

CITY COUNCIL

7:00 p.m., Tuesday, July 26, 2011

The regular meeting of the City Council was called to order at 7:22 p.m. on Tuesday, July 26, 2011 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Present for the meeting were Councilmember Bergwerf, Bettelli, Buckhannon, Duffy, Loftus, Piening, Stone and Thomas, Mayor Cronin, City Administrator Tucker, City 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 roll.

2. Reading of the Journal of Previous Meetings

MOTION: Councilmember Bettelli moved to approve the minutes of the Public Hearing of June 28, 2011 and the regular meeting of June 28, 2011 as submitted; Councilmember Stone seconded and the motion PASSED UNANIMOUSLY.

3. Citizens' Comments

Mayor Cronin encouraged residents to attend the volunteer workshop for "Operation R&R" that will be held at the Recreation Center at 6 p.m., Thursday, August 4, 2011 ; the volunteers will work with returning service men and women and their families. He noted that the Citadel is heavily involved in this project.

Since Christine Wilkinson, the new CARTA Executive Director, was in the audience to answer questions, Mayor Cronin asked Administrator Tucker to read the resolution to approve and support the FY12 CARTA Budget into the record at this time.

MOTION: Councilmember Bettelli moved to adopt the resolution as read; Councilmember Bergwerf seconded.

The Mayor stated that CARTA is a valuable asset to the greater Charleston area that he hopes will have an increased presence on the island in the future.

VOTE: The motion PASSED UNANIMOUSLY.

Mayor Cronin introduced Ashley Prentice, an island resident, who was in attendance to garner Council support for her Girl Scout Gold Award project, placing benches at two (2) beach accesses with educational plaques; a copy of her comments is attached to the historical record of the meeting.

MOTION: Councilmember Duffy moved to approve the project as described; Councilmember Stone seconded.

After some prodding from Councilmembers, Ms. Prentice acknowledged that her brother had a similar project several years earlier to gain his Eagle Scout award.

Both Councilmembers Bettelli and Duffy complimented Ms. Prentice on her project and her excellent presentation to City Council.

VOTE: The motion PASSED UNANIMOUSLY.

Diane Oltorik, 15 Ocean Park Court, stated that she was speaking to Council to recommend a beneficial concept for the island's residents. She recounted that she and a group of assistants have been helping residents with short-term critical needs; in that capacity, she was approached by another resident who was looking for the use of a wheelchair for a short period of time. Ms. Oltorik was suggesting that the City establish what she called a "Loan Closet" filled with medical devices needed for a short time, such as crutches, walkers, canes, wheel chairs, etc. that would operate like a library. On the subject of insurance liability, she thought that the users could possibly be required to sign a "statement to hold harmless." In an effort to gather support for her idea, Ms. Oltorik offered to be the "point person."

In closing, Ms. Oltorik thanked the Council for their service to the community and stated that the City staff does "a wonderful job."

MOTION: Councilmember Stone moved to reorder the Agenda to address items 8B and 8C at this time; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.

MOTION: Mayor Cronin moved to defer Second Reading of Ordinances 2011-08 and 2011-09; Councilmember Duffy seconded, and the motion PASSED UNANIMOUSLY.

The Mayor commented that Administrator Tucker has been involved in seeking a firm to provide the technical support needed to move forward with a comprehensive island-wide parking plan.

4. Reports from Standing Committees

A. Ways and Means Committee

The Ways and Means Committee met Tuesday, July 19 and received a preliminary and unaudited year-end financial statement for FY11. Mayor Cronin reported that Treasurer Suggs is confident that the City will meet or exceed budgeted revenues; although all invoices have not been received, the General Fund expenditures, at the time of the meeting, were four hundred ninety-six thousand dollars (\$496,000) below the FY11 budget. The Mayor credited the good financial picture to the efforts of the City Administrator, department heads and the balance of the City staff over the course of the past twelve (12) months. General Fund cash in the bank at year end was at thirty-seven percent (37%) of annual General Fund expenditures.

The tourism picture remains bright with all tourism-related revenues running ahead of budget.

In a lengthy discussion on the remedial focused erosion project, the Committee was notified that the City had received the comments on the permit application from the permitting agencies where they proposed more frequent monitoring than was required on the 2008 project. The

Committee was told that Coastal Science and Engineering (CSE) believes that they can negotiate out much of the monitoring, but, if they are unsuccessful, the project may be much more expensive than originally anticipated.

The Ways and Means Committee released CSE and staff to move forward with the permit application process and to determine the state of the project at that time.

- 1. Award of contract to Carolina Composites LLC in the amount of \$39,798.00, state contract pricing, for one Pioneer 197 boat, motor and trailer to be funded equally from State and Municipal Accommodations Taxes as part of the FY12 Capital Budget.**

MOTION: Mayor Cronin moved to award the contract as stated; Councilmember Bettelli seconded.

Councilmember Loftus recounted that he had not supported this motion at the Ways and Means Committee meeting despite the fact that the City does need a replacement boat. He voiced his opinion that the City should have gone through a competitive bid process in order to ensure the lowest possible price; if that price was not lower than state contract pricing, the City could still opt for that state-pricing purchase method.

MOTION: Councilmember Loftus moved to defer action on the boat purchase and to seek a competitive bid; Councilmember Buckhannon seconded.

Councilmember Bettelli recalled the events of last week and stated that the City needed “a fully operational boat” that is reliable and of commercial grade. He explained that state contract means that the state offices have gone through the competitive bid process to get the best product for the best price; Chief Graham selected a lower horsepower motor to reduce the price even further.

VOTE TO DEFER: The motion FAILED on a vote of 2 to 7; Councilmembers Loftus and Buckhannon voted in support of the motion.

Councilmember Buckhannon noted that, although the state pricing was for a boat to be used by DNR, the local DNR office had purchased a used boat because the new boat was beyond their budget, and the City should do the same. The Councilmember reported that he had not supported this acquisition during budget preparations or at the Ways and Means Committee.

Councilmember Loftus commented that the Councilmembers have an obligation to the taxpayers to shop around for a better price.

VOTE: The motion passed on a vote of 7 to 2; Councilmembers Buckhannon and Loftus cast the dissenting votes.

- 2. Award of contract to Safe Industries in the amount of \$26,322.40, state contract pricing, for air packs and accessories, as included in the FY12 Budget**

MOTION: Mayor Cronin moved to award the contract to Safe Industries as stated; Councilmember Bettelli seconded, and the motion PASSED UNANIMOUSLY.

The Mayor reported that, at Councilmember Duffy's recommendation, the City Administrator is seeking the assistance of an engineering/design firm to consult with staff and the Planning Commission to develop an island-wide parking plan.

The next meeting of the Ways and Means Committee will be at 5:45 p.m., Tuesday, August 19, 2011.

B. Public Safety Committee

At the Public Safety Committee meeting of Wednesday, July 13, the members approved title changes in the Fire Department to be in keeping with other departments in the area as the City moves toward joining the Charleston County Consolidated Dispatch System in 2013; a Captain will become a Battalion Chief, and a Lieutenant will be referred to as Captain. No salary changes are related to the title changes. The ground-breaking ceremony for the new dispatch center took place earlier today. The contracts in excess of ten thousand dollars (\$10,000), approved by Ways and Means earlier, were unanimously approved by the Committee. From the Fire Department report for June, Chief Graham stated that personnel had responded to release people from stuck elevators and to a structure fire on Morgan Place Drive. Chief Graham continues to monitor EMS response times; Chief Buckhannon mentioned that, in the near future, the City will update to the same software being used by the Charleston County Dispatch system which will enable the City to more closely monitor response times. Of the seventeen (17) fire inspections performed in June, only one (1) violation was found; this is a testament to the follow-up procedures being followed by the Fire Inspector. Personnel continue to experience radio communications problems; the island's tower is due to be constructed in the fall. Chief Buckhannon reported that the City received forty-seven hundred seventy-eight (4,778) calls in June - an increase of five percent (5%) over June, 2010; year-to-date, Police Department calls have increased sixteen percent (16%) over 2010. In June, seventeen (17) noise ordinance complaints were received; of that number, two (2) citations were issued. Captains Caldwell and Usry attended to present to the City, through the Public Safety Committee, the Department's fourth (4th) national accreditation certificate.

The Public Safety Committee will hold its next meeting at 5:30 p.m., Tuesday, August 2, 2011.

C. Public Works Committee

The Public Works Committee heard Ms. Prentice's initial presentation requesting approval to install benches with educational materials attached at two (2) beach access paths at their meeting of Wednesday, July 6; the Committee gave its unanimous approval. Director Pitts expressed his appreciation to all residents of the island for their assistance in removing debris from the beach following the July 4th holiday. Director Pitts was successful in ending FY11 under budget in the category of vehicle maintenance. The 53rd to 57th Avenue Drainage Project is expected to be completed by mid-August; and Eadie's has completed Year 1 of the ditch

maintenance contract. Councilmember Duffy announced that Isle of Palms has been recognized as "The Cleanest Beach in South Carolina."

Mayor Cronin commented that he had driven by 53rd Avenue and found that it was dry after the night's rains.

After an August hiatus, the Public Works Committee will hold its next meeting at 4:00 p.m., Wednesday, September 7, 2011.

D. Recreation Committee – no meeting in July

E. Personnel Committee

According to Councilmember Thomas, the primary subject for the Personnel Committee meeting of Tuesday, July 12, was the modification of the job description for the Assistant to the Administrator. The Committee took no action on the job description, but the Committee contemplates future discussions. June Safety Sweepstakes Winner were Laura McLellan for General Government, James Giddens for the Fire Department, Wesley Funsch for the Police Department and Joseph Ancrum for the Public Works Department.

The Personnel Committee will meet again at 5:45 p.m., Tuesday, August 9, 2011.

F. Real Property Committee

At the Real Property Committee meeting of Friday, July 8, the Committee was informed that marina tenants are basically current with their rents. On the subject of beach restoration, the Committee learned that the City had received comments from the permitting agencies and was preparing its responses; additional information on the project was discussed at the Ways and Means Committee meeting. The City's consulting engineer on dredging, Jack Walker, is working through the final steps in the permitting process; the project is on-schedule for the fall and winter of 2011. Under New Business, the Committee reviewed the financial status of the City-owned parking lots and how utility of the lots relates to the City's island-wide parking initiative. A discussion of the placement of additional signage directing visitors to the City lots continued; the City Administrator reported that she is waiting for recommendations from the lessee Bill Schupp.

The Committee agreed to forego a meeting in August and scheduled the next meeting for 8:30 a.m. on Thursday, September 8 in the second floor Conference Room in City Hall.

5. Reports from City Officers, Boards and Commissions

- A. Accommodations Tax Advisory Committee – minutes attached**
- B. Board of Zoning Appeals – minutes attached**
- C. Planning Commission – minutes attached**

6. Reports from Special or Joint Committees – None

7. Petitions Received, Referred or Disposed of – None

8. Bills Already in Possession of Council

A. Second Reading of Ordinance 2011-04 – An Ordinance Amending Title 7, Licensing and Regulations, Chapter 4, Regulations of Alarm Systems and Businesses, of the City of Isle of Palms Code of Ordinances to Provide for New Definitions, Regulations and Penalties.

Administrator Tucker related that the changes to this ordinance were originally to prevent situations where the Fire Department responds to what turns out to be a false or malfunctioning alarm and the key-holder fails to respond in a reasonable amount of time to disengage the alarm requiring fire personnel to remain on the scene for several hours. The amendment includes a provision that indicates key-holders need to respond in a reasonable amount of time or be subject to a fine.

Revisions made since the First Reading ensure that automated dialing systems directly into 911 are eliminated from the ordinance and that alarm systems on construction trailers are included. The versions included in Council packets do not include the changes suggested by Dr. Karig because staff is trying to arrive at an appropriate solution to the problem of general awareness of the City's code when a homeowner chooses to install an alarm himself. Once a solution is developed, staff will bring another ordinance before Council for approval; in the interim, staff agreed that it was important to address the issue of key-holder response.

MOTION: Councilmember Bettelli moved to waive the reading and approve Ordinance 2011-04, with the amendments since First Reading, for Second Reading; Councilmember Bergwerf seconded.

Councilmember Buckhannon asked the amount of the fine in the existing ordinance; Administrator Tucker replied that the fines were fifty dollars (\$50) for the fourth, fifth and sixth violations and one hundred dollars (\$100) for subsequent violations. The Councilmember then asked whether there was a fine if the key-holder arrived, but not within the thirty-minute (30 min) window, and the Administrator said there was. Councilmember Buckhannon summarized the changes as an increase in the fines and the insertion of the thirty-minute (30 min) window.

Councilmember Stone asked for clarification on what constituted a response; the Administrator replied that a response was the arrival of a key-holder to disengage the alarm. The Councilmember's second question was how the changes would be communicated to the residents of the island, and Administrator Tucker stated that the City had the contact information in a database through which to notify them of the changes.

VOTE: The motion PASSED on a vote of 8 to 1; Councilmember Buckhannon cast the dissenting vote.

9. Introduction of New Bills, Resolutions and Proclamations – None

10. Miscellaneous Business

Mayor Cronin took the opportunity to compliment the Fire Department on their prompt and professional response to the tragedy at the Dewees Island the previous week. He asked Chief Graham to pass along to the entire staff his and City Council's appreciation for a job well done.

The Mayor also informed Council that a bike accident had occurred on the Connector Sunday where a cyclist had run into the rear of a stationary vehicle and gone through the rear windshield.

11. Executive Session – not necessary

12. Adjourn

MOTION: Councilmember Stone moved to adjourn the meeting at 8:10 p.m.; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk