

## CITY COUNCIL

7:00 p.m., Tuesday, February 28, 2012

The regular meeting of the City Council was held at 7:00 p.m. on Tuesday, February 28, 2012 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bergwerf, Bettelli, Buckhannon, Carroll, Loftus, Stone, Thomas and Ward, Mayor Cronin, Administrator Tucker, Assistant to the Administrator Dziuban, Attorney Halversen and City Clerk Copeland. A quorum was present to conduct business.

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. Appointment and Administration of Oath to New Employees

**MOTION: Councilmember Loftus moved to appoint Hunter Lawrimore and Matthew Maloney to the Police Department; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.**

Mayor Cronin issued the oath to Officers Lawrimore and Maloney and welcomed them to the City.

### 3. Reading of the Journal of Previous Meetings

**MOTION: Councilmember Bettelli moved to approve the minutes of the regular meeting of January 24, 2012 as submitted; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.**

### 4. Citizens' Comments

City-sponsored Event – Filming of Episodes of “Army Wives” on the Beach

Mayor Cronin related that “Army Wives” was interested in filming on the island and, in order to do so, must address Council and satisfy the City Administrator and staff that they will adhere to the City’s policies. The Mayor introduced Steve Yetman, the Locations Manager, for “Army Wives;” he has been with the production for six (6) years.

Mr. Yetman noted that the series in its sixth season of filming in the Lowcountry; in the past they had filmed to in the City of Charleston, North Charleston, Sullivan’s Island and Folly Beach and established a good track record before coming to the City of Isle of Palms. He indicated that they plan to film on the island for one (1) day with “prep” work in the couple of days before and one (1) day after. Currently they plan to film at 502 Ocean Boulevard and on the beach; as a thirty (30) year resident of the Lowcountry, he understands the sensitivity of filming on the beach. In addition, a scene is planned for the evening, and, with Daylight Savings Time pending, that may entail filming as late as 10:00 or 10:30 p.m. In an effort to minimize their impact on the island, they will group their vehicles in a parking lot or the County Park. Mr. Yetman stated that he would be looking for some flexibility because they would want good weather for filming on the beach; the filming for this episode will be from March 15 to March 23 with no work on the weekend. As crossing a sand dune is a sensitive matter, Mr. Yetman has been in touch with OCRM; he stated that he would be seeking access to the 5<sup>th</sup> Avenue beach access with some type of vehicle, and an OCRM permit application has been filed.

Mr. Yetman indicated that meals will be served at the Exchange Club, except for the days when they have meetings; he has also contacted St. Matthews Church about using their facilities. For the evening shoot at 502 Ocean, he would be seeking to work with the Police Department to close Ocean Boulevard for two to three (2-3) hours to traffic or to re-route traffic.

Administrator Tucker stated that the 5<sup>th</sup> Avenue beach access could not be blocked because it is an emergency access to the beach. In addition, the City will require a Certificate of Insurance wherein the City is named as an "additional insured."

The Administrator reminded Council that typically no commercial activity or vehicles are allowed on the beach, but, if this activity is named a City-sponsored event, the City has latitude on those issues.

Councilmember Carroll asked Mr. Yetman about the response from the neighbors of 502 Ocean Boulevard; Mr. Yetman said the response had been positive, but all had wanted their home to be selected for the location.

**MOTION: Councilmember Loftus moved to approve the filming of an episode of "Army Wives" during the period of March 15 through March 23, 2012 as a City-sponsored event; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.**

Mayor Cronin stated that the details of the event would be worked out by staff, and Mr. Yetman thanked Council and said he looked forward to working with Administrator Tucker and her staff.

## **5. Reports from Standing Committees**

### **A. Ways and Means Committee**

From the meeting of February 21, the Mayor reported that, through seven (7) months of the fiscal year, the General Fund revenues were lagging behind last year primarily due to the delay from the County in issuing property tax bills and delaying payment of same. General Fund expenditures are at fifty-one percent (51%) of annual budget with a seven (7) month target of fifty-eight percent (58%); all departments are below budget. General Fund cash at the end of the January was at twenty-two percent (22%) of annual expenditures.

On the subject of tourism revenues, the City received one hundred eighty-four thousand dollars (\$184,000) in State Accommodations Taxes for the quarter ended December 31, 2011; this is a significant increase, but a portion of that payment was a correction from the September 2010 quarter. Receipts from State ATAX year-to-date have increased thirty-one and one-tenth percent (31.1%) over FY11. Municipal Accommodations Fees are up ten percent (10%) over FY11; the first of two (2) payments from Charleston County was received. Hospitality taxes are down from the prior year due to a couple of delinquent payers who are being actively pursued.

When the Mayor got to the subject of the Beach Restoration, he announced that the City had received its permit from the Corps of Engineers for the 2012 Shoal Management Project earlier in the day.

In addition, Administrator Tucker announced that the City was notified this afternoon that it has received the Municipal Achievement Award from the Municipal Association of South Carolina for the Beach Renourishment Project; the City has earned three (3) Achievement Awards in recent years. The award will be presented at the annual meeting in July at Hilton Head.

As a reminder, the Administrator stated that she and Assistant Dziuban were going to Washington DC to accept an award on behalf of the City from the American Shore and Beach Protection Association for the beach restoration project as well; Isle of Palms is one (1) of five (5) beaches in the United States to be honored. The Administrator stated that this award "speaks well of everyone who has been involved in the hard work to restore that section of the beach and to keep it restored." Administrator Tucker commented that Representative Tim Scott, who was the Chair of County Council when the City was putting together the ten million dollars (\$10,000,000) for the project, has indicated that he will participate in the ceremony.

Both the Beach Restoration project and the marina dredging project are in a sound financial position. All charges related to the 53<sup>rd</sup> to 57<sup>th</sup> Avenue drainage have been paid, and project has a remaining balance in excess of one hundred fifty-nine thousand dollars (\$159,000)

During the meeting, Treasurer Suggs reported on an anticipated requirement from the Governmental Accounting Standards Board (GASB) that will require the City to reflect its pro-rata share of the unfunded liability related to the State Retirement System.

**1. Recommendation for Award of a Sole Source Contract to Civil Site Environmental (CSE) in the amount of \$169,000 for the design, bidding and construction oversight of the 42<sup>nd</sup> to 52<sup>nd</sup> Avenue Drainage project.**

**MOTION: Mayor Cronin moved for the sole source award as described above; Councilmember Bettelli seconded.**

The Mayor stated that this is a second phase of drainage projects for the City, which has completed the project from 53<sup>rd</sup> to 57<sup>th</sup> Avenues. He explained that CSE has a significant history having done a great deal of the drainage work for the City and for Wild Dunes; Dave Stevens and CSE have good network relationships with both the Wild Dunes Community Association and Lowe Wild Dunes Investors.

**VOTE: The motion PASSED UNANIMOUSLY.**

**2. Award of a contract to A.B. Evans in the amount of \$3,900 for a pad and path at the Compactor located in the municipal parking lot.**

**MOTION: Mayor Cronin moved to award the contract to A.B. Evans as stated; Councilmember Buckhannon seconded.**

The Mayor recounted that restaurants on Front Beach were having difficulty maneuvering through the gravel to the compactor; this path and pad will make things easier on them and reduce the City's liability from injury.

**VOTE: The motion PASSED UNANIMOUSLY.**

**3. Affirmation of \$3,000 in expense related to moving pilings to accommodate dredging**

This is an action that was taken by the City Administrator with the involvement of the Real Property Committee, but, as a time-sensitive matter, it has not yet been considered by all of Council.

**MOTION: Mayor Cronin moved to affirm the \$3,000 to move the pilings to accommodate dredging; Councilmember Bettelli seconded.**

Councilmember Ward asked from what fund the money for this work was taken; Administrator Tucker responded that it had been paid from the dredging contingency. He followed up by asking what the balance was in that fund; the Mayor related that the contingency budget for dredging had been sixty-nine thousand dollars (\$69,000).

**VOTE: The motion PASSED UNANIMOUSLY.**

**4. Award of a contract to Baker Infrastructure Group in an amount not to exceed \$250,500 for the 2012 Shoal Management Project.**

With the permit in hand, the City can proceed with this project for which bids were received on February 17<sup>th</sup> from seven (7) bidders; the low bidder was Baker Infrastructure Group.

**MOTION: Mayor Cronin moved to award the 2012 Shoal Management Project to Baker Infrastructure Group in the amount of \$250,500; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.**

Councilmember Buckhannon remarked that the money for this project will come from the escrow remaining from the 2008 Beach Restoration Project.

The Mayor stated that the permit will be good for a period of five (5) years.

**5. Consideration of Increasing the Capital Threshold from \$1,000 to \$5,000**

The original request from staff had been lower than five thousand dollars (\$5,000), but, upon learning that the City's auditors had recommended that amount, Councilmember Ward questioned why the City was not following the recommendations of its auditors.

**MOTION: Mayor Cronin moved to increase the capital threshold to \$5,000; Councilmember Ward seconded.**

Councilmember Loftus asked that the City Administrator explain what this change will mean. Administrator Tucker stated that there would be no change to the way the City does business;

the change is to recordkeeping for the City Treasurer – only items of five thousand dollars (\$5,000) or more will be added to the listing of City assets for depreciation.

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**VOTE: The motion PASSED UNANIMOUSLY.**

The Ways and Means Committee discussed and voted on the projected to be submitted to the Transportation Sales Tax Committee for funding; the first priority request was for funding for the 42<sup>nd</sup> to 52<sup>nd</sup> Avenue drainage project, and the second request was for engineering for bike enhancements from Breach Inlet to 57<sup>th</sup> Avenue and the entry to the island from the IOP Connector.

The Committee also started through the budget process by reviewing the capital budgets; in March, staff will present the operating budgets and, in April, revenues will be added.

Councilmember Ward questioned why fifteen thousand dollars remains in the contingency for the Public Safety Building when the building was completed three (3) years ago. Administrator Tucker explained that there are several items related to the construction of the building that the retainage has continued to be held by the City until the problems identified have been resolved. The money represents the final payment on the contract to the contractor for the building. The majority of the problems are associated with the HVAC, primarily on the third floor, but there are other issues. The City continues to work with the contractor and the design engineers to determine the cause of the problem, and they have funded these. Everyone agrees that something needs to be corrected, but, as to-date, it has not been corrected. Part of the problem is that the challenges to the system occur in the heat of summer, so a “fix” cannot be tested until the system is challenged again by the heat. The City will continue to withhold payment until the problems are solved.

The next meeting of the Ways and Means Committee will be at 5:45 p.m., Tuesday, March 20.

**B. Public Safety Committee**

At the meeting of February 7, the Public Safety Committee got an update on the status of improvements to the rental placard related to 911 calls; as the City transitions to the Charleston County Consolidated Dispatch Center, the City wants to ensure that the address of the rental property is easily identifiable for renters. The Committee had a presentation on improvements to the Connector; the Committee was committed to maintaining a ten (10) foot wide center lane for emergency vehicles and not raising the side rails. Committee members agreed on its priorities for TST funding requests with the 42<sup>nd</sup> to 52<sup>nd</sup> Avenue drainage being its first priority and a multi-use path from the foot of the Connector to Palm Boulevard as its second. The first budget discussions focused on the Capital Budgets and Long-range Capital Plans for both the Fire and Police Departments. In addition, the Committee was presented with a new budget relative to the City’s investment in and transition to the Charleston County Consolidated Dispatch Center successfully; the East Cooper communities will move together in approximately eighteen (18) months. The January Fire Department report stated that personnel had responded to thirty-five (35) calls during the month, twenty (20) of which were EMS calls. One (1) new firefighter has been hired, and interviews continue to fill the Fire Inspector’s position. The Police report described an incident of a fraudulent vacation rental; Chief Buckhannon anticipates that the number of such incidents will increase as the season nears. For the month

of January, officers responded to thirty-one hundred twenty (3,120) calls; ninety-seven (97) citations were written from three hundred fifteen (315) traffic stops.

In conclusion, Councilmember Bettelli announced that the MS Challenge Walk will take place on Sunday, March 4; this event has very little impact on the island.

The next meeting of Public Safety will be at 5:00 p.m. on Thursday, March 15 in the City Hall Conference Room.

Administrator Tucker reported that SC DOT has installed the signs about not parking at the intersections to provide a good line of sight on Palm Boulevard between 22<sup>nd</sup> and 34<sup>th</sup> Avenue. Mayor Cronin expressed his opinion that the signs will have a positive impact on parking along Palm.

#### **C. Public Works Committee**

At the meeting of February 9, Director Pitts had reported that garbage was up for the month; he also reported that the move to paper bags and plastic containers for yard debris means that more debris will be going to Bees Ferry and less to 4B. This changes means that the Department will likely see an increase in fuel costs, but a savings in Contracted Services for the use of 4B. Wild Dunes is going to construct a pool for The Villages which will require that the drainage line be relocated at the City's expense; once accomplished, the City will be given a permanent easement. The Administrator advised the Committee that the City had received the reimbursement from the City's NPDES funds for the drainage work done on 21<sup>st</sup> Avenue. The Committee voted to approve the sole source contract to Civil Site Environmental for the 42<sup>nd</sup> to 52<sup>nd</sup> Avenue drainage project. In addition, the Committee received an update on the path and pad to the compactor and progress on single-stream recycling. Like other committees, the Public Works Committee reviewed the Capital Budget and Long-range Capital Plan for FY13; the Committee will continue to refine the numbers as the budget process moves forward. Like Public Safety, the Public Works Committee discussed the TST funding requests; the first priority was the continuation of the drainage project, the second was a bike path from Breach Inlet to 57<sup>th</sup> Avenue and the third was a bike path from the end of the Connector to the Palm Boulevard intersection. Administrator Tucker had discussed the meeting with Charleston County regarding the funds it has collected for the City relative to stormwater fees; the balance at the end of June is projected to be one hundred sixty-seven thousand one hundred fifty-nine dollars (\$167,159). The annual Hazardous Household Waste Collection and opportunity to have papers shredded will be on Saturday, May 5<sup>th</sup> in the municipal parking lot.

Public Works will hold its next meeting at 4:00 p.m. on Wednesday, March 7<sup>th</sup> in the City Hall Conference Room.

#### **D. Recreation Committee**

At the Recreation Committee meeting of February 8<sup>th</sup>, Director Page reviewed the myriad of activities that took place in January and previewed the activities planned for the coming weeks. Among the upcoming events are the Middle School Dance on Friday, March 9, the Photography Contest that will conclude on March 30<sup>th</sup>, the First Pitch Half-Rubber Tournament on Saturday,

March 24<sup>th</sup> and the new table tennis league will begin play next week. At Doggie Day at the Rec, more than one hundred thirty-one (131) dogs were vaccinated and one hundred thirty-six (136) licenses were issued; eighty (80) dogs participated in the ten (10) competitions.

The Committee had its introduction to the FY13 Capital Budget and Long-range Capital Plan.

The Recreation Committee will meet at 4:00 p.m., Wednesday, March 14, 2012 in Council Chambers.

#### **E. Personnel Committee**

From the February 2 meeting, Councilmember Thomas reviewed the Capital Budgets and Long-range Plans for the Building Department and General Government. Assistant Dziuban led an informational discussion on the establishment of City policies related to the future use of social media.

The Personnel Committee meets again at 9:00 a.m., Tuesday, March 13<sup>th</sup> in the City Hall Conference Room.

January Safety Sweepstakes Winners were Marie Copeland from General Government, Dana Burnette from the Fire Department, Tracy Waldron from the Police Department and Joseph Washington from the Public Works Department.

#### **F. Real Property Committee**

Councilmember Loftus reported that, at the meeting of February 6, Steven Traynum from Coastal Science and Engineering (CSE) gave a presentation illustrating the shoal migration that has precipitated the 2012 Shoal Management Project and may create the need for a larger project in the near future. He noted that, with the issuance of the Corps of Engineers permit, the contractor will soon begin moving sand. The marina dredging project is in progress and should be completed by April 10, 2012. An update on the site rehabilitations for 1301 and 1207 Palm Boulevard; the Committee is seeking the most cost-effective way to accomplish the project goals. The Committee recommended the contract award for the path and pad to the compactor in the municipal lot before its initial review of the Capital Budget and Long-range Capital Plan for the Front Beach area and the marina. At the time of the meeting, one (1) marina tenant was past due in its obligation to the City; Administrator Tucker has been "aggressively pursuing" it. Councilmember Stone asked that a representative of Charleston County who is knowledgeable about Green Space funding address City Council about the acceptable uses of said funds.

The Real Property Committee will meet next at 5:00 p.m., Tuesday, March 13, in the City Hall Conference Room.

### **6. Reports from City Officers, Boards and Commissions**

- A. Accommodations Tax Advisory Committee** – no meeting
- B. Board of Zoning Appeals** – minutes attached
- C. Planning Commission** – minutes attached

Mayor Cronin noted that the Planning Commission and City Council had met jointly to discuss parking on the island; the meeting was well attended. The goals established by the Commission have been assigned to the standing committees to follow-up on and to determine the feasibility of implementation. A step was taken today with the signage on Palm Boulevard between 21<sup>st</sup> and 34<sup>th</sup> Avenues to improve the line of sight by keeping vehicles away from the intersections.

Councilmember Buckhannon asked Administrator Tucker whether she had gotten a response from SC DOT regarding the photographs of signage and directional arrows on the pavement he found to be helpful on a visit to Greenville and presented at the joint meeting. The Administrator stated that she had sent the photos to DOT asking whether they were feasible for the island; she reported that she had gotten the response earlier in the day and that it consisted of DOT guidelines which she has not yet had an opportunity to read. She thinks that the City could initiate a hybrid version of them, but would have to go through the permit process and need guidance for transportation people on the permitting process to ensure that the City was within those guidelines.

Councilmember Loftus asked when the chalk line would be put on Palm Boulevard; all thought it was an ingenious way of getting vehicles the required distance from the road's edge. Administrator Tucker opined that to be consistent with the opening of the parking meters would be a logical move; that usually happens around St. Patrick's Day.

7. **Reports from Special or Joint Committees – None**
8. **Petitions Received, Referred or Disposed of – None**
9. **Bills Already in Possession of Council – None**
10. **Introduction of New Bills, Resolutions and Proclamations – None**
11. **Miscellaneous Business**

**Next Meeting Date: 7:00 p.m., Tuesday, March 27, 2012.**

12. **Executive Session – not needed**
13. **Adjourn**

**MOTION: Councilmember Bettelli moved to adjourn the meeting at 8:06 p.m.; Councilmember Buckhannon seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk