

## CITY COUNCIL

6:00 p.m., Tuesday, September 30, 2014

The regular meeting of City Council was held at 6:00 p.m. on Tuesday, September 30, 2014 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bergwerf, Bettelli, Buckhannon, Carroll, Ferencz, Harrington, Loftus and Ward, Mayor Cronin, Administrator Tucker, Attorney Halversen, Assistant to the Administrator Dziuban 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.

Following a brief invocation and the Pledge of Allegiance, Clerk Copeland called the role.

### 2. Appointment and Administration of Oath to New Employees

**MOTION:** Councilmember Bettelli moved to appoint Jimmy Couche, Louise Hardy and James Taylor as new employees of the City of Isle of Palms Police Department; Councilmember Ferencz seconded and the motion PASSED UNANIMOUSLY.

Upon being sworn in, Mayor Cronin welcomed them to the family that is the Isle of Palms.

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

**MOTION:** Councilmember Bettelli moved to approve the minutes of the Parking Roundtable of August 21, 2014, the regular meeting of August 26, 2014 and the Special Meeting of September 11, 2014 as submitted; Councilmember Harrington seconded and the motion PASSED UNANIMOUSLY.

### 4. Citizens' Comments

#### Consideration of a 2-day Catalog Photo Shoot on the Beach for *Blair*

The Mayor announced that the first speaker would be Mr. Tim Grady who wants to do a photo-shoot for *Blair* catalog.

Mr. Tim Grady explained that he is a local location manager and producer for movies, commercials and photo-shoots; he would like to have the City's permission to have a small photo-shoot for *Blair* catalog. He anticipates a crew of fourteen (14), with eight to nine (8-9) persons involved in the actual shoot; the company has rented the house at 3400 Palm where they anticipate taking five (5) shots. He stated that insurance for the shoot property covers the City and that they will get an IOP business license. The plan is to take about twelve (12) shots a day in the house, around the pool and on the beach; the shots on the beach will probably take three to four (3-4) hours and are scheduled for Tuesday, October 14<sup>th</sup> and Wednesday, October 15<sup>th</sup>.

Being unfamiliar with *Blair*, Mayor Cronin asked Mr. Grady to explain what he would be shooting, and the response was that the shoot would be of clothing for mature ladies; he added that it was very conservative.

**MOTION: Councilmember Bettelli moved to approve a two-day (2-day) photo-shoot on the beach in mid-October as a City-sponsored event; Mayor Cronin seconded and the motion PASSED UNANIMOUSLY.**

Mic Smith, who resides on 23<sup>rd</sup> Avenue, commented on Councilmember Ward's receipt of a warning citation for driving his golf cart on the sidewalk between 20<sup>th</sup> Avenue and Harris Teeter in the Island Center; he expressed the opinion that the laws need to be changed to allow people access to the island's grocery store legally via bicycle or golf cart out of the road and on the sidewalk. He suggested that the sidewalks be widened to accommodate golf carts and bicycles. Mr. Smith added that he has seen many kids riding their bicycles in the same area, which is safer than crossing Palm Boulevard, riding about half a block and crossing back over Palm to get a free cookie at Harris Teeter.

Assistant Dziuban moved to the podium and stated that she wanted to read a proclamation for Linda Lovvorn Tucker who was recognized recently by the International City Managers Association for dedicating thirty (30) years of her life in service to local governments. A copy is attached to the historical record of the meeting. Once read, Administrator Tucker received a standing ovation and a bouquet of flowers from the Mayor. She stated that "it has been a ton of fun and hopefully a ton of fun for a long time to come;" she also thanked everyone for the recognition.

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

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

From the meeting of September 23<sup>rd</sup>, Mayor Cronin reported that the first order of business had been a short presentation from Liollo regarding the estimated costs for new public restrooms; the cost estimates are as follows:

- Existing site on Front Beach \$1,111,456
- Municipal Parking Lot 998,838

The Committee voted unanimously to temporarily suspend activities with Liollo and to approach Charleston County Council about funding for the project since the public restrooms are used primarily by daily visitors to the beach who are residents of communities in Charleston County, not island residents.

The Treasurer's financial reports were through August 31, 2014, or two (2) months into the fiscal year; therefore, the target for expenditures was seventeen percent (17%). General Fund revenues were eight percent (8%) collected, and General Fund expenditures were thirteen percent (13%) of budget. For the tourism funds, Municipal Accommodations Taxes were less than last year for the month of August by one percent (1%), and Hospitality Taxes were up ten percent (10%) through two (2) months of FY15. In projects status, the City expended thirty-

seven thousand eight hundred dollars (\$37,800) to Stantec on the parking and wayfinding contract.

Mayor Cronin digressed to inform those attending the meeting that the City would hold a public hearing on parking at 6:00 p.m., Thursday, October 2<sup>nd</sup> at the Recreation Center.

Also discussed was the shoal management project that is still scheduled to begin in early November, and a question was posed regarding the “ghost seawall” that remains in place and is going through the legal process. The Mayor assured those present that the City would not execute the shoal management project in that area as long as the wall is on the beach.

In addition, the Treasurer reported that the City concluded FY14 with a positive net result of three hundred ninety thousand four hundred fourteen dollars (\$390,414); after discussion the Committee agreed to transfer fifty thousand dollars (\$50,000) to the Disaster Recovery Fund and the balance of three hundred forty thousand four hundred fourteen dollars (\$340,414) to the Capital Projects Fund.

To resolve an oversight at the Ways and Means Committee meeting, the Mayor made the following motion:

**MOTION: Mayor Cronin moved to approve the amended motion moving \$50,000 to the Disaster Recovery Fund and \$340,414 to the Capital Projects fund; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.**

Councilmember Ward thanked fellow Councilmembers for supporting the motion, especially the increase to the Disaster Recovery Fund, which has not been increased materially in several years.

The consensus of the Committee was to move forward with unbudgeted expenditures of twenty-one thousand dollars (\$21,000) from the General Fund and fourteen thousand dollars (\$14,000) from the Municipal ATAX Fund, which is the amount needed to reduce the principal on the existing bond for the Recreation Center to one million five hundred thousand dollars (\$1,500,000). This amount is the threshold to avoid the significant legal and preparation expenses associated with re-issuing the bond; the City Administrator and Treasurer were authorized to move forward with re-financing the bond. Over the course of the loan, the City will save approximately seventy-eight thousand dollars (\$78,000) in interest expense, after legal expenses were paid.

Administrator Tucker was pleased to announce that the City’s rating with Standard & Poors has been upgraded to AA+; with the new rating, the City may receive a lower interest rate than bond counsel is anticipating.

**MOTION: Mayor Cronin moved to approve the unbudgeted expenditures of \$21,000 from the General Fund and \$14,000 from Municipal ATAX to begin the re-financing process for the Rec Center bond; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.**

The Mayor reported that the Front Beach lighting project is moving forward. The Committee authorized sixty-seven thousand five hundred (\$67,500) of the one hundred twenty-five thousand (\$125,000) included in the FY15 budget and to use forty-nine thousand six hundred sixty-two (\$49,662) from the City's Non-standard Service Fund with SCE&G.

On the day of the meeting, Administrator Tucker was notified by C.T. Lowndes that FEMA had accepted the information presented by the City over a period of three (3) months that the Rec Center is a flood-proof building; the approval resulted in a reduction to the annual flood insurance premium from forty-four thousand dollars (\$44,000) to approximately three thousand dollars (\$3,000). The City will apply for a refund of the five thousand dollars (\$5,000) paid to Lloyd's for flood insurance in the interim. Having had this experience with FEMA, staff members have begun to gather similar information for Fire Station 2.

A brief discussion about the community rating system, which also is a part of FEMA, that rates every community, ensued; the City's rating determines the amount of discount a resident of the island receives on fire insurance. The audit has been completed, but it will likely be six (6) weeks before the City receives the result.

In conclusion, the Committee discussed the appreciation event, which is typically held in December, to recognize all who work for the City, i.e. City personnel, boards and Commissions, etc. The decision has been made not to have an event in winter, but to hold a River Dogs Day for the Isle of Palms with a picnic. Additionally, the Committee agreed to increase the grocery gift cards given to employees for the holiday season.

The next meeting will be at 5:45 p.m. on Tuesday, October 21<sup>st</sup>.

## **B. Public Safety Committee**

Councilmember Bettelli reported on the meeting of September 11<sup>th</sup> where Mr. Emery Brown made several comments about the Isle of Palms Police Department. Chief Buckhannon stated that he had sent a letter to SCDOT on behalf of the City requesting a sign that would indicate that the intersection at 25<sup>th</sup> Avenue and Waterway Boulevard is not a four-way (4-way) STOP; since this is a SCDOT road, the decision is totally up to them. The request for a beach photo shoot was unanimously approved by the Committee as it was by Council earlier. In the Fire Department Report, Chief Graham had reported that, in the month of August, personnel responded to the smell of an electrical burn that turned out to be an air conditioner problem; they also responded to a report of a mentally-disabled woman in her twenties (20s) who was missing; personnel located her in the water near 45<sup>th</sup> Avenue. Personnel responded to a call of a drowning behind the Windjammer; despite the efforts of personnel, the person did not survive.

For the month, the Fire Department responded to one hundred seventy-two (172) calls, and personnel performed twenty-five (25) fire inspections that revealed eighty (80) violations. The Chief explained that the two (2) calls to EMS with longer response times were at Ocean Point at the tip of the northern end of the island behind a security gate. Personnel have responded to three hundred seventy-eight (378) total calls in 2014, and thirteen (13) station tours were given in August. Six (6) pre-incident surveys were done. Beginning in January 2015, personnel will

try to learn whether the person receiving EMS aid is a day-visitor or vacationer at the request of Councilmember Carroll.

From the Police Department August report, Chief Buckhannon noted that the island was hit with a rash of golf cart thefts; the golf carts have frequently been returned to the place where they were taken, but with serious damage. Officers have been trying to inform people that they must secure their golf carts with something other than the key since one (1) particular brand of cart has a universal key. The problem of thefts on the beach continued as well; in this situation, people are leaving their valuables unsecured while they go for a swim or walk on the beach. When they return they find their valuables missing; often the perpetrator takes car keys, locates the car, takes anything of value and leaves the keys in the car. Officers wrote a total of one hundred sixty (160) reports in August and have written a total of twelve hundred four (1,204) year-to-date. Of the fifty-two (52) arrests in the month, the majority were for liquor violations. The Livability Report showed nineteen (19) noise violations; two (2) received citations, fourteen (14) received warnings and the remaining three (3) were found to be unwarranted. Chief Buckhannon stated that he has ordered a block of tickets from the state to use for training on the scanners; the training is expected to begin soon.

The next Public Safety Committee meeting will be at 10:00 a.m., Thursday, October 9<sup>th</sup> in the Conference Room.

Chair Bettelli noted that the Barrier Island ECOthon will be Sunday, October 19<sup>th</sup>.

Mayor Cronin reminded those present that the IOP Connector Run will be Saturday, October 4<sup>th</sup>; the Connector is expected to close around 7:00 a.m. and re-open about noon.

Councilmember Harrington stated that the proceeds from the race will be donated to organizations working to prevent child abuse.

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

Reporting from the meeting of September 10<sup>th</sup>, Councilmember Ward related that Westy Westmoreland, SCE&G Manager of Lighting, and Sam Loggins, design engineer were present to review their plan for the Front Beach lighting project and to provide costs estimates. The new lights are expected to be operational by early spring as the result of the approved contract award earlier in the meeting. From the August report, Councilmember Ward commented that garbage was up from the same month in 2013 and debris was down; one (1) reason debris was down was due in part to issues with the flatbed and Caterpillar. Administrator Tucker had no update on the depression on Seahorse Court since the City has not received the Intergovernmental Agreement from Charleston County; Councilmember Ward asked the Administrator if there has been any change since the meeting, and she replied that there was nothing to report. The Committee had a lengthy conversation about reducing twice-a-week garbage collections in the summer of 2015; the consensus was to implement the Director's plan and to continue to evaluate and to make changes as needed.

Referring to the possible elimination of twice-a-week garbage collections, Councilmember Bettelli said that the discussion did not include the odor that is generated in a short period of time from the combination of shrimp and the hot summer sun.

Mayor Cronin noted that the minutes indicate that there was a brief conversation about the re-surfacing of Palm Boulevard between 41<sup>st</sup> and 57<sup>th</sup> Avenues and asked the Administrator whether she had any additional information. In dialogues with Charleston County Transportation personnel, the Administrator was asked about the City's decision regarding the crossings at 46<sup>th</sup> and 56<sup>th</sup> Avenues; since the estimates for the work were quite high, the City decided not to go forward. Charleston County personnel asked whether the City would reconsider if their contractor were to give a more favorable estimate; a decision will be based on the new estimates.

The Public Works Committee will hold its next meeting at 5:30 p.m., Wednesday, October 8<sup>th</sup>.

**MOTION: Mayor Cronin moved to award a contract to SCE&G for \$117,162.91, composed of \$67,500.41 from Municipal Accommodations Taxes and \$49,662.50 from the City's Non-standard Service Fund with SCE&G; Councilmember Ward seconded.**

Councilmember Buckhannon asked whether the funds for this project were included in the FY15 budget; Administrator Tucker stated that one hundred twenty-five thousand dollars (\$125,000) was budgeted.

**VOTE: The motion PASSED UNANIMOUSLY.**

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

Councilmember Carroll reported on the meeting of September 9<sup>th</sup> when Director Page had stated that summer athletic camps were held every week over the summer and were filled to capacity. Attendance is very good at the early morning boot camp, but there is room for more. Children's tennis lessons continue to be a huge success; the Department has started a waiting list. The 16<sup>th</sup> Annual Half Rubber Tournament was held on Saturday, August 16<sup>th</sup> from 8:00 a.m. to 7:30 p.m.; sixteen (16) teams participated. For the IOP Beach Run, there were three hundred fifty-seven (357) participants. Preventative maintenance was done on the HVAC systems at the Recreation Department in August. The Committee not only discussed the message boards at the Connector and Breach Inlet but also the use social media to advertise special events. The Committee also discussed the future goals and needs of the Recreation Department and concluded that currently the community's needs are being met.

The Community Wellness Fair was held from 7:00 a.m. to noon on Thursday, September 25<sup>th</sup>; there were more vendors than in the past. Forty-seven (47) employees had blood work done; fifty (50) employees received flu shots; approximately sixty (60) members of the community pre-registered for blood in addition to twenty (20) or so walk-ins.

Chair Carroll reiterated that the IOP Connector Run will be Saturday, October 4<sup>th</sup>. Other upcoming events are Ghostly Tide Tales that will be held at the 28<sup>th</sup> Avenue beach access on

Friday, October 24<sup>th</sup>, and the annual Halloween Carnival will be on Friday, October 31<sup>st</sup> from 5:00 p.m. to 7:00 p.m.

The ball field rehabilitation is going slower than desired, but the project looks good.

The Recreation Committee will meet again at 9:00 a.m. on Tuesday, October 7<sup>th</sup> in the Conference Room.

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

The first order of business at the Personnel Committee meeting of September 18<sup>th</sup> was the City Administrator's job description and evaluation, but, hoping that Councilmember Harrington would arrive late, the Committee agreed to discuss later in the meeting. Councilmember Ferencz explained that the Committee has reviewed, revised and developed new job descriptions with the assistance of the department managers; no revisions or updates were deemed necessary for the Fire, Building and Recreation Departments. The revised/updated job descriptions were included in meeting packets.

Councilmember Ward said that he understood that among the reasons to go to the Consolidated Dispatch Center (CDC) were it would be more efficient and save the City money, and he also understood that the City was going to retain a couple of dispatchers until the CDC was running smoothly. Since the City transitioned in October 2013, the process appears to be working well. He asked whether the job title change from Communications Technicians to Communications Specialists was for the former dispatchers and voiced his perception that the positions were to be eliminated completely.

Administrator Tucker stated this title change is only to change the name of the position as it stands and to make the title more consistent with their current role; Council has the continuing authority from year to year to decide if it wants to fund those positions.

Councilmember Ward asked whether the City still needed dispatchers. The Administrator explained that the people who perform that function are now at the front desk; they have been moved from the "heart of the building" to a location where they can greet people who are seeking police assistance. They have been given additional responsibilities that include monitoring the radio, answering phone calls on the non-emergency lines, acting as receptionists for the Department, distributing hurricane re-entry stickers, selling dog licenses, alarm permitting, and bicycle licenses.

On the subject of the CDC, Administrator Tucker stated that the City has transitioned fairly well on the police side, but the City has continued to work on the fire and rescue side. She reported having discussed several issues with her counterpart at the CDC in a meeting last week.

The Administrator reiterated that it is the will of Council each year in budget discussions to fund those positions after the need for the positions is evaluated by Chief Buckhannon.

Responding to Councilmember Harrington's query, the Administrator recalled that this position is responsible for "ten-minute (10 min.) hits" to determine if a person stopped in the island is

wanted by another jurisdiction for extradition. The CDC cannot perform this task because it is not a law enforcement agency; if City personnel no longer perform this function, it will have to hire a third party.

Chief Buckhannon stated that, what the Communications Specialist job description has done is to take away the emergency aspect that they used to do and recognizes what they do now.

The Chief said that the position was thoroughly discussed at Public Safety Committee meetings in the budget process.

Councilmember Loftus asked how these newly assigned job functions were done in the past since they were handled then. Changes from the past to now are the registration functions they handle, receptionist duties and responding to citizens' needs as they call in.

Councilmember Carroll stated that he would like for the Public Safety Committee to review the job descriptions for the Police Department. According to Chief Buckhannon, these persons determine whether the calls to the livability hotline truly fall under the livability heading or should be handled by a patrol officer.

Councilmember Ward asked whether the new supervisor evaluation form is used to evaluate the City Administrator; Councilmember Ferencz stated that it was not.

Councilmember Loftus questioned that a department as small as the Public Works Department needed both a Director and Assistant Director.

Councilmembers Buckhannon and Ward recommended that all of the revised/updated job descriptions be approved at one time at the October Council meeting.

Mayor Cronin reiterated that the Public Safety Committee would review the job descriptions for the Fire and Police Departments at their October and that all of the job descriptions would come before Council at the October meeting.

**MOTION: Councilmember Ferencz moved to adopt the new City-wide supervisor and non-supervisor evaluation forms; Councilmember Harrington seconded.**

Councilmember Ward again stated that he preferred to vote on the job descriptions and evaluation forms at one time when everything was completed; in his opinion, critical information was missing.

Councilmember Bettelli said that he did not see any missing information and that the evaluation forms were totally separate from the job descriptions. He added that the City has used these forms in the past, and there was only a minor tweak to the supervisor evaluation form; he also noted that he did not understand why the evaluations could not be approved because the job descriptions were not approved.



Councilmember Ferencz confirmed to Councilmember Ward that the City Administrator's job description and evaluation tool were not addressed at the September Personnel Committee meeting and, therefore, were not ready.

Mayor Cronin also stated that he did not see that the two (2) were linked.

Administrator Tucker iterated that, if approved, these evaluation forms will be used in January 2015 for 2014 evaluations, which department managers typically start toward the end of December.

Councilmembers Ferencz and Harrington withdrew their motion and second, respectively.

Referring to the Committee approach under which the City functions, Councilmember Harrington stated that the Personnel Committee had thoroughly vetted the job descriptions and evaluation tools; therefore, he did not understand the delay.

In the way of employee recognition, the Administrator complimented Director Pitts for his actions that led to the apprehension of the suspect in the stabbing at Mount Pleasant Town Center. Also acknowledged were memos from Sergeant Maloney and Captain Usry commending Officer Postell for her work performance; Captain Usry stated the following:

"This dedication is a great example of an officer going beyond just their regular duties and responsibilities."

The departmental staffing report for September indicates that, in the Police Department, the position of Animal Control Officer has yet to be filled and the two (2) BSO openings will not be filled this late in the season; in addition the Fire Department has one (1) opening for a firefighter.

The next Personnel Committee meeting is scheduled for 10:00 a.m., Wednesday, October 8, 2014 in the Conference Room.

The August Safety Sweepstakes winners were Nick Bako from the Recreation Department, Tracy Waldron from the Police Department, Russell Roper from the Public Works Department and Garrett Meador from the Fire Department.

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

From the meeting of September 9<sup>th</sup>, Councilmember Loftus reported that the first item of *New Business* was a matter of housekeeping to resolve something that was left incomplete in the past, i.e. the consideration of transferring assets to the IOP Water and Sewer Commissions. This action must be in ordinance form and, as such, appears later on the *Agenda* for First Reading. Liollo Architecture representatives explained how they had arrived at estimates for the two (2) sites, i.e. the existing site on Front Beach and the larger municipal parking lot, under consideration for new public restrooms; this item was thoroughly discussed at the Ways and Means Committee meeting. The current lease holder for the marina store has indicated his desire to renew his lease; he suggested merging the lease for the marina and the lease for the store into one (1) and extending the duration of the lease to thirty (30) years. This item

continues to be a work-in-progress. The Committee was informed of the marina stakeholders' meeting held on August 27<sup>th</sup> that focused on the water side of the marina. The Committee unanimously approved the expenditure to sand and scrape the rusted areas, apply a rust inhibitor to the fencing, seal with a top coat and replace the rusted finials; the fencing being rehabilitated is primarily at the Oceanside Inn and at the Windjammer. Beach access handicap improvements are being investigated by the Committee; Director Kerr and Director Pitts agreed that the 9<sup>th</sup> Avenue beach access would be the best location for handicap improvements. In surveying the path, it was discovered that the path has migrated onto private property. The biggest challenge for the Isle of Palms in creating handicap access to the beach is the dunes. The second beach access that possibly could be improved for handicap access is at 42<sup>nd</sup> Avenue. On the subject of tenant rents, the Committee was informed that Morgan Creek has paid ten thousand dollars (\$10,000) toward the fifty thousand dollars (\$50,000) owed in additional rents; all other tenants are current; Administrator Tucker responded to Councilmember Loftus' question that no money has been received since the Real Property meeting.

The next meeting of the Real Property Committee will be at 5:30 p.m., Tuesday, October 9<sup>th</sup> in the Conference Room.

Councilmember Ferencz asked whether the handicap beach accesses were included in the budget; Administrator Tucker stated that staff has received no direction from the Committee, but a walkover was budgeted for on which the City has decided not to move forward. The City has been receiving some pressure from physically challenged people who are asking that the City consider providing more handicap accesses. The thought has been re-directing some budgeted money toward that initiative, but this is still being discussed by the Committee.

Councilmember Ward inquired about the City's applying for grants. The Administrator answered that this idea is in the initial stages.

Mayor Cronin recalled that the City had gotten grants for the handicap accessible beach path at 21<sup>st</sup> Avenue, and added that "it was 'touch and go' as whether the burden of administration to adhere to the grant was worth the funds received from the grant."

Councilmember Ferencz asked if the City had a policy that allows tenants not to pay their rent, and if not, how is the City allowing a tenant to be in arrears by forty thousand dollars (\$40,000)? Administrator Tucker responded that the City is "perpetually pursuing" payment; technically the tenant is in default of their lease. If it were the will of City Council to pursue eviction for being in default of the lease, the City could begin that process.

The Mayor clarified that the money owed is not for the monthly rent, but for additional rent based on the amount of revenue generated for the most recent fiscal year.

According to the Administrator, this tenant has always paid what is owed to the City, along with whatever late fees were applied.

Councilmember Ferencz expressed the opinion that, if this is a perpetual challenge, the City should put in place a policy that the payment is to be received over a specified amount of time.

The Administrator said that language to that effect could be added as an amendment to the lease.

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

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

**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 2014-10 – An Ordinance of the Mayor and Council of the City of Isle of Palms, South Carolina Providing for the Implementation of the Provisions of the Fairness in Lodging Act.**

**MOTION: Mayor Cronin moved to approve for Second Reading, waiving the reading, of Ordinance 2014-10 as stated above; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.**

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

**Re-adoption of the City's Safety Policy**

**MOTION: Mayor Cronin moved for the re-adoption of the City's Safety Policy and to suspend the reading; Councilmember Harrington seconded and the motion was PASSED UNANIMOUSLY.**

A copy is attached to the historical record of the meeting.

**Proclamation in Support of the Charleston STEM Festival Day**

**MOTION: Mayor Cronin moved to approve the proclamation and suspend the reading; Councilmember Buckhannon seconded and the motion PASSED UNANIMOUSLY.**

**First Reading, by title only, of Ordinance 2014-05 – An Ordinance Authorizing the Transfer of all Right, Title and Interest that the City of Isle of Palms may have in the Properties Identified as TMS #568-12-00-301, TMS #571-07-00-029, TMS #568-12-00-004, TMS #568-09-00-042, TMS #570-05-00-175, and TMS #571-07-00-030, and Water and Sewer System Appurtenances and Easements, by Quitclaim Deed to the Isle of Palms Water and Sewer Commission.**

The Mayor noted that this is a housekeeping matter from 1992.

**MOTION: Mayor Cronin moved to approve for First Reading of Ordinance 2014-05, by title only; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.**

## **11. Miscellaneous Business**

### **Discussion of Golf Cart Statute**

Mayor Cronin stated that the statute had been included in meeting packets and he opined that everyone had read it.

Councilmember Ward preceded his comments with information that he has “lived on the planet for sixty-three years and never had so much as parking ticket in my life. . . . I get elected to Council, and my first major crime was ‘dog at large;’ I was convicted and paid the fine. And here I am . . . pulled over in my golf cart.’

The Councilmember stated that he has learned that he has been breaking the law for many years, but it has come to his attention that it is impossible to go from 20<sup>th</sup> Avenue south to the end of the island, to Harris Teeter, or City Hall, the post office or any of the restaurants on Front Beach in a golf cart. Obeying the law means going in the daytime and staying off the sidewalks except to cross them. This is the reason that he has asked for this issue to be added to the *Agenda*. He noted that on July 4<sup>th</sup> there are two to three hundred (200-300) golf carts coming from the north end of the island for the annual parade, and every one of them is in violation. Councilmember Ward stated that, from discussion with the City Administrator, the City Attorney could write a letter to Columbia, and the goal is to get the law changed.

Councilmember Buckhannon added that, be it driving a golf cart on a state road or in the state right-of-way, a person is in violation. He recalled from a past effort to change the law that those in favor of a change are up against lobbyists with bigger pockets; he added that he had tried to enforce home rule.

Mayor Cronin noted that one (1) section of the law gives much more leeway to low-speed vehicles than to golf carts, noting that they can be driven on Palm Boulevard. Since allowances were made for that class of vehicle, he is not opposed to pursuing changes for golf carts. He suggested that the legislature give the City some ‘home rule’ on the island; the City could then set up a safety corridor that would protect all involved.

Councilmember Ward related that the officer with whom he dealt indicated that the Police Department was getting complaints about golf carts on the sidewalk.

The Mayor also noted that other communities are trying to get changes to the golf cart statute, particularly Sun City; they want to be able to drive at night on secondary roads in their controlled environment. The Mayor stated that another potential problem could be directing people onto private property.

In Mayor’s estimation, there are approximately eleven hundred (1,100) golf carts on the island.

Administrator Tucker suggested referring the state law to the Public Safety Committee to “hash out” potential language changes; they could then work with the City Attorney to see if the City could go to its legislators, for example Senator Campsen.

Next Meeting Date: 6:00 p.m., Tuesday, October 28, 2014

**12. Executive Session – unnecessary**

**13. Conclusion/Adjournment**

**MOTION: Mayor Cronin moved to adjourn the meeting at 7:37 p.m.; Councilmember Ward seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk