

Public Comment For City Meetings

Name

Janice G Lever

Address

1165 Freelock Dr, Mt Pleasant, South Carolina 29464

Comments for Council Meeting

Something must be worked out! We should not be blocked from enjoying our beaches! It's time for this ban to be lifted!

Meeting This Comment is Intended For:

City Council

Email Address

janglever@live.com

Public Comment For City Meetings

Name

Mrs. SANDRA FERENCZ

Address

4 SEAHORSE CT, ISLE OF PALMS, South Carolina 29451

Comments for Council Meeting

While a seated Council Member I rarely took seriously the complaints from residents that information was not available to them. With a web site, comment forms etc I felt we were doing a good job of keeping those who took the time to look, adequate opportunity for obtaining needed information.

As a fulltime resident and not privy to the insider talk, I now feel their frustration.

In September of 2019 our Mayor convinced me (because I was concerned) that as of September 2020 TWW would be off the premises and we could move forward with a public dock and green space. I took him at his word and yet here we are, January,2021 and a houseboat is tied up at the dock, a trailer is parked in the soon to be Restaurant employee parking area and it appears TWW has no intention to vacate our property.

Since Nov. 2020 there has been no update on the website to the dock and park proposed plan.

Will any member of Council or our Mayor please shed some light to our residents as to what steps the City is taking to move forward ?

Meeting This Comment is Intended For:

City Council

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Public Comment For City Meetings

Name

Amy Winchester

Address

2468 Worthington Dr., Mount Pleasant, South Carolina 29466

Comments for Council Meeting

Any municipality considering parking issues should be aware of South Carolina Attorney General Opinion No. 77-151 which states in part:

- A municipality has a right to regulate parking and charge a fee to cover the expenses thereof;
- A license fee imposed for regulatory purposes (parking fee) should not exceed the expense of issuing the license, inspecting and regulating;
- Parking meters may produce only such revenue as is reasonably necessary to defray the expense;
- Parking regulations are invalid if they are arbitrary and discriminatory;
- The imposition of parking fees on non-residents, and not on the citizens of Folly Beach, is discriminatory and does not afford non-residents their constitutional guaranty of equality of privilege and burden.

Also, the recent South Carolina Supreme Court Case should be considered if a municipality is considering imposing restrictions due to COVID-19. The case of Thomasina Adams v. Governor McMaster, Op. No. 28000 (S.C. Sup. Ct. filed December 9, 2020) states: "CONCLUSION Without question, the effects of the COVID-19 pandemic have been unfathomable. While not an inclusive list, COVID-19 has taken precious lives, taxed our health care system, impacted our economy, and caused us to alter our court operations. ... Even in the midst of a pandemic, our State Constitution remains a constant, and the current circumstances cannot dictate our decision. Rather, no matter the circumstances, the Court has a responsibility to uphold the Constitution."

I will email the Attorney General Opinion and the Supreme Court Case for your information.

Meeting This Comment is Intended For:

City Council

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Public Comment For City Meetings

Name

Julie Delvekio-Kreil

Address

1429 Downing st, Charleston, South Carolina 29407

Comments for Council Meeting

Please disclose all monies you receive and who they are from: example state tax money; Federal stimulus monies, thank you.

Meeting This Comment is Intended For:

City Council

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Public Comment For City Meetings

Name

James W. Smiley

Address

16 44th ave, 44th Avenue, Isle of Palms, South Carolina 29451

Comments for Council Meeting

Dear Council,

Question: What do Jim Smiley, an 80 year old guy who has never in his life been On a surfboard;

all have in common?

Answer: If the second reading of the proposed surfing ordinance (2020-16) passes in its present form, all three of these individuals can become surfing instructors licensed by the Isle of Palms. After becoming licensed surfing instructors, all three will be able to advertise and recruit for their new businesses as being fully licensed and approved by the City.

Ever since the summer when my grandson was 8 years old and had to be driven daily to Folly Beach (the edge of the earth) for surfing instruction because it was illegal on the Isle of Palms, I have been an advocate for surfing instruction for the island's families and children right here on the Isle of Palms. My grandson is now 21 years old. Surfing Instruction on the Isle of Palms is still illegal. While for the past generation the children of our island have been deprived of what should be a quality, signature offering by our Recreation Department, my city government and its Recreation Department have debated in fits and starts the merits and ultimately the reasons why at least three different surfing instruction formats won't work here. While our children languish, Surfing has become an Olympic sport.

First, (in the early 2000's) it was decided that surfing instruction would be legal if it were offered by independent businesses working as employees of the Recreation Department. This format was scrapped when a labor dispute arose with one of the employee-instructors after the City attempted on several occasions to reduce the income of the instructor in favor of increasing the income to the City. The City ended up settling an unfair labor practices lawsuit out of court by paying the aggrieved former employee \$10,000.

Second, After languishing with no action and no surfing instruction for close to 20 years, the City recently decided to use the format of limited franchises as a legal means of offering surfing instruction. RFPs were written and advertised three different times during the years 2019-2020. All three times the City took no action on the responses to the RFPs. Deliberations were always in executive session. Consequently, all the public can know even now is that though the number of RFP responses was small, some of the best surfing instruction academies in the area did submit franchise proposals. Ultimately Council's Recreation Committee decided that the format of offering surfing instruction via franchise was not proper and consideration of franchise(s) was pursued no further.

Third, in 2020, the Recreation Department decided once again to offer Surfing Instruction within the format of Recreation Department employees. The Recreation Department would recruit and interview applicants for hourly wage positions, promising surfing instruction in the summer of 2020. When none of the applicants interviewed had the required water safety instruction certification (WSI) and hence were unqualified, the Recreation department attempted to engage a swimming pool in North Charleston to instruct the would-be surfing instructors. Unfortunately a pandemic came along and the WSI course was not offered. The Recreation Department then hoped to offer surfing instruction in the summer of 2021, but

at some point the idea was dropped altogether in favor of still another format, that of selling business licenses for surfing instruction.

And so before you for second reading is a proposal to alter the law which presently makes surfing instruction illegal, to enable selling business licenses to any and all comers, regardless of experience, qualification or certifications. It seems that the City has abandoned all thought of offering exceptional quality instruction as a signature course under the aegis of our Recreation Department. It now also seems that the key words in all open discussions have been "legal liability" rather than "exceptional" or "quality" as descriptors of this format. In fact it seems that the City apparently believes that by evading all mention of qualifications and certifications from requirements for a surfing business license, it also absolves itself of all legal liability should untoward events occur during or in association with surfing instruction by City licensed instructors.

So, after 20 years of needlessly hemming and hawing over the issue of surfing instruction on the island, our Recreation Department and City seem to have come to a point where they admit their failure in providing quality surfing instruction for the Island's kids under the aegis of the Recreation Department. Instead, the City seems now willing to relegate surfing instruction to being just another business to be treated no differently than a souvenir shop. Remember if you will that we are not dealing with picture postcards or tee shirts, we are dealing with our most precious of commodities our children and their families.

I ask that you give careful consideration to the ordinance before you for final approval. Please, if you must use the business license format for surfing instruction, amend the ordinance as it now reads to require background checks, WSI certification, CPR certification, certification by an appropriate professional organization associated with surfing instruction, indemnification of the City and please provide some semblance of oversight and evaluation of the instruction. Treat this business license as unique from the rest because it is.

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City Council

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