

CITY COUNCIL
6:00 p.m., Tuesday, January 24, 2017

The regular meeting of City Council was held at 6:00 p.m., Tuesday, January 24, 2017 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bergwerf, Bettelli, Carroll, Ferencz, Kinghorn, Rice and Ward, Mayor Cronin, Administrator Tucker, Attorney Halversen, Assistant Administrator Fragoso and City Clerk Copeland; a quorum was present to conduct business. Councilmember Harrington was absent.

1. Mayor Cronin called the meeting to order and acknowledged that the press and public had been duly notified of the meeting in accordance with the Freedom of Information Act.

2. Election of Mayor Pro Tem

Councilmember Bettelli nominated Councilmember Harrington as Mayor Pro Tem, and Councilmember Ward nominated Councilmember Carroll. Councilmember Harrington was elected on a vote of five to three (5 to 3) with Councilmembers Carroll, Ferencz and Ward voting for Councilmember Carroll.

3. Reading of the Journals of Previous Meetings

MOTION: Councilmember Bergwerf moved to approve the minutes of the regular meeting of November 15, 2016 and the Special Meetings of December 6, 2016 and January 3, 2017 as submitted; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

4. Citizens' Comments

Kelly Thorvalson, Conservation Programs Manager at the South Carolina Aquarium, took the opportunity "to celebrate and congratulate the Isle of Palms for its forward thinking in the environmental business and protecting the natural habitat." She noted that the SC Aquarium has enjoyed a close relationship with the Isle of Palms Turtle Team; in addition to their care and protection of turtle nests, they clean the beaches as they walk them every day, likely removing thousands of pounds of trash over the years. In addition, she thanked the City for being the "go-to" beach for turtle releases, which can attract between one thousand and two thousand (1,000 to 2,000) people for each release; the Isle of Palms is the only island that can accommodate crowds of that size. Ms. Thorvalson congratulated the Isle of Palms for being the first local government in South Carolina to ban single-use plastic bags; she stated that "it was a huge boon for South Carolina and for the environment." "As coastal populations increase and visitors to these island increase, so do the environmental pressures on these delicate islands and the eco-systems. Implications of rising seas and increased plastic pollution should be on everyone's minds, and the South Carolina Aquarium looks forward to developing a deeper partnership with the Isle of Palms to mitigate these complex issues." She and Director Page scheduled a meeting next week to discuss possible programs relative to these issues at the Recreation Center.

Mayor Cronin stated that the legislature is re-considering removing the authority from local governments to issue bans on plastic bags; a public hearing will take place tomorrow morning in Columbia on the topic. The Municipal Association of South Carolina and the Coastal Conservation League will be in attendance to oppose the proposed legislation, and a letter was

sent to all of the committee members and others that showed an interest in making this legislation a reality, stating the City's opposition to it so that the City can continue to protect the wildlife and creatures that inhabit the island.

Mayor Cronin introduced Bill Taylor who is the Field Services Manager for the City, and Anna Pinckney, the newly appointed SCE&G Government Affairs and Economic Development liaison for the City.

5. Reports from Standing Committees

A. Ways and Means Committee

Mayor Cronin reported that, at the meeting of January 17th, he was elected Chair and Councilmember Kinghorn was elected Vice-Chair. Reporting on the first half of the fiscal year, Treasurer Suggs noted that revenues are one hundred seventeen percent (117%) ahead of the same period in FY16 with Property Tax Collections coming in earlier than in past years and resulting in collections twenty-eight percent (28%) higher than the same period last year. In expenditures, all departments were below budget except for Mayor and Council and BSOs that reflect timing issues related to payroll. Through the first six (6) months of the fiscal year, cash non-hand in the General Fund was at two and a half million dollars (\$2,500,000), or twenty-four percent (24%) of annual General Fund expenses; total cash exceeded fifteen million dollars (\$15,000,000). Tourism funds were running behind FY16; the fact that November's receipts were lower might be attributable to Hurricane Matthew. The Committee had a lengthy discussion about the proper course for repairs to the bulkhead; Jim O'Connor of JMT was present to respond to questions or concerns from Council. The Mayor explained that the bulkhead has experienced some underground seepage through the weep holes in it, causing the fill material behind the bulkhead to sink; the repairs will involve replacing the weep holes and adding new fill behind the wall.

1. Repair to the bulkhead using the method identified as Number 2 in the JMT bulkhead investigation report and that the project be done in tandem, with the underground fuel tank replacement no sooner than October 1.

Councilmember Rice recalled that a question asked at the Ways and Means Committee meeting was concerning the life expectancy of the bulkhead now and after the repairs; Mr. O'Connor replied that the steel was "in good shape;" therefore, it should last fifty (50) years or more. He noted that the repair is to re-establish the fill behind the bulkhead and fix the drains; once that is done, the repairs should last for the life of the bulkhead, assuming nothing extraordinary happens to it.

Mayor Cronin commented that the bulkhead has been in place about ten (10) years.

Councilmember Ferencz asked if JMT had been coordinating with ATM, the firm charged with the Marina Redevelopment Plan. Mr. O'Connor said that JMT had not because the two issues are totally separate and the work done to the bulkhead would not impact the redevelopment plan.

In order to disrupt the marina operations as little as possible, the repairs to the bulkhead will be done simultaneously with the replacement of the underground fuel storage tank sometime after October 1, 2017 and, therefore, included in the FY18 budget.

Administrator Tucker recalled that Councilmember Kinghorn had asked if any of the repair costs could be covered by insurance. Since the Ways and Means Committee meeting, the Administrator has spoken with the insurance carrier and filed a claim; an adjuster is to make an on-site visit next week and meet with a representative of JMT, Marina Manager Berrigan and City staff. The Administrator explained that documentation exists that the problem at the bulkhead was present prior to Hurricane Joaquin, but the belief is that Joaquin exacerbated the problem and that the problem was further exacerbated by Hurricane Matthew. JMT did their assessment in the time between Joaquin and Matthew.

2. Agreement with Morgan Creek Grill to reimburse them in an amount not to exceed \$15,500 to re-direct the water runoff from under the restaurant

MOTION: Mayor Cronin moved to reimburse Morgan Creek Grill in an amount not to exceed \$15,500 for the work to re-direct the water runoff from under the restaurant; Councilmember Carroll seconded.

The Mayor explained that this work will be done so that the City can obtain a termite bond on the building.

Councilmember Ward asked about the source of funds for this reimbursement, and Mayor Cronin replied that, in the Marina Fund, forty thousand dollars (\$40,000) has been budgeted to paint the bulkhead. Since the painting will be delayed until FY18 and can be re-budgeted then, a portion of the money can cover this expense.

VOTE: The motion PASSED UNANIMOUSLY.

3. Award of a contract to Benson Ford in the amount of \$24,468, state contract pricing, for one (1) 2017 Police Interceptor Sedan with accessories (MUNI ATAX, page 23, line 112 – Police Department Capital Outlay, vehicles and equipment for new officers, \$97,121)

MOTION: Mayor Cronin moved to award a contract to Benson Ford for a Police Interceptor Sedan as detailed above; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

4. Award of a contract to Vic Bailey Ford in the amount of \$27,186, state contract pricing, for one (1) 2017 Police Interceptor SUV with accessories (Muni ATAX, page 23, line 112 – Police Department Capital Outlay, 4 wheel drive vehicle - \$32,000)

MOTION: Mayor Cronin moved to award a contract to Vic Bailey Ford in the amount of \$27,186, state contract pricing, for one (1) Police Interceptor SUV; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

5. Discussion of Proposed Changes to the Procurement Ordinance

Attorney Halversen reported that the document in meeting packets reflects the changes made by staff since Council last reviewed the proposed changes to the Procurement Ordinance, and they are highlighted in yellow. The ordinance included for First Reading is a clean copy of the changes that is more readable than the version with multi-colored edits and strike-throughs. (Both documents are attached to the historical record of the meeting.) Attorney Halversen reviewed the major changes as follows:

- §1-10-2 – The Formal Contract Procedure explains that a formal written contract is required for all expenditures exceeding \$25,000.
- §1-10-3 – This section lays out the approval procedures and states that expenditures of \$10,000 or less shall be approved by the Purchasing Agent; unbudgeted expenditures in excess of \$10,000 shall be approved by City Council; and, if an expenditure does not exceed \$25,000 and has been approved in the current budget, the Purchasing Agent has the authority to approve and shall submit a report of the expenditure to City Council to be included in Council minutes. The Purchasing Agent shall also have the authority to approve all sales of personal property when the estimated value is \$10,000 or less.
- §1-10-4 – In this section, the ordinance states when competitive procurement requirements are required and the exceptions to those requirements.
- §1-10-5 – This section is dedicated to the methods of source selection and defines the various methods the City can use and the procedures for competitive sealed bidding and competitive sealed proposals.
- §1-10-8 – Multi-term contracts are addressed in this section.
- §1-10-9 – The terms under which contracts may be awarded on projects without additional open competition and formal solicitation are defined here.
- §1-10-13 – This section addresses the procedures for the sale of the City's surplus property.
- §1-10-14 – Procedures for the sale of seized assets and unclaimed properties are defined in this section.

Councilmember Ward asked for clarification about the Christmas ornaments, and the Administrator said that the reference was to the light displays. Citing the ordinance, Attorney Halversen stated "holiday decorations for public display," i.e. the Front Beach decorations.

Councilmember Ward commented that the purchase would be in excess of ten thousand dollars (\$10,000), but the Purchasing Agent would not need Council approval.

The Mayor noted that Council approval would not be needed if the item was included in the budget, and the City Attorney referred the Councilmember to Section 1-10-3.

Councilmember Ward then questioned the change included in Section 1-10-3 stating that "if the amount for an expenditure does not exceed \$25,000.00 and has been approved in the current fiscal year's budget, and prices do not exceed the budget estimate by more than ten percent (10%), the Purchasing Agent shall have the authority to approve such expenditure. . ." He noted that the Purchasing Agent would, therefore, be authorized to exceed the budgeted amount by up to twenty-five hundred dollars (\$2,500) and repeated that he is opposed to unbudgeted expenses.

He opined that any over-budget expenditure, no matter the amount, should be approved by Council.

The Mayor stated that, when he read that section of the proposed changes, he interpreted it as having a “hard ceiling” of twenty-five thousand dollars (\$25,000).

Referencing 1-10-4(a)(2)(ii) on page 3 that states “the Purchasing Agent or Department Head shall obtain at least three informal written bids,” Councilmember Rice thought that email should also be included as an “informal written bid” as it is in the section above it. Attorney Halversen explained that, in the range of ten thousand dollars (\$10,000) and twenty-five thousand dollars (\$25,000) the City should have a paper trail. Council asked for the words “and electronic” to be added after “three formal” in the ordinance.

Since the City has a relatively small staff, Councilmember Ferencz asked if these changes provide for the proper checks and balances.

Attorney Halversen stated that she thought that there were sufficient checks and balances and that she was actually worried that the changes proposed would be burdensome to staff. The changes proposed mirror the practices in place now; the ordinance will protect staff because they will now be following written procedures that were not there previously.

Councilmember Ferencz asked what percentage of the City’s budget was under twenty-five thousand dollars (\$25,000); Councilmember Ward said that he was confident that the number would be less than fifteen percent (15%).

Administrator Tucker stated that she thought that investigation was needed regarding financing and bonding because of the laws regulated to the procedures associated with that; she noted that in the bond process, the bids are all electronic.

Attorney Halversen referred the Administrator to Section 1-10-17 that provides the flexibility to defer from the procurement code and agreed to discuss it further before Second Reading.

B. Recommendations from the ATAX Committee

Mayor Cronin reported that the ATAX Committee met after the Ways and Means Committee met.

1. **Approval of overages in the FY17 ATAX budget**
 - a. **\$13,812 for the 2016 July 4th Fireworks Display**
 - b. **\$1,522 for the sales taxes on the new Christmas Tree**

MOTION: Mayor Cronin moved to approve the over-budget amount of \$13,812 for the 2016 July 4th Fireworks display and \$1,522 for the sales taxes on the Christmas tree; Councilmember Rice seconded.

The Administrator explained that the FY16 budget had been adopted before the 2015 fireworks display took place, and the show did not live up to IOP standards. When the City re-bid the event,

the costs were more in-line with what the City had paid in the past, but in excess of the amount in the budget.

Mayor Cronin added that the increased expense was approved by Council when the bid was approved.

Councilmember Ward questioned that the City's vendors were told that quotes or estimates they provide the City should include all taxes and shipping costs.

Administrator Tucker stated that the City pays the sales taxes on purchases from out-of-state vendors.

Councilmember Ward stated that, if an out-of-state company has ten thousand dollars (\$10,000) in sales in the state of South Carolina, that company has nexus, which means that they are required to file sales tax returns and pay the taxes to South Carolina.

AMENDMENT: Mayor Cronin amended the motion to deal with the two (2) items separately; Councilmember Bettelli seconded and the amendment PASSED UNANIMOUSLY.

VOTE: The amended motion PASSED UNANIMOUSLY.

MOTION: Mayor Cronin moved to approve the over-budget amount of \$1,522 for the sales taxes on the new Christmas tree; Councilmember Kinghorn seconded.

Responding to Councilmember Ferencz, the Administrator stated that these two (2) items are over budget in the ATAX Fund, but items are also in the ATAX budget that will not happen in this fiscal year so that the overall ATAX budget will not be over.

VOTE: The motion PASSED on a vote of 7 to 1 with Councilmember Ward casting the nay vote.

MOTION: Councilmember Bettelli moved to approve the over-budget expenditure of \$13,812 in the ATAX Fund for the new Christmas tree; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.

2. Funding approvals

a. \$3,500 for sponsorship of the Dunlop Junior Tennis Championship

A copy of the application was in the meeting packets, and Mayor Cronin commented that the City has supported this event for four or five years (4-5 yrs.)

MOTION: Mayor Cronin moved to approve \$3,500 for the Dunlop Junior Tennis Championship; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.

b. \$15,000 for a City event on Sunday, August 20, 2017 to celebrate that IOP is the last chance for viewing the total solar eclipse.

MOTION: Councilmember Kinghorn moved to approve a City-sponsored event around the total solar eclipse; Councilmember Rice seconded.

Councilmember Bergwerf asked if a similar amount of money was spent for the Street Festival; and Director Page said that this proposed event and the Street Festival will be comparable in cost, activities and vendors, but without the carnival rides. Although the eclipse will occur on Monday, August 21st, the event is planned for Sunday to draw the largest possible crowd; the City's understanding is that no decision has been made about letting children out of school early. In the preliminary plan, the City will have t-shirts for sale and will provide protective eyewear.

Information coming to the City is that the local hotels and resorts are rapidly filling their rooms.

Councilmember Ferencz asked if the cost of public safety employees was included in this funding, and Director Page responded that the Recreation Department does not pay for assistance from the Police or Fire Departments.

Since the island is full of guests on the weekend, Councilmember Carroll suggested that this event be held following the eclipse on Monday.

The Director stated that staff had decided to hold it on Sunday, because many people will be at work and children will likely be in school. If it is the will of Council to hold it on Monday, the Director will arrange everything for Monday.

Councilmember Ward asked how much money would come from the FY17 budget and how much would be deferred to FY18. According to the Director, the bulk of the money will be spent before the end of the fiscal year.

When Councilmember Ward asked if this was in the budget, the Administrator stated that the funding will come from the fifty thousand dollars (\$50,000) included in the ATAX budget for discretionary spending by the Committee.

Councilmember Rice voiced her opinion that this type of event accomplishes the purposes for which the ATAX Committee was created, i.e. to promote the island and to bring people to the island.

VOTE: The motion PASSED UNANIMOUSLY.

c. \$5,000 sponsorship of the 2017 Charleston Wine + Food Festival

The Mayor stated that this was the first time he has seen an applicant who has given the Committee and Council such hard information about how the City benefits from their event.

MOTION: Mayor Cronin moved to approve \$5,000 from the ATAX fund for the 2017 Charleston Wine + Food Festival; Councilmember Rice seconded.

Councilmember Ward asked the Mayor if he thought this sponsorship would set a precedent; the Councilmember stated that appearances are that Charleston has some kind of festival every weekend and asked if everyone will now approach the City for funding.

The Mayor stated that the statistics quoted in the application show that the City would receive an excellent return on its investment.

According to the Administrator, the precedent for sponsorships of festivals was set when the City was a main supporter of Spoleto for many years; the Mayor added that the precedent for not renewing was also set with Spoleto.

VOTE: The motion PASSED UNANIMOUSLY.

d. \$7,500 for improved beach trash barrels

Mayor Cronin reported that the barrels the City now uses are white and are painted yellow before being deployed to the beach accesses; the handling of the barrels when they are emptied scratches them and, before very long, they become most unattractive. Director Pitts has found a yellow barrel that would only need to have the palm tree painted on them; these barrels should standup to the typical summer wear and tear.

MOTION: Councilmember Bettelli moved to approve \$7,500 from the ATAX fund to purchase yellow trash barrels; Councilmember Bergwerf seconded.

Director Pitts added that the existing barrels are constantly being moved around the island; when a barrel becomes unsightly, it is moved to a beach access path that is less frequently trafficked and a barrel that shows less wear and tear replaces it. He added that, on a weekly basis, six to eight (6-8) barrels are taken off the beach and re-painted; in the wake of Hurricane Matthew, thirty-five to forty percent (35%-45%) of the barrels were washed away.

Councilmember Ferencz asked why the City painted the white barrels yellow rather than painting a palm tree on the white barrels. The Director said that the white barrels were actually translucent, and beach-goers would be able to see the trash that has been put in them.

Councilmember Bergwerf stated that the yellow barrels stand out on the beach and identify the beach access paths.

Councilmember Kinghorn voiced concern about the environment and asked that the Director research a quick-release method so that the barrels could be anchored to the beach and not be washed into the ocean by severe weather conditions.

VOTE: The motion PASSED UNANIMOUSLY.

C. Public Safety Committee

Councilmember Bettelli reported that, at the meeting of January 9th, he was elected Chair, and Councilmember Bergwerf was elected Vice Chair. Deputy Gragg appeared before the Committee seeking City-sponsored event status for the 2017 Special Olympics Polar Bear Plunge at the Windjammer on Saturday, February 18th.

MOTION: Councilmember Bettelli moved to grant City-sponsored event status to the 2017 Polar Plunge and to add this event to the list of approved annual activities; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.

Bobby Ross requested City-sponsored event status to youth volleyball leagues at the Windjammer in the spring and summer of 2017, starting mid-March and ending the first week of August; Mr. Ross has come to the City with this request for several years.

MOTION: Councilmember Bettelli moved to grant City-sponsored event status to the spring and summer volleyball leagues held at the Windjammer and to add the youth leagues to the list of approved annual events; Councilmember Carroll seconded and the motion PASSED UNANIMOUSLY.

Mayor Cronin commented that July 8th is the weekend following July 4th and the island will be full of people.

Mr. Ross stated that the dates for the tournaments were selected because the tides will be particularly good with the low tide being in the middle of the day as well as low high tides.

MOTION: Councilmember Bettelli moved to grant City-sponsored event status to two volleyball tournaments planned for Saturday, May 6th and Saturday, July 8th; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.

The Public Safety Committee was updated on Police Department activities regarding encroachments in the rights-of-way and were informed that officers have identified forty-two (42) hard obstructions between 42nd and 57th Avenues. Attorney Halversen has drafted a letter to be a template for notifications to homeowners of the obstructions in the right-of-way; if a homeowner wants to keep the obstruction, he will be advised that he must get an encroachment permit from SCDOT.

Brent Munnerlyn of Munnerlyn Pyrotechnics attended the meeting for a discussion about the 2017 July 4th fireworks display; the Chair told Mr. Munnerlyn that the 2016 show was very good and that everyone who saw them was complimentary. He informed the Committee that fireworks from China are more expensive than last year, so he was asked to prepare a proposal for the Committee's review. He told the Committee that to re-create the 2016 show, he would need to increase the price by about ten percent (10%) or reduce the length of the show by a few minutes.

If the City were to ask for a choreographed/pyro-musical fireworks display, it would need to purchase time from a local FM radio channel; the Committee asked that Mr. Munnerlyn investigate which station in Charleston or Mount Pleasant would be willing to cooperate with the City and the associated costs.

The Committee also discussed parking for golf carts, motorcycles and bicycles at Front Beach and was informed that to create parking spaces for these non-vehicular modes of travel would mean giving up paying parking space. The Committee authorized the purchase of bike racks that will be installed at Front Beach, the Public Safety Building and City Hall.

The City's Insurance Service Office (ISO) evaluation yielded a rating of one (1), the highest rating possible for the City which had a rating of three (3) prior to the latest evaluation. One (1) of the evaluators stated that it was difficult to attain a rating of one (1), but it was harder to maintain it. Chief Graham indicated that her goal in the ISO evaluation was not to get a one (1), but to be the best the Department could be regardless of the numbers.

Chief Graham reported that, on December 11th, personnel responded to a call for a boater in distress in the area of Long Creek; when Boat 1020 located the vessel, they found an individual aboard the disabled boat, and he was transported to the marina. On December 22nd, personnel reported to a call for a plane upside down on the beach at Capers Island; upon arrival, personnel determined that no individuals were injured and that the plane was not leaking fuel. Again the individuals were taken to the IOP Marina. On December 27th, personnel responded to a gunshot wound in the leg on Cameron Boulevard; the City crew assisted Charleston County EMS with packaging and loading the patient for transport. For the month of December, personnel responded to fifty-two (52) calls with twenty-one (21) of them EMS calls. Over 2016, personnel responded to four hundred forty-seven (447) medical calls and a total of one thousand seventy-eight (1,078) calls. Twenty-seven (27) pre-incident surveys were completed in the month, and the Fire Inspector inspected nine (9) public buildings and found seventy-seven (77) violations. The major maintenance expenses were attributed to issues at the Public Safety Building related to the heating/air conditioning unit and the fuel tank.

For the Police Department, Chief Buckhannon reported that between December 14th and 16th four (4) "thefts from motor vehicles" occurred. For the month of December, dispatchers answered three thousand eight hundred ninety-six (3,896) calls and a total of sixty-one thousand four hundred thirty-one (61,431) calls for the year; the IOP Police Department received a total of forty-eight thousand three hundred sixty-seven (48,367) calls in 2016. Three (3) officers attended the Keenagers Meeting, and on December 8th, two (2) officers participated in Santa's Cookie Workshop as Santa and his elf. Officers made one hundred eighty-five (185) traffic stops that resulted in fifty-eight (58) tickets being issued. In December, the Department received five (5) noise complaints and eleven (11) coyote sightings. At this time of the year, the City has no coyote traps set.

Chief Buckhannon reported that the CALEA on-site went very well, and the hearing will be in Mobile, Alabama at the end of March.

The next Public Safety Committee meeting will be at 2:00 p.m. on Monday, February 6th in the City Hall Conference Room.

Councilmember Carroll informed Council that the City has a binding multi-year contract with Munnerlyn Pyrotechnics that gives the City the option to renew the existing contract with the same

terms for three (3) additional years. He recounted that he had made a motion to renew under those terms, but it failed for lack of a second. He stated that, "as a business man, (he) thought that the City was supposed to keep . . . and stay within the budget, and (he) thought the City had lost its ability to negotiate by not extending that contract."

Mayor Cronin said that, from reading the minutes, he thought that the Committee wanted more information, such as the use of air time from a radio station and associated cost.

Councilmember Carroll noted that last year's show had cost the City twenty-five thousand dollars (\$25,000) and that Mr. Munnerlyn had stated that, for that amount of money, the show would have to be shortened.

Councilmember Bergwerf stated that the City still has the option to renew the existing contract, and added that Mr. Munnerlyn had explained to the Committee the difficulties his crew encountered in getting their equipment and the fireworks onto the pier and that he must figure a better way if he is to provide another show for the City. In her opinion, Mr. Munnerlyn may well come back to the Committee saying he cannot take on the job again.

Having heard conflicting reports, Councilmember Carroll then asked how many personnel vacancies were in the Police Department.

Administrator Tucker stated that four (4) officers have resigned, and two (2) additional officers were approved in the budget; therefore, the Police Department is in the process of hiring a total of six (6) officers.

D. Public Works Committee

At the Public Works Committee meeting on January 4th, Councilmember Ferencz was elected Chair, and Councilmember Ward was elected Vice Chair. Director Pitts reported that Public Works personnel collected twenty-five thousand seven hundred tons (25,700 T.) of yard debris in 2016. For November and December, the Public Works Department had two (2) large expenditures for vehicle maintenance, but the Director remains confident that the Repairs and Maintenance line of the budget will not be exceeded. Dave Stevens of Civil Site Environmental was present to provide follow-up information about his inspection of a drainage matter on Sand Dollar Drive that was brought to the City's attention by a resident; He recommended that the City take no action. In his opinion, the situation at 3 Sand Dollar Court does not constitute flooding, but a shallow puddling of water that has nothing to do with the pipe underneath it. Mr. Stevens will generate a letter reviewing his findings and stating that there is no cause for action on the City's part for the Administrator to send to the complainant. Mr. Stevens stated that he was aware of the flooding on Tabby Lane and that it is a tidal problem; he indicated that Tabby Lane would be a good candidate for a backflow, or flapper valve. If the City chooses to put in the flapper valve, he also recommended that the City install another box in the right-of-way to prevent water from backing up into the street. He agreed to generate a proposal for the work and to make sure that the City has a drainage easement there. On the NPDES Project at the Public Works site, Administrator Tucker reported that the contract has been awarded and executed, and the contractor has one hundred eighty (180) days to complete the project. The final piece of business

for the Committee was to recommend projects for submission to the Transportation Sales Tax Committee (TST) for funding in 2018; the choices they made are as follows:

1. Installation of bike lanes between 21st and 57th Avenues;
2. Intersection improvements at the Connector and Palm Boulevard;
3. Construction of sidewalks between Palm Boulevard and the Recreation Center; and
4. Creation of pedestrian access to the IOP Marina.

MOTION: Councilmember Ferencz moved to approve the TST requests detailed above; Councilmember Carroll seconded and the motion PASSED UNANIMOUSLY.

The Public Works Committee will hold its next meeting at 11:00 a.m., Wednesday, February 1 in the Conference Room.

Administrator Tucker made as public appeal that drivers of golf carts stay on the marked path when driving through Mayor Carmen R. Bunch Park; the marked path was selected to avoid unsafe conditions.

E. Recreation Committee

When the Recreation Committee met on January 4, 2017, Councilmember Rice was elected Chair and Councilmember Kinghorn was elected Vice Chair. From the Departmental Report, Councilmember Rice stated that all adult athletic registrations are ongoing now; this includes softball, 3-on-3 basketball, 6 vs 6 soccer, and table tennis. The coed volleyball league began in January with officials from Charleston Officials SC. Youth basketball games begin today; seventeen (17) coed teams make up the league. Two (2) new dog obedience classes begin with the New Year; they are "Fun Nosework" and "Clicker Training Foundations." All fitness classes are going well; from a citizen's request, a modern square dance class has been established to begin the middle of January. From the wellness front, the Recreation Department sponsored an AIMS test program that looks for a variety of food allergies. The Holiday Street Festival was a huge success with four to five thousand (4,000-5,000) attendees and forty-six (46) food and craft vendors. Thirty-three (33) children wrote letters to Santa and each one received a personal response. Upcoming events include "Doggie Day at the Rec" on Saturday, February 4th from 9:00 a.m. til noon; the "Front Beach Fest" planned for March 4th from noon to 4:00 p.m. and the Community Yard Sale on March 25th from 8:00 a.m. til noon. Director Page reported that eight (8) of the ten (10) holiday light displays were sponsored in 2016; the sponsorships are for two (2) years and fees range from five hundred to two thousand dollars (\$500-2,000) each. The Committee had a lengthy discussion about the improved cardio/fitness room being considered, and, at the February meeting, the Committee will discuss the concepts put forth by David Burt, the architect for the Recreation Center.

The next Recreation Committee meeting will be at 9:00 a.m., Wednesday, February 1st in the Conference Room.

F. Personnel Committee

Councilmember Ferencz reported that, at the meeting of January 4, 2017, Councilmember Harrington was elected Chair, and Councilmember Ferencz was elected Vice Chair. In the discussion of the 2017 Floating Holiday, the statement was made that Friday, April 14th would be difficult for the Recreation Department which hosts the annual Easter Egg Hunt the next day, as well as for Public Works personnel who would already be dealing with increased volumes of garbage generated by visitors to the island.

MOTION: Councilmember Ferencz moved to approve Veterans Day, Friday, November 10th as the Floating Holiday for 2017; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

Administrator Tucker reported that an offer had been made to the first choice for someone to fill the position of Payroll and Human Resources Officer, but she had turned it down. The second choice candidate lives out-of-state and efforts are being made to set up a video-conference or to fly her back to IOP to meet with Department Managers and other staff members.

In conclusion, Councilmember Ferencz announced the Safety Sweepstakes winners as follows:

November:

Recreation – Holly Norton

Fire – Joey Teague

Police – Chris Enourato

Public Works – Joseph Washington

December

Recreation – Ricky Daugherty

Fire – David Mello

Police – James Couche

Public Works – George Myers

G. Real Property Committee

Reporting from the meeting of January 9th, Councilmember Bergwerf stated that she was elected Chair and Councilmember Rice was elected Vice Chair. Although a representative was not present at the meeting, the IOP Garden Club has proposed to beautify Mayor Carmen R Bunch Park; the caller was told that the park has no irrigation making it a challenge to come up with a workable plan. When Councilmember Rice asked for benches to also be placed in the park, the Administrator replied that the City could do it. The Committee was informed of damages to Morgan Creek Grill during Hurricane Matthew; the structure is insured by the City, and the adjuster is expected to come next week. Based on a new assessment and a new interpretation of the fifty percent (50%) rule, the Committee has decided to look at renovating the building, and the elected body has expressed its desire for changes to begin as quickly as possible. In looking at the timing for it, staff has determined that the restrooms would be out of service through July 4th; the best course of action is to get the quotes and begin work immediately after the eclipse. Some preparatory work for the summer exists of new, outside temporary showers, new lights on the women's side, new mirrors, improved signage and painting of the interior. Joe Petro, owner of Coconut Joe's, voiced concern about the condition of the changing tables, and he has offered to donate and have delivered two (2) new changing tables. Councilmember Bergwerf thanked him "for stepping up." The Committee discussed the solution to the drainage problem under Morgan Creek Grill, and the work was approved earlier in the meeting. Relative to the 49th Avenue beach access, the work needs to be completed, documented and sent to OCRM in order to be complete; Director Kerr anticipates this to be accomplished in the next thirty (30) days. Administrator Tucker reported that the Local Comprehensive Beach Management Plan has been

out for public comment, and OCRM had asked that certain changes be made. Those changes were addressed in the document, and the City anticipates approval in the near future. The agencies the City is now working with include FEMA, State Emergency Preparedness Division, and the permitting agencies have been made aware that the City is operating under the old plan, but the updated plan is in the final approval stage. The City had hoped to do the Beach Restoration Project this winter, but organizing the funds has been difficult; the current plan is to do the work at the height of beach season and turtle nesting season. OCRM has decided that the wave dissipation devices are not effective, and although they are not the City's responsibility, they must be removed by the property owners before the project can begin. Councilmember Bergwerf stated that it was a difficult project with complicated funding, but staff is working diligently to make it happen. The Committee is anticipating the work product from ATM on the marina Redevelopment Plan by the end of April. Chair Bergwerf stated that she had asked for consideration of beautification of the City parking lot next to City Hall to be included on the Agenda because she thinks the view from the street should be blocked by some trees; the Chair suggested that the trees that separate the parking lot from Memory Park be transplanted to the street side of the lot, thereby integrating the parking lot and the Memory Park. The park area also could be integrated with the bike lane coming off the Connector; it would be a good spot for cyclists to stop and get water since a water fountain is already there. On a related subject, the Committee discussed the parameters to be included in the RFB for City landscaping, such as routine maintenance of some of the beach access paths. The Chair also thought that the City could possibly eliminate some of the signage on the beach access paths by adopting a single, larger sign covering the same information that is currently on five to seven (5-7) signs; the lower part of these new signs could be a bench where beach-goers could get their belongings together to leave. Examples of the sign the Chair is interested in pursuing are at several beach accesses on Sullivan's Island. Staff was asked to look into the price for such a sign. The Chair reported that many of the number signs for beach access paths are missing from the beach; she thought they should be replaced before tourists return to the island to eliminate a public safety issue.

The next meeting of the Real Property Committee will be at 9:30 a.m., Thursday, February 2nd in the Conference Room.

Recalling earlier discussions about City landscaping, Councilmember Ferencz asked if the scope was going to be broadened to include Front Beach, down Palm and Waterway Boulevards, etc. Administrator Tucker explained that the scope that will be in the RFB has not yet been written, and she thought these other areas could be included with the bid as alternates for Council to decide how much it wants to pay. The Administrator remembered that an addition to the bid should be the weekly clearing/sweeping of the beach access paths that have Mobee mat.

With the new appraised value of the public restrooms, Councilmember Ferencz asked how much money was the City going to have for renovations, and Councilmember Bergwerf said that the amount was approximately one hundred sixty-two thousand dollars (\$162,000).

Mayor Cronin added the only work that must be permitted counts against the fifty percent (50%) rule, for instance, replacing the mirrors would be considered maintenance.

6. Reports from City Officers, Boards and Commissions

A. Accommodations Tax Advisory Committee – minutes attached

- B. **Board of Zoning Appeals** – no meeting in January
- C. **Planning Commission** – minutes attached

- 7. **Reports from Special or Joint Committees** – None
- 8. **Petitions Received, Referred or Disposed of** – None
- 9. **Bills Already in Possession of Council**

Second Reading of Ordinance 2016-10 – An Ordinance Amending Title I, Government and Administration, Chapter 3, Procedures, Committees, Ordinance and Use of Code, Article B, Standing Committees, Section 1-3-31, “Membership; Appointment; Responsibilities,” of the City of Isle of Palms Code of Ordinances to Provide that the Personnel Committee’s duties shall include Screening, Interviewing and Recommending Candidates for Appointments to Boards and Commissions of the City.

MOTION: Mayor Cronin moved to waive the reading and to adopt Ordinance 2016-10; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

- 10. **Introduction of New Bills, Resolutions and Proclamations**

First Reading, by title only, of Ordinance 2017-01 – An Ordinance Amending Title 1, Government and Administration, Chapter 10, Purchasing Procedures, of the City of Isle of Palms Code of Ordinances to amend the procedures for the approval of expenditures and competitive procurement requirements; to add exceptions to the competitive procurement requirements; to amend the methods of source selection to include definitions, requests for information and competitive sealed proposals; to amend the procedures for construction contracting; to provide new procedures for architect-engineering services; to provide for multi-term contracts and additional projects completed under existing contract terms; to amend procedures for sale and disposal of surplus property and seized assets; to provide for intergovernmental purchasing; to provide for compliance with federal contracts and financing documents; and to provide procedures for real property transactions.

MOTION: Mayor Cronin moved to approve Ordinance 2017-01 for First Reading by title only; Councilmember Kinghorn seconded and the motion PASSED UNANIMOUSLY.

- 11. **Miscellaneous Business**

Councilmember Ferencz reminded Council that the City Administrator’s annual evaluation and suggestions for her 2017 personal goal are due back to the Chair of the Personnel Committee by January 31, 2017.

Mayor Cronin announced that the visitation for Chief Buckhannon's father will be at Stuhr's Funeral Home on Thursday from 5:00 to 7:00 p.m., and the services will be Friday at 10:00 a.m. at the IOP First United Methodist Church.

Budget Meeting – 5:00 p.m., Tuesday, February 21, 2017
Regular Meeting – 6:00 p.m., Tuesday, February 28, 2017

12. Adjournment

MOTION: Councilmember Bettelli moved to adjourn the meeting at 8:02 p.m.; Councilmember Kinghorn seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk