

## **CITY COUNCIL**

7:00 p.m., Tuesday, October 28, 2008

The regular meeting of the City Council was held at 7:00 p.m. on Tuesday, October 28, 2008 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Council members Bettelli, Buckhannon, Cronin, Duffy, Loftus, Piening, Rice and Taylor, Mayor Sottile, City Administrator Tucker, City Attorney Sottile, Assistant to the Administrator Dziuban and City Clerk Copeland. There was a quorum present to conduct business.

1. Mayor Sottile called the meeting to order and acknowledged that the press and the public had been duly notified in accordance with the Freedom of Information Act. Following the invocation, Mayor Sottile led in the Pledge of Allegiance.

### **2. Approval of Previous Meetings' Minutes:**

**Councilman Bettelli moved to approve the minutes of the regular meeting of September 23, 2008 and the Special meeting of October 23, 2008 as submitted; Councilman Taylor seconded.**

At the request of the Mayor, Administrator Tucker explained that the purpose of the Special Meeting had been to receive legal advice on the re-codification of the City's code, which is required by the state every ten (10) years. The reason for the re-codification is to look for conflicts with state law, correct errors or omissions and ensure that all of the City's laws are included. The City contracted with a corporation named MuniCode that has vast experience in codifying municipal codes; they worked closely with City Attorney Sottile; and there has also been a staff review. In the November Council meeting, it is expected that there will be the First Reading on the newly codified Code of Ordinances.

**Call for the Question: The motion PASSED UNANIMOUSLY.**

3. **Citizens' Comments** - None

### **4. Reports from Standing Committees**

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

Chairman Taylor reported that representatives of Greene, Finney & Horton, the City's auditors, had presented the financial review for the fiscal year 2007-2008; there was discussion on the City's past, present and future fiscal status. The conclusion of the audit was that the City was in very good financial condition; the City was given an "unqualified" opinion, meaning that nothing in the financial data caused the auditors to place conditions on the concluding opinion. Councilman Taylor noted that all City

revenues would be closely monitored in the coming months to determine the affect on the City of the current economic conditions.

**MOTION: Councilman Taylor moved to remove the Isle of Palms Water and Sewer Commission's financial statement as a part of the City's financial statement and to approve a fee increase of \$2,650 for Greene, Finney & Horton based on the additional requirements of GASB34; Councilman Cronin seconded.**

Councilman Taylor explained that, in the past, the Isle of Palms Water and Sewer Commission's audited financial statement had been a part of the City's audited financial statement, but the City's only responsibility to the Water and Sewer Commission has been to approve its debt as required by state law. The financial condition of the Water and Sewer Commission has no impact on the City's financial condition or bond ratings.

**Call for the Question: The motion PASSED UNANIMOUSLY.**

**1. Motion: Councilman Taylor moved to approve the recommendations from the Accommodations Tax Advisory Committee for \$15,000 for the 2009 Spoleto Festival USA and \$25,500 for the July 4<sup>th</sup> Fireworks display; Councilman Bettelli seconded.**

Councilman Taylor added that Administrator Tucker had followed up with Sea Cabins to ensure that they would allow the City the use of their pier for the July 4<sup>th</sup> fireworks; they had no objections so the five thousand dollars (\$5,000) contingency for a barge would not be required.

**Call for the Question: The motion PASSED UNANIMOUSLY.**

**2. Public Safety Building Change Orders**

**MOTION: Councilman Taylor moved to approve the following change orders for the Public Safety Building: (1) emergency repairs to a deteriorated manhole in the amount of \$4,639.76; (2) Change Order #3, balcony alternate adjustment in the amount of \$1,290.20; and (3) Change Order #3A, an electrical conduit to accept the bi-directional amplifier in the amount of \$3,610.00; Councilman Cronin seconded and the motion PASSED UNANIMOUSLY.**

**3. Contracts in Excess of \$10,000**

**MOTION: Councilman Taylor moved to approve the following contracts in excess of \$10,000; (1) Mobile Communications of Charleston - \$41,518.26 – Bi-directional amplifier, programming, labor and installation at Public Safety Building. Funded from Public Safety Bond Issue. State Purchasing. (2) Mobile Communications of Charleston - \$119,973.29 – console. Funded from Capital Projects Fund, Radio Reserve. State Purchasing. Councilman Buckhannon seconded and the motion PASSED UNANIMOUSLY.**

Since this was Mayor Sottile's last meeting as Mayor of the City, Councilman Taylor stated that it had been a privilege to serve with the Mayor in his capacity as a member of the Ways and Means Committee. Councilman Taylor commented that Mayor Sottile had always spoken his mind and expressed well-thought-out ideas; in conclusion, Councilman Taylor wished the Mayor good luck as he moved to the state legislature.

**B. Public Safety Committee**

Chairman Buckhannon reported that there had been citizens' comments both for and against the demonstration project at 41<sup>st</sup> Avenue and Palm Boulevard. He explained that certain corrections were yet to be made by DOT and that the project was being closely monitored. There had been additional discussion on a bike path between 21<sup>st</sup> and 41<sup>st</sup> Avenues, but Chairman Buckhannon stated that he wanted to get input from the balance of Council and asked that they contact either Administrator Tucker or him before the end of the year. The Committee heard an employee suggestion from firefighter Michael Hommel for an informational kiosk at key beach accesses to enlighten newcomers to the beach of the nuances of the ocean and ocean creatures; the suggestion was determined to have merit and Mr. Hommel agreed to spearhead the project.

Chairman Buckhannon relayed the message of the Police Department monthly report for residents and visitors to keep their homes and vehicles locked. There was excellent news for the Fire Department – Fire Station 2 has received the Silver Award for Station Design from Fire Chief Magazine; there will be a two (2) page spread in the November 2008 issue of the magazine. Factors influencing the award were the building design, functionality, low maintenance and cost per square foot.

Chairman Buckhannon thanked Mayor Sottile for his guidance and wisdom from the period when the Mayor was Chairman of the Public Safety Committee; Chairman Buckhannon indicated that he had learned a great deal from Mayor Sottile and was trying to follow in his footsteps. Chairman Buckhannon also wished the Mayor future success.

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

Chairman Bettelli reported that, at the time of the October meeting, the highlight of the Public Works Department report had been pumping water off the streets from Tropical Storm Hanna, but that was insignificant compared to the rains over the past weekend. The Public Works Department worked on Saturday, and Director Pitts worked on Sunday. Indications are that the pumping was completed today. Councilman Bettelli complimented City departments for the level of cooperation he had observed over the weekend; the Fire Department, volunteer firefighters and members of the Police Department coordinated their efforts to clear the streets.

The Household Hazardous Materials Collection held on Saturday, October 18 was a bigger success than was anticipated. The following are statistics from the collection:

- 196 vehicles dropped off materials;
- items dropped off included
  - 39 gallons of antifreeze;
  - 264 pieces of electronic waste;
  - 902 cans of latex paint;
  - 62 – 5 gallon containers, not full, of latex paint;
  - 480 cans of oil paint; and
  - 194 cans of pesticides.

Another collection is being planned for the spring. Councilman Bettelli thanked Charleston County Recycling for the great job that they did.

Councilman Bettelli also reported that Director Pitts had attended a seminar entitled “Lawsuits and Liabilities for Public Works.” Based on the knowledge he gained, the Public Works Department will be budgeting additional funds for road repairs next year.

### **D. Recreation Committee**

Chairwoman Rice reported that the Employee Wellness Program continued to flourish. The annual Halloween Carnival will be held from 5-7 p.m. on Friday, October 31 in the gym; it has always been a huge success. The Connector Run was held October 4; there were three hundred forty-seven (347) runners registered for the 5K and four hundred twenty-six (426) runners for the 10K; there were an unknown number of walkers.

Following the discussion of the relocating one (1) of the security cameras, the idea of purchasing additional cameras in the 2009-2010 budget also was discussed.

Chairwoman Rice congratulated Mayor Sottile as he moves to the state legislature and stated that she hopes “to do you proud for the few months I am in the seat.”

**E. Personnel Committee**

Chairman Piening noted that the Committee did not have hold a regular meeting in October, but the members had gathered the three (3) previous Thursdays to interview candidates for Boards and Commissions. He reported that there were eleven (11) applicants for nine (9) openings; recommendations will be made to Council at the Special Meeting on December 9.

Chairman Piening announced the Safety Sweepstakes winners as follows:

Dan Morris, Fire Department	Dawn Caldwell, Police Department
Debbie Suggs, General Government	Joseph Ancrum, Public Works

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

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

Chairwoman Rice reported that the “boat bandits” had been discussed again; Ms. Pope, the Operations Manager at Morgan Creek Grill, stated that she had a good relationship with the Police officers who patrol the marina and she preferred to work through them to handle the problem.

On the subject of the bulkhead replacement, equipment has been mobilized and is on site, but the materials have not yet arrived; construction is expected to begin imminently.

The Real Property Committee also had an employee suggestion to discuss in October; the suggestion was to offer discounted boat ramp fees to employees.

**MOTION: Councilwoman Rice moved to offer City employees the resident rate for an annual pass (\$100) or for the daily rate (\$5.00) for use of the boat ramp upon the presentation of their City identification and vehicle registration; Councilman Bettelli seconded.**

Mayor Sottile asked for confirmation that the marina manager was in agreement with this offer to City employees, and Chairwoman Rice replied that Manager Berrigan had attended the meeting and joined in the discussion.

Concerned about the parking issues at the marina, Councilman Taylor inquired about the number of employees who would be taking advantage of the discounted rate; Administrator Tucker estimated the number to be in the neighborhood of twenty (20).

The Administrator related that one of the justifications stated on the employee's suggestion was that those employees who would use the boat ramp were often Police and Fire Department employees who would increase their familiarity with the areas around the island, which would serve as an advantage to their jobs.

**Call for the Question: The motion PASSED UNANIMOUSLY.**

Councilman Cronin reported that he had been working with The Citadel and that teams of cadets have been at the marina getting vehicle counts and studying the area to do a parking study of the marina parking lot for the City.

Councilman Loftus asked to comment on an action by the Board of Zoning Appeals related to construction at 1022 Carolina Boulevard. His concerns were that the building was quite large and located on a small lot, and the Board of Zoning Appeals granted a variance to exceed the forty foot (40') height restriction. Councilman Loftus expressed his strong belief that the height restriction should be strictly enforced across the island; in addition, he expressed his disappointment in the action of the Board of Zoning Appeals.

Councilman Duffy voiced his complete agreement with Councilman Loftus and commended Arnold Karig for opposing the variance. He questioned how many homes on the island have exceeded the height restriction and, of those, how many applied for and received variances. Councilman Duffy expressed apprehension that the granting of variances to the height restriction would lead to relaxing that restriction, which he believes should be maintained.

**6. Reports from Special or Joint Committees**

**Accommodations Tax Advisory Committee** – minutes attached

**7. Petitions Received, Referred or Disposed of - None**

**8. Bills Already in Possession of Council - None**

Mayor Sottile commented that the Council would have the First Reading on the Codification of the City Code at the November meeting. With the affirmation of the City Attorney, Mayor Sottile stated that it was important to get this passed before the Council

began to pass more ordinances; the goal is to have this process completed by the first of the year.

**9. Introduction of New Bills, Resolutions and Proclamations - None**

**10. Miscellaneous Business**

Councilman Bettelli thanked the Mayor for his eighteen (18) years of service to the City of Isle of Palms. He reflected on the fact that Mayor Sottile had been elected just after Hurricane Hugo had devastated the island.

Mayor Sottile thanked the members of Council, past and present, for what they do and have done; he remarked that being a member of Council takes a lot of commitment and a lot of time. He also thanked the staff and City Attorney Sottile. The Mayor commented on the fact that he has had the opportunity to do so many things that many people never have, such as growing up "in the nicest community, the nicest city that you could probably live in," to raise his family in that same environment thereby allowing them to enjoy many of the same things that he had and to be elected to City Council to preserve the quality of life here. Mayor Sottile said that he is going to work as hard as he can when he gets to the state legislature.

He reflected on the fact that the devastation left by Hurricane Hugo had been the impetus for him to seek elected office so as to be a part of rebuilding the City; all of the municipal buildings had been destroyed.

Mayor Sottile wondered how many communities had worked through a change in the form of City government that way the Isle of Palms had. He remembered that he and four (4) others had gotten together to change from a "strong mayor" form of government because of the problems it was causing at the time; these Council members were labeled "The Council of Five." Once elected Mayor, he had to work within the system that he had created.

The Mayor voiced his gratitude to the residents who have given him the opportunity to serve the City for nearly twenty (20) years, and he stated that a lot has been accomplished in those years. He noted that the time has come to "pass the gavel" to Mayor Pro Tempore Carol Rice as he pursues a new chapter in his life as a legislator in the South Carolina House of Representatives. Mayor Sottile expressed confidence that he was leaving the City was in good hands between an exceptional City Council and Mayor Pro Tempore and an extremely competent and experienced City Administrator in Linda Tucker.

At this time he read his resignation as Mayor of the City to be effective November 7, 2008. (Copy attached.)

**11. Executive Session – Not needed**

**12. Conclusion/Adjourn**

**MOTION: Having concluded the business of the City Council, Councilman Taylor moved to adjourn the meeting at 7:40 p.m.; Councilman Bettelli seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland  
City Clerk