible. By doing so, certain tasks are getting done “between the cracks” and falling on other members of the City staff, including the Administrator, Director Kerr and now to the Clerk of Court, to handle. In the Administrator's opinion, Director Pitts needed to be supervising three (3) divisions within the Department, i.e. collection of garbage and debris, drainage and all other activities, like the compactor, etc.; each division would be overseen by a working supervisor who reports to Director Pitts. Someone needs to be proactive about these things and not handling them “between the cracks” or when emergencies arise. The receipt of citizens' complaints shows the frustration of residents who have called repeatedly for service and not received it because the Director was dealing with, for instance, a Notice of Violation from DHEC related to the underground storage tanks, which takes priority over everything. Administrator Tucker stated that the Committee needed to come up with a plan and to work toward its implementation so that the Public Works Department is functioning as it should within the Department.

Chair Ferencz recalled that, in her tenure, the Fire and Police Departments have received a thorough personnel review from salaries and benefits to positions in place and positions to be filled, and the time has come to do the same with the Public Works Department. She also recalled that those initiatives originated in the Personnel Committee, and she voiced her own frustration with the infrequency of Personnel Committee meetings to handle matters such as this. The Chair suggested that the City may need the assistance of an outside consultant to define the Department's needs and set-up; in addition, she asked where any additional personnel would be housed, which may lead to a discussion about a building, as well as any new and innovative equipment that might be needed. She opined that the City was doing its employees a disservice by adding more and more responsibilities that might fit into their job description thus pushing them to be unable to do a good job because they have too much to do. She expressed belief that there would be no pushback from Council about putting time and money into the Public Works Department because the only thing done for them is the purchase of new equipment when needed.

Councilmember Ward expressed total agreement and suggested that the Public Works Committee should proceed as if the Personnel Committee does not exist to develop a plan and convey the sense of urgency to other members of Council.

Administrator Tucker stated that a plan needed to be in-place before the budgeting process begins.

When Chair Ferencz asked where the regulatory needs would fit into the scenario presented, the Administrator indicated that she thought that person would be in the “all other” category.

Director Pitts explained that the City must have a Class AB operator, who would also handle the financial responsibilities, and a trained Class C operator at all sites at all times (24/7). He stated that all Battalion Chiefs in the Fire Department were Class C operators, marina employees are Class C operators as are all Public Works employees – they are trained in what to do if there should be a spill.

The Administrator said that the City needs another Class AB operator who can see the process through from A to Z, i.e. to prevent violations, to act when a Notice of Violation is received and to file the necessary reports/paperwork for the Notice of Violation to be released. This person would need the technical and administrative expertise to conclude the process.

One of the reasons the Personnel Committee will not meet in October is that Treasurer Suggs, Wynette Degroot (HR officer) and Administrator Tucker will be consumed in the month of October with the financial software conversion, and, therefore, unable to devote the time to generate job descriptions or to put numbers to paper for a proposal to the Personnel Committee.

The Committee agreed that this item will stay on the Agenda until resolution.

#### **H. Discussion of long and short term solutions related to drainage, expected costs and schedule**

Chair Ferencz noted that, at the last Council meeting, the task of developing a long-term drainage plan was referred to the Planning Commission; therefore, her concern was situations like Mr. Burke’s that seem to be happening all the time putting the City in emergency mode. She suggested that the City either begin to put money in reserves or to move money in the budget around so that Eadie’s five-year (5 yr.) contract could be condensed to one (1) involving continual clearing and vacuuming of the island’s ditches and with an annual cost of four hundred fifty to five hundred thousand dollars (\$450,000-500,000).

Director Pitts voiced confidence that, if Eadie’s were asked to clear every ditch on the island every year, they would do it.

Based on the complaints she receives, Administrator Tucker agreed that clearing the ditches once every five years (5 yrs.) was not enough; she commented that, once the ditches begin to be overgrown, they become a repository for trash, i.e. cans, beer bottles, yard debris, etc., obstructing the ditches even more.



**MOTION: Councilmember Ward moved to recommend to Ways and Means to change the Eadie's 5-year contract for ditch maintenance to an annual contract; Chair Ferencz seconded.**

Chair Ferencz said that she would like to see a maximum cost assigned to this action and asked that the Administrator confer with Eadie's to learn whether an annual contract would cost the same as the current five-year (5 yr.) contract, and, if not, what the cost would be. She suggested the figure of five hundred thousand dollars (\$500,000), but asked that the Administrator have a number for the Ways and Means Committee meeting.

According to Director Pitts, the terms of the current Eadie's contract are to cut the vegetation from every ditch once a year, to clean every stormwater grate inlet once a year and to restructure a defined number of linear feet of ditches on a five-year (5 yr.) cycle. The Director voiced the opinion that the vegetation should be cut from the ditches twice a year; the most expensive facets of the contract are cutting and vacuuming the ditches.

The Administrator remarked that, by keeping the vegetation cut out of the ditches, the amount for vacuuming could be reduced.

The Director thought that an annual contract would be no more than half a million dollars (\$500,000), but could be less if the vegetation was removed three (3) times a year.

The Chair recommended that a ceiling of half a million dollars (\$500,000) be established but how the money would be distributed between the tasks would be decided by the experts.

Responding to the question of where the money would come from, the Administrator said that she did not think any extra funds could be found in this budget year since the costs for Irma have not been matched against the budget, and she does not expect them to be reimbursed. She said that she was contemplating this change for the FY19 budget.

Chair Ferencz recalled that the Mayor had referred to unassigned funds that have never been "touched," and asked if those funds could be used for this purpose. The Administrator replied that a decision on the use was up to City Council, and she said that staff would analyze the FY18 budget before the Ways and Means meeting to see if funds could be found.

**VOTE: The motion PASSED UNANIMOUSLY.**

Unrelated to the Eadie's discussion, Director Kerr stated that the Planning Commission, working with Director Pitts, has discussed generating a priority list of the twenty (20) or so most serious drainage areas on the island, considering how many properties the problem impacted, the impact on the roads, the impact on the septic systems, etc. and to assign a dollar amount to the fix for each problem area. With that information, they would generate the priority list for City Council to consider. With the Phase II Drainage project underway, he hoped that the City would continue to put money into reserves for this list of problems. He said that, if City Council was looking for a comprehensive drainage plan, it would be generated by Seabrook again or another civil engineer. The Director noted that the Planning Commission would need engineering services to establish cost for each priority identified.

**6. New Business**

**A. Consideration of a proposal from The Greenery in the amount of \$5,380 for additional irrigation repairs along Front Beach**

Administrator Tucker commented to the Committee that irrigation repairs were expected and included in the FY8 budget; the contract with The Greenery states that they will inspect the irrigation system and present their recommendations for changes or repairs to the system to maximize the landscaping for the City. The staff recommends that the proposal be approved so they can begin working in anticipation of fall plantings.

**MOTION: Councilmember Ward moved to approve the proposal from The Greenery in the amount of \$5,380 related to the irrigation along Front Beach; Chair Ferencz seconded.**

When the Chair stated that she thought Council had decided against addressing the irrigation at Front Beach, Director Pitts recalled that Council was not supportive of replacing the entire system for approximately one hundred thousand dollars (\$100,000). He reported that The Greenery has identified and solved the problems between The Windjammer and Ben & Jerry's. The Director explained that this proposal was to get the irrigation for the area between Pavilion and 14<sup>th</sup> Avenue back on a City meter rather than Charleston County's meter and to get the irrigation functioning as it should; he noted that the lines are in place, but do not function due to the work done by the previous contractor.

**VOTE: The motion PASSESD UNANIMOUSLY.**

**B. Discussion of scope of work completed by Eadie's and consideration of extending services – see pages 8 and 9**

**7. Miscellaneous Business**

**Next Meeting Date: 11:00 a.m., Wednesday, November 1, 2017**

**8. Adjournment**

**MOTION: Councilmember Ward oved to adjourn the meeting at 12:48 p.m.; Chair Ferencz seconded and he motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk