

## **REAL PROPERTY COMMITTEE**

9:30 a.m., Monday, October 9, 2017

The regular meeting of the Real Property Committee was called to order at 9:30 a.m., Monday, October 9, 2017 in the City Hall Conference Room, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmember Rice, Mayor ProTem Harrington and Chair Bergwerf, Administrator Tucker, Assistant Administrator Fragoso and City Clerk Copeland; a quorum was present to conduct business.

1. Chair Bergwerf 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 Rice moved to approve the minutes of the regular meeting of September 15, 2017 as presented; Mayor ProTem Harrington seconded and the motion PASSED UNANIMOUSLY,.**

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

Jim Raih, 3904 Cameron Boulevard, addressed the Committee about the soil analysis that was done at the marina relative to the marina revitalization plan; he was concerned about the soil's environmental impact when disturbed to construct the new traffic roads and traffic flows. He was concerned that, since the marina was once a landfill, the contractors might find problems that would create foundation issues once construction begins. He stated that, when the City decided to demolish the metal building that was near the Tidal Wave Watersports dock, he, as a member of the Real Property Committee, had thought it was imperative not to disturb the building's slab because it was so near the creek bed. Mr. Raih said that he was glad that the City had taken the time to explain the marina's past to newer residents and why the City had purchased it. He commented that the drainage at the marina has been clogged since his first involvement twenty (20) years ago and that it was clogged to prevent the water from back flowing into the system. He stated that he would be happy to provide additional back information if needed.

Phillip Smith, 8 Intracoastal Court, stated that, at the last meeting, the Committee had decided not to relocate Tidal Wave Watersports farther from Mr. Smith's property immediately, and he thought the primary reason was the cost to do so. His understanding was that Coastal Expeditions was operating successfully out of that location currently, and he suggested that Tidal Wave would be as successful operating from the Intracoastal dock. In his opinion, moving Tidal Wave now might provide feedback from residents and visitors on how the parking would work in that area as opposed to how it functions now. He commented that he thought finding out how the move would work now and over the next three (3) years would be beneficial since Tidal Wave is allotted a certain number of parking spaces per its lease. By this time next year, the Committee would know how the parking worked out when the restaurant, Tidal Wave and the marina parking were mingled in that area of the marina. He noted that originally Tidal Wave was given eight (8) parking spaces, but that was when they had eight (8) jet skis; today with approximately eighteen (18) jet skis and several boats, they might need twenty (20) or more parking spaces to accommodate their customers. He re-stated that he continues to ask the City "to create a decent buffer between the most active business at the marina and [his] property." His request was for the Committee to re-think its position and to relocate Tidal Wave now. He concluded saying that he fully supported

the new marina plan to make it more welcoming to residents and providing more boat slips and more access for residents.

Shane Ziegler, owner of Barrier Island EcoTours, which operates out of the IOP Marina, has seen the growth and changes at the marina over almost twenty (20) years; he said that he thought Brian Berrigan has done "an excellent job." He said that the most recent plan for the marina revitalization was the best he has seen; he thought the plan addressed the major issues of parking, traffic flow and safety. He was particularly impressed with the segregation of traffic flow and pedestrian movement throughout the marina. He noted that "the docks have been in disrepair for a long time;" he did allow that Mr. Berrigan has done a good job in maintaining them. He opined that the businesses operating out of the marina are what draw visitors and residents to the marina.

For Barrier Island EcoTours, the new plan provides two (2) 14' x 32' slips, but there is no pier between the two (2) slips which will make docking one (1) boat when another is already docked difficult. Having a pier head would make docking safer for the passengers on the boat. He commented that Barrier Island EcoTours was the most active business and a year-round business at the marina. In addition, he stated that they currently have a tiki hut in the parking lot where they check-in their guests; the hut also serves as shade for their employees, a place where parking passes are issued and a place for guests to gather before and after their excursion. He again noted that the new plan does not have any type of structure from which to operate their business whereas both Coastal Expeditions and Tidal Wave have check-in areas. He asked the Committee to reconsider the plan to add both the pier-head and a hut for Barrier Island EcoTours.

Mr. Ziegler noted that EcoTours hosts about twelve thousand (12,000) students per year, and they primarily come in the spring and fall during the week and not on weekends when the marina is the busiest. The students arrive primarily by bus, but they do not impact the parking issues since they are at the marina at a time when it is the least busy. On Memorial Day weekend, EcoTours runs only one (1) Saturday morning trip; they do not operate over July 4<sup>th</sup>; on busy summer weekends, they run one (1) Saturday morning trip and one (1) Sunday evening trip.

He stated that the majority of his staff has been with him for eight to ten (8-10) years and are biologists or ex-teachers who rely on EcoTours to support their families. They provide quality educational experiences for their customers and are an asset to the island.

Administrator Tucker said that she and her family participated in a tour on Sunday evening and the tour guides did a "phenomenal job." She was surprised that, growing up on the beach and having been a resident for over forty years (40 yrs.), she learned things she had never known.

Chris Crolley, owner of Coastal Expeditions, stated that the purpose of his business was very similar to that of Barrier Island EcoTours in that both provided environmental education, and he was pleased with the cooperative relationship they share. Although he has been apolitical, he has learned that, to stay current and relevant, he must attend civic meetings; he described his company as "planktonic," meaning that, like plankton, it goes with the current and is not self-propelled, but he was trying to change. In background information, he stated that Coastal Expeditions has been conducting low-impact environmental tours from the IOP Marina since 1992 and that he would like to continue to do so. Contributions the company makes to the community

include the South Carolina Outdoor Education Program, which is a foundation-funded program that takes thousands of school children out in kayaks every year, so many of the island's children and/or grandchildren have been on kayaks with Coastal Expeditions. He currently has a contract with Wild Dunes for tours for visitors to the island; when the kayak business operated by Mr. Berrigan ceased to be, Mr. Crolley bought it and renamed his business Coastal Expeditions. The business was located next to the boat ramp with a small storage area on the beach near Morgan Creek Grill; his business was later moved to the other side of the marina where, at various times, he shared space with other small businesses. Currently the business is located on the Intracoastal dock with no launching facilities; he has purchased a trailer and installed custom kayak storage racks and a floating launch facility – he estimated the move to have cost the business fourteen thousand dollars (\$14,000). He commented that he tries to put forty (40) people on the water each day; when a corporate group wants to go out, he transports additional kayaks to the island and takes them away after their use. He remarked that operating out of a trailer is not the way Coastal Expeditions wants to be presented and that he would prefer to operate out of a facility like Tidal Wave has, i.e. an enclosed structure that can be locked and to walk down to a specially designed dock. He commented that kayaks and jet skis do not mix well; therefore, he does not think that locating his business next to Tidal Wave is ideal. He added that he could make it work, but he requested a small structure also be provided for Coastal Expeditions that would allow the trailer to disappear. In addition, he requested the opportunity to work with the designers on the floating docks on how to mount the racks to store their kayaks; since less buoyancy is required for kayaks, the dock would be a custom design. An additional request to the Committee was for Coastal Expeditions to become a tenant of the City like Tidal Wave; when Mr. Crolley spoke with Mr. Berrigan about it, Mr. Berrigan stated that he would “fight it vigorously.” He said that, when the business was moved to its current location, Mr. Berrigan increased his rent three (3) fold; in his opinion, he is being charged far more than his nearest neighbor and getting far less. He stated that his concern was that he would build Coastal Expeditions into something really nice and, as a result, Mr. Berrigan would again increase the rent.

Mr. Crolley distributed a handout to Committee members detailing his requests, and a copy is attached to the historical record of the meeting.

## **5. Old Business**

### **A. Update on public restrooms and boardwalk**

Administrator Tucker asked Director Kerr to attend the meeting to lead this discussion since he has worked closely with Liollo, the project designer; she added that funds allocated for the Liollo's services have nearly been spent. The Committee was now faced with moving forward and a decision about what to do next.

Director Kerr recalled that the project was bid and the single bid received was significantly higher than was budgeted; the amount bid on the restroom renovations exceeded half of the value of the restrooms. Based on the bid response and the lack of faith in the accuracy of the bid submitted for the boardwalk, the project has gone out for bid a second time. Having received feedback from four (4) potential bidders as to the reasons they did not bid, which were the need for unusual sizes of lumber for which they could not get responses from lumber yards in time to submit bids, staff

is hopeful that more bids and more accurate bids will be received this second time around. When re-bid, the RFB was structured to enable the City to proceed with only the boardwalk construction if it so chooses.

The Director stated that the flood maps will be changing at the end of 2018, and, although not fully explored, the restrooms will go from a V zone to an AO zone which would mean that the fifty percent (50%) rule would no longer apply to them.

When Chair Bergwerf asked about the plans, the Director indicated that the specifications for the restroom renovations were the same as the original bid; he noted that staff agreed the conditions of the restrooms had improved enough that the renovations could be delayed a year or two (2) until the new flood maps come into play. In the AO flood zone, a building can be flood-proofed, resulting in a flood compliant building for which the fifty percent (50%) rule would no longer apply. He said that adding a gate to the front entry of the building would make it flood-proof, therefore, flood-compliant.

The bid opening is set for Friday, November 3<sup>rd</sup>.

Councilmember Rice asked about the status of re-sealing the floors, and the Director said that the contractor has admitted that something was amiss in the application and has agreed to re-do them at no charge. They prefer to do it in the winter, and the Director prefers that they do it after the renovation project so that a new floor would not be destroyed when the renovations were done in and to the restrooms. He stated that the possibility exists that work could begin in two to three (2-3) months, assuming the bids received are less than fifty percent (50%) of the value of the restrooms. If the bids are greater than fifty percent, he will arrange to proceed with re-sealing the floors.

#### **B. Update on Beach Renourishment Project**

The Administrator said that little had changed since the last meeting; mobilization is expected in December since the permits are in place and the contract has been executed.

In the emergency berm work currently underway, the plan was to complete the work on the west end before mobilizing for the east end, but the contractor will relocate his equipment today. For the work on the west end to proceed, any and all protective measures must be removed, and, with the king tides, the residents have been reluctant to remove them. About three (3) days' work remains to be done on the west end of the island.

Chair Bergwerf commented that the work that has been done has been "phenomenal." She did note that the public beach accesses on the east end of the island are currently mountains with ten foot (10 ft.) drop-offs and asked if the City was going to do anything about the situation.

Administrator Tucker explained that they were in OCRM's jurisdiction and the City's hands were tied. Between people making their way through them and the high tides, the Administrator opined that the problems will slowly resolve themselves.

#### **C. Update on underground storage tanks**

Assistant Fragoso reported that the City has received the RFB from the consultant, but it needed significant editing. She anticipates advertising the RFB later today or tomorrow; the deadline for questions will be Monday, October 16<sup>th</sup>, and the bid opening is scheduled for Monday, October 30<sup>th</sup>.

**6. New Business – None**

**7. Miscellaneous Business**

**Tenant Rents Report – All are current.**

Next Meeting Date: 9:30 a.m., Monday, November 6, 2017

**8. Executive Session – not needed**

**9. Adjournment**

**MOTION: Councilmember Rice moved to adjourn the meeting at 10:25 a.m.; Mayor ProTem Harrington seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk