



REAL PROPERTY COMMITTEE

1:30pm, Monday, October 4, 2021

1207 Palm Boulevard, Isle of Palms, SC 29451

and broadcasted live on YouTube: <https://www.youtube.com/user/cityofisleofpalms>

MINUTES

1. Call to order

Present: Council members Popson and Streetman

Absent: Council Member Moye

Staff Present: Administrator Fragoso, Director Kerr

2. Approval of previous meeting's minutes – September 13, 2021

MOTION: Council Member Popson made a motion to approve the minutes of the September 13, 2021 meeting and Council Member Streetman seconded the motion. The motion passed unanimously.

3. Citizens' Comments -- none

4. Marina Tenant Comments

5. Old business

A. Update on marina dock rehabilitation project

Administrator Fragoso reported that the demolition of the charter docks was completed without any issues. The installation of the staging dock has begun. She said, "Our expectation is that the finger piers and all pilings will be completed by this week, and the docks turned over to the utilities so they can do all the necessary connections with water and the power as well. For the restaurant and face docks, those have been completed. There is a small list of punch list items that they are still working through. There are some metal plates that have not yet arrived. Once they do, they will be installed. The third bacterial testing of the potable water system is expected. Those results are expected today. Once those results are made public, then the water will be available for the public."

She stated that the change order for Salmon's to make the aesthetic improvements to the section of the dock being leased by the restaurant has been executed. She is awaiting the work schedule for those improvements.

Administrator Fragoso said that she and Kirby will be meeting with Salmon's to discuss the November 19 projected completion date. She anticipates Salmon's asking for an 18-day

extension due to the work on the restaurant dock as well as issues at the restaurant's sandpit area uncovered while they were doing connections. She added, "I approved the expense associated with the materials. I did not approve any extension of the dates yet. I think that should be treated separately then with piggy backing on a change order. So we are anticipating having a discussion about what that looks like. There are some material shortages that are impacting a portion of the fuel dock. Those docks, the manufacturers have started working on those, but they haven't completed them because of some issues with the aluminum." They are still working with the contractor to identify alternative materials or suppliers for the aluminum.

B. Update on marina restaurant renovation by Marker 116, LLC

Rob Hamill of Nucor Construction gave an update on the work being done at the restaurant. "Right now, we are wrapping up electrical and plumbing rough-in. We got our framing inspections for exterior framing done. So now they are working on some of the more cosmetic things like railings and decking. We've replaced pretty much all of the roofing on the lower mechanical area. We took the units down, replaced the roof in there, and focusing mostly on the interior rough-in. Fire sprinkler rough-in is going really well right now. They got a lot of that done, bringing everything up to code. Hoping to get our inspection so we can start closing up walls, get drywall, get some of the interior finishes going, get the bathroom going, but everything's looking pretty good out there." He is projecting a late December/January completion.

Mr. Hamil explained the change regarding the elevator: "The restaurant group wanted an elevator for ADA and operations. So we had an architect review what was there in the existing structure where we could fit this elevator while still doing the rest of the necessary operations, renovations that everybody wanted. So we found the spot we had was between two load-bearing walls right in the middle of the restaurant. I think some people have toured and seen this, but so the architect had put in an elevator shaft that he thought would be a typical one to that one, so he could design the ADA bathrooms that we now added that were not there before around that spot. What happened is that when we finally had proposed that and submitted those drawings and people would say that is a great idea. Let's do this. That was prior to actually vetting it through the elevator company. So we went through two different companies, got shop drawings from them, and then laid the actual elevator pit size there, and then with the fire-rated walls that you have to have for an elevator, once we did that, it actually pushed too far into the men's bathroom. So now the men's room cannot be ADA if we had the elevator because you actually could not even open the door."

Mr. Bushnell reported that the architect is due back this week to look at options for an elevator. Council Member Streetman said the public is expecting an elevator and he would like for the full City Council to weigh in on the options. Administrator Fragoso said that if Marker 116 comes up with a plan for an elevator, City Council will not need to do anything. But if they are unable to accommodate an elevator, then City Council would have to take action on approving a modified design without the elevator.

Mr. Bushnell said, “There are five comments that I just want to make sure that everyone is aware of is that with how it is currently constructed, we have rebuilt the entire handicap ramp and redone the stairs. With that, we are going to have over 225 seats that are handicap and wheelchair accessible. We have a ground-level view outside of the water that is wheelchair accessible. We now have the interior heated and cooled space which is wheelchair accessible. We rebuilt the bathrooms, which are both now ADA-compliant, which were not before. We have also built a new hallway and a new porch on the back which is also wheelchair accessible, which now gives you an elevated view of the water. We have a number of seats that are in the building which is far improved. But the point being is that we have wheelchair accessible views from the ground inside the building and from the rear exterior that is elevated. So there are those three options that are already there.”

Council Member Streetman said they should be commended for the changes they have made to the restaurant. He asked about the upstairs bathrooms not being ADA complaint. Director Kerr said, “when discussing it with the City’s Building Official, it was his opinion that because that’s an existing condition, those bathrooms are basically in their original condition as they have been and as they took them over that he did not feel the standards would require that they be retrofitted to the degree that it would take to make them ADA accessible. I don’t think that it would basically be an addition to the building to get the space necessary to meet those standards, and he did not feel like that was the way the ADA standard worked.”

Director Kerr noted that ADA compliance and complaints are handled by the DOJ. So while he is not aware of any complaints about this issue, he said the City is not the final judge and jury on the matter.

C. Consideration of Noise Control Agreement with Marker 116, LLC

Administrator Fragoso said this issue needs to be completed by this Council. She said some changes were made to the agreement adding clarity as to what is expected to happen should a noise complaint be lodged against the restaurant. Marker 116’s attorney is still reviewing the agreement.

MOTION: Council Member Streetman made a motion to recommend the noise control agreement with Marker 116, LLC to full City Council for approval. Council Member Popson seconded the motion. The motion passed unanimously.

D. Update on the proposed public dock and greenspace at the IOP Marina

Administrator Fragoso said once the holdover tenant has vacated the property, the City will engage Davis & Floyd to fully engineer the greenspace. She has asked Salmon’s for a proposal to install some “enhancements to the dock as it is today to facilitate paddleboard and kayak launching” as well as some “improvements to the covered area that currently was being used as a point of sale location for the installation of several swing benches.”

She added that this dock is slated for replacement in two years, but upgrades can be made now to make it functional.

D. Update on ADA beach access improvements

Administrator Fragoso reported that Asst. Director Asero has been working with the City's landscape vendor to lift the MobiMat at 42nd Avenue, regrade it, stabilize it, and then extend it to attach an additional [50'] long MobiMat that would extend past where we have it now." The City has contracted with the landscape vendor to do this work every month. Director Kerr said this is a 6-month pilot program to see how successful their efforts are and how often it actually needs to be done. The cost could go up or down depending on how often the mat needs to be adjusted.

The survey at 34A Beach Access has been completed, and Administrator Fragoso has approved funds to go forward with the design and engineering of the improvements.

She reported that the final details of the beach wheelchair program are being put into place now that the funding for the wheelchairs has been approved.

Administrator Fragoso said there is no update from OCRM on any changes to their code about allowing for the extension of the MobiMats closer to the shore. Council Member Streetman said he is meeting with Representative Bustos this week and will discuss possible legislation addressing this matter with him.

6. New Business -- none

A. Discussion regarding request to reinstate the No Wake Zone on the ICW

Administrator Fragoso said she would speak with the Chair of Public Safety Committee about adding this discussion to their upcoming agenda. She suggested that City Council could pass a resolution in support of the effort to extend the No Wake Zone to year round.

B. Discussion of new elevator in marina restaurant

This item was covered during the update on the marina restaurant.

7. Miscellaneous Business

The next meeting of the Real Property Committee will be held on Monday, November 1, 2021 at 1:30pm.

8. Adjournment

Council Member Popson made a motion to adjourn and Council Member Streetman seconded the motion. The meeting was adjourned at 2:15pm.

Respectfully submitted,

Nicole DeNeane
City Clerk