

CITY OF ISLE OF PALMS
Meeting of City Council
November 27, 2007

The regular meeting of the Isle of Palms City Council was held at 7:00 p.m. on Tuesday, November 27, 2007 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Present were Mayor Sottile, Council members Bettelli, Cronin, Hanbury, Marino, McMackin, Rice, Taylor, City Administrator Tucker, Assistant to the Administrator Dziuban, Attorney Sottile, and City Clerk Copeland. Councilman Buckhannon was excused, but there was a quorum of Council present to conduct business.

1. Introduction of Meeting – Mayor Sottile called the meeting to order and stated that the members of the press and the public had been duly notified of the meeting in accordance with the Freedom of Information Act. The Mayor offered the invocation, which was followed by the Pledge of Allegiance to the Flag. The Clerk then called the roll.

2. Reading of the Journal of Previous Meetings:

MOTION: Councilwoman Hanbury moved for the approval of the minutes of the of the regular meeting of October 23, 2007 and the special meetings of November 13 and November 19, 2007 as presented; Councilwoman Rice seconded and the motion PASSED UNANIMOUSLY.

3. Citizens' Comments. No one has called in to speak.

Special Presentation: The presentation was for Terri Haack, the Managing Partner for Wild Dunes Resort, who has accepted a promotion that will take her to the West Coast beginning the first of the year. Mayor Sottile unveiled a framed Resolution containing the key to the City of Isle of Palms; he read the resolution aloud to Ms. Haack and the audience. In conclusion he added that Ms. Haack has been a true asset to the Isle of Palms, Wild Dunes and to herself.

Mayor Sottile also gave special recognition to the three (3) members of City Council who were attending their last regular meeting this evening, i.e., Jane McMackin, Leola Hanbury and John Marino. He stated that each of these persons has served the City well and that they take a lot of valuable experience with them. Mayor Sottile thanked them for their dedication and years of service to the Isle of Palms.

Mayor Sottile recalled meeting Councilwoman McMackin for the first time in 2003 as she served on the 50th anniversary celebration committee. Since being elected to City Council, she has been involved primarily with the Personnel and the Real Property Advisory Committees. Her dedication to the Personnel Committee has led to additional employees in the General Government area, and she has worked diligently on the City's

website and the e-newsletter. Other initiatives Councilwoman McMackin has been involved in are at the marina and will be seen well into the future with the new tenant who will be moving in next year and the replacement of the bulkhead. Mayor Sottile thanked her for her hard work over the past four years.

Mayor Sottile commented that he has known Councilwoman Hanbury for many years; he recalled that they had run, along with ten (10) others, for four (4) City Council seats in 1991. She has always been involved in the City through her volunteer work before being elected to City Council; she headed up the Beach Sweep for many years. Councilwoman Hanbury began her tenure on Council when she ran to fill the unexpired term of Mayor Sottile. The Mayor teased her for being a stickler for correcting the minutest details in the minutes and for being adamant about residents obtaining dog licenses. During her six (6) years on City Council, Councilwoman Hanbury served on the Recreation Committee and the Public Works Committee. On the Recreation Committee, she was instrumental for getting new programs started once the building expansion was completed. The Mayor expressed his appreciation to her for the dedication and service she has shown to the City of Isle of Palms.

Mayor Sottile reminded those present that Councilman Marino has served the City for eight (8) years; Councilman Marino has chaired the Public Works and the Public Safety Committees. Councilman Marino has been most instrumental in the 54th – 57th Avenues drainage project that is ongoing; it was under Councilman Marino's leadership that the City's first drainage plan was developed. The Blue Wave Beach award that the City has been fortunate enough to win for six (6) years was introduced to the Isle of Palms as a result of Councilman Marino's travels with his family. The City also has Councilman Marino to thank for the multi-space parking meters. And Councilman Marino convinced City Council that there were enough hotels and condominiums on Front Beach and had the appropriate zoning ordinances passed. Councilman Marino's actions on Council will have a lasting and beneficial affect on the island.

Councilwoman McMackin had asked for an opportunity to speak at her last Council meeting. She began her comments by saying that she was proud and happy to have served the citizens of Isle of Palms and to serve with her fellow Council members. Councilwoman McMackin did want to comment on certain of her accomplishments during her term of office. She thanked the Mayor for his comments on the website; she confirmed that it had been a passion of hers because she wanted to see the City communicate with its citizens better. From the Real Property Committee, she has seen the removal of the office buildings at the marina, which has opened up parking. A new tenant has been selected for the marina store, and lease negotiations are in progress. Councilwoman McMackin noted that it had been a real pleasure to work on the new fire station and the public safety complex and to bring about some regulations related to short-term rentals. She thanked Administrator Tucker and her staff for their efforts at

making the jobs of the Council members easier and especially the Administrator for the preparation work that she does to make the Council members do their jobs better. The remaining City departments were named as were each Council member as vital components to what Councilwoman McMackin loves about the Isle of Palms.

Councilwoman Hanbury said that serving on the City Council had been an incredible experience and that she wanted to thank everybody who has ever given her one ounce of support. She continued that it has been a privilege and an honor to serve on City Council. She stated that she is proud of the City and the City Council; she said that she is also proud of the staff, from the Administrator on down. On a personal note, she added that she has had an incredible 80th year that started off with a huge birthday party that the City helped her daughter to put on for her; she said it was unbelievable and overwhelming. Then on February 10th, Mayor Sottile had presented her with a proclamation that she truly appreciated. Councilwoman Hanbury stated that she would miss everyone.

Councilman Marino thanked his wife and their three (3) small children “for putting up with him” for the past eight (8) years as he served on City Council; he commented that at dinner his youngest daughter had expressed how happy she was that this was his last Council meeting. He said it had been a privilege to work with this Council and an honor to have the citizens’ vote of confidence these eight (8) years.

Ann Maughon of 7 Wills Way interrupted Mayor Sottile as he proceeded with the meeting to make the following **Citizens’** Comments. She stated that she had attended the Special City Council Meeting on Long-Term Beach Management, and she referenced Chris Jones’s report in the following manner:

Recommendations-Implementation, pg 9

Item 9. The City should act as permit applicant:

- *Where public access is available throughout the project area.* Ms. Maughon stated, “It is not.”
- *Where shoreline segments without public access are a small fraction of the overall project area.* Mrs. Maughon stated, “It is not.”
- *For projects where State beach nourishment funds are available.* Ms. Maughon stated. “They are not.”
- *Where emergency protection is needed for public highways and/or infrastructure that support the community at large.* Ms. Maughon stated, “It does not.”

Ms. Maughon continued by saying that, in her opinion, the beach is not the problem, because it will come back. She stated that she feels that the City is trying, through this application, to save some property that is in a gated community. She stated that she had attended the candidate forum at Wild Dunes where it became apparent to her that

the idea of one island/one community comes about when someone within that gated community needs the public funds to support something that is going on within that gated community. Ms. Maughon added that “unless they are will to open those gates to public access (she) does not understand why the City is spending anywhere from \$200,000 to half a million dollars on this application process, and (she) does not understand why the City is willing to pay that money after they paid a coastal engineer for his recommendation and then are ignoring them.”

4. Reports from Standing Committees

A. Ways and Means

- 1. MOTION: Councilman Taylor moved to approve the recommendation from the Public Works Committee to award the 2008 Street Sweeping Contract to Sweeping South Incorporated in the amount of \$12,677.40; Councilman Bettelli seconded and the motion PASSED UNANIMOUSLY.**
- 2. MOTION: Councilman Taylor moved to approve the recommendation from the Real Property Advisory Committee to award the lease for the marina store to Marina Outpost LLC with Brian Berrigan, Managing Partner; Councilman Marino seconded and the motion PASSED UNANIMOUSLY.**
- 3. MOTION: Councilman Taylor moved to approve the recommendation from the Public Safety Committee to enter into the Intergovernmental Agreement with Charleston County for Consolidated Dispatch pending legal review; Councilman Marino seconded and the motion PASSED UNANIMOUSLY.**
- 4. MOTION: Councilman Taylor moved to approve the recommendations from the Accommodations Tax Advisory Committee for (a) \$5,000 for the Annual Tree Lighting on December 6, 2007, (b) \$9,550 for the LowCountry Blues Bash on February 9-10, 2008 and (c) \$30,500 for the July 4, 2008 fireworks display; Councilman Bettelli seconded and the motion PASSED UNANIMOUSLY.**
5. Councilman Taylor referred to the Special Meeting of November 13, 2007 where the City Council had given initial approval of using the balance of \$200,000 in the 2007-2008 Budget toward permitting process for beach renourishment. Council is aware that the total permitting costs could rise to as much as \$500,000, and the Mayor has already begun to reach out for funding for the project.

MOTION: Councilman Taylor moved to approve the budgeted figure of \$200,000 to be used toward the permitting process for beach renourishment; Councilman Cronin seconded.

Councilwoman McMackin asked if the \$200,000 in the budget had not come from Accommodations Taxes; Administrator Tucker stated it was half Accommodations Taxes and half hospitality taxes.

Call for the question: The motion PASSED UNANIMOUSLY.

6. MOTION: Councilman Taylor moved to approve \$8,700 to fund the revisions to the Beach Management Plan for OCRM; Councilman Marino seconded and the motion PASSED UNANIMOUSLY.

7. MOTION: Councilman Taylor moved to award the contract to B&B Demolition for \$18,500 for the demolition of Fire Station #1; Councilman Marino seconded and the motion PASSED UNANIMOUSLY.

8. MOTION: In accordance with the City's Procurement Ordinance, Councilman Taylor moved for the approval of contracts in excess of \$10,000 as follows:

- | | | |
|----------------|------------------|--|
| a. \$23,087.00 | Jones Ford | F150 4x4 Pickup Truck (EMS) |
| b. \$10,429.65 | NAFECO | 49-Superpass II Pass Devices (motion only) |
| c. \$21,380.00 | Burns Automotive | F250 4x4 Pickup Truck (Public Works) |
| d. \$11,230.00 | Sanders Brothers | Marina Resurfacing/Paving |

Councilman Bettelli seconded and the motion PASSED UNANIMOUSLY.

Councilwoman Rice asked Attorney Sottile to review the Procurement Ordinance in light of raising the threshold to \$25,000 from the current \$10,000.

Councilman Taylor took a moment to thank Councilwomen Hanbury and McMackin and Councilman Marino for being very active members in the Ways and Means Committee. He noted that they have always come prepared and they stood up for what they believed in.

B. Public Safety Committee

Councilman Marino reported that the Committee had discussed the contractual agreement with Charleston County for consolidated dispatch. He expressed his opinion that it will provide a great cost savings for the City in the long run; the greatest concern is that the City receives quality service in return. The City is seriously seeking a board seat as well.

The Committee decided that a traffic circle was the best solution for the congestion at 41st and Palm, but the cost factors involved have forced the project to be delayed until grant funds or DOT or County funding could be acquired.

The Committee reviewed additional design work for the Public Safety Complex and recommended to City Council that it stay with parallel parking at the parameter of the building. The design will be such that the City will have the option to change to diagonal parking in the future.

Councilman Marino was happy to report that the "Livability" refrigerator magnets have been ordered, but should anyone have a "livability" issue before receiving one, the phone number is 886-8282.

He added that he has enjoyed being chairman of the Public Safety Committee; he stated that it has been a great experience and that he has loved being involved in Fire Station #2 and the design work for the Public Safety Complex.

Councilman Marino reminded Council of the Police Department's CALEA inspection on Wednesday, November 28 at 4 p.m. on 27th Avenue; there will be a review and the department will be in full dress uniforms.

C. Public Works

Councilman Bettelli noted that in October Director Pitts had to pump water off the roads for the first time in a couple of years. The Pre-disaster/Post-disaster Debris Removal Contract changes have been made, and it is on its way to the attorney for final draft. The Committee reviewed changes to the City's ordinances on beach debris and holes; the changes were given to the Administrator to be forwarded to the attorney for proper wording.

The Committee sent the Street Sweeping Contract to Ways and Means for awarding, and it authorized a dedicated internet line for the Public Works Department.

In conclusion Councilman Bettelli stated that the beach monitoring results were great for September and October and thanked Councilman Marino for bringing the program to the island.

Councilman Bettelli praised Councilman Marino for his work as Chairman of Public Works prior to Councilman Bettelli and Councilwoman Hanbury for her dedication; he added that Councilwoman McMackin had contributed to the Public Works Committee as well.

D. Recreation

Councilwoman Rice reported that the Front Beach movie had been great fun and encouraged everyone to attend when the event were held again. The Halloween carnival was also a huge success. Moving into the holiday season, there are many programs and events planned. The Tree Lighting on Front Beach will be on Thursday, December 6 at 6:00 p.m.; there will be snow again for the children, as well as the carriage rides, performances and the arrival of Santa Claus. For the "Light It Up" contest this year, anyone may submit a decorated home for consideration – it is not limited to the homeowner; submit your neighbor or a family member. Won't they be surprised! January 10, 2008 will be the kickoff for an employee wellness program that the Recreation Department is sponsoring for all City employees. The Recreation Department is in the process of initiating its own list serve that will tag-along with the City's e-newsletter but be dedicated to the happenings at the Recreation Center. Councilwoman Rice told Councilwoman Hanbury that it had been an honor to work with her on the Recreation Committee.

E. Personnel

Councilwoman McMackin related that Jeff Jacobs was present to make suggestions on the City's e-newsletter which will be taken under advisement; she thanked both Administrator Tucker and Assistant Dziuban for their work on the e-newsletter, as Councilwoman McMackin is confident that it will keep the residents informed about what is happening on the island and within City Council. The discussion on the Compensation Study centered on the facts that the City wants a quality product and that the results will be available for the development of the 2008-2009 budget. In the follow-up discussion on the future of the Beach Advisory Committee, the Committee decided to defer a decision until the new City Council was in place. Since the Committee members had had the names of candidates for Committees and Boards to study for the past month, the recommendations went smoothly and quickly; they will be announced at the Special City Council Meeting of December 3. Councilwoman McMackin stated that the Committee had also briefly discussed the involvement of the Charleston County Board of Elections and Voter Registration in the management of future Isle of Palms municipal elections.

Before concluding her report, Councilwoman McMackin thanked her fellow Committee members Councilmen Buckhannon, Bettelli and, now, Taylor for having very worthwhile meetings and for coming up with valuable proposals for the City. She also thanked her husband George; she informed the Council that he had been a great adviser and listener while she served on Council.

Councilwoman McMackin's final act as Chairwoman of the Personnel Committee was to announce the winners of the October Safety Sweepstakes as the following:

Derek Carr – Fire Department Donnie Pitts – Public Works Department
Allan Dawson – Police Department Carol Keller – Recreation Department

5. Reports from City Officers, Boards and Commissions

A. Board of Zoning Appeals – no meeting in November.

B. Planning Commission – meeting minutes included in Council packets.

Administrator Tucker stated that the Planning Commission held the first of three (3) meetings with the community, i.e. this one with members of the commercial district to discuss the vision and needs of the commercial district.

C. Real Property Advisory Committee

Councilman Bettelli reported that representatives from Zande-Jon Guerry Taylor and GEL had been present to discuss the condition and the future needs of the marina bulkhead which had been set forth in a report that the Committee had received the previous month. The focus of discussion for the Committee had been the RFP responses to the marina store of which there were three (3). Pursuant to extensive dialogue with Managing Partner Brian Berrigan, as well as the other partners Joe Rice and Benee Wallace of Marina Outpost LLC, the Committee concluded that they had most completely fulfilled the requirements of the RFP and that they most closely paralleled the desires of the City for the future of the marina store; therefore, the Committee recommended to the Ways and Means Committee that the lease for the marina store should be awarded to Marina Outpost LLC.

6. Reports from Special or Joint Committees

A. Accommodations Tax Advisory Committee

Administrator Tucker announced that the 2008 Spoleto sponsorship for the City of Isle of Palms will be a Swiss ballet of both contemporary and traditional works; the City will have fifty (50) tickets which will be made available to the Keenagers first.

B. Beach Advisory Committee - no meeting in November.

7. Petitions Received, Referred or Disposed of – none.

8. Bills already in Possession of Council -

- A. Second Reading – Ordinance 2007-18**, An Ordinance to Raise Revenue by Establishing a Property Tax Millage Rate for the City of Isle of Palms, South Carolina, for the Fiscal Year beginning July 1, 2007 and ending June 30, 2008.

MOTION: Councilman Taylor moved for the adoption and ratification of Ordinance 2007-18; Councilman Marino seconded and the motion PASSED UNANIMOUSLY.

- B. Second Reading – Ordinance 2007-19**, An Ordinance Authorizing the Lease/Purchase of one (1) Mack Garbage Truck GU713.

MOTION: Councilman Marino moved for the adoption and ratification of Ordinance 2007-19; Councilwoman Hanbury seconded and the motion PASSED UNANIMOUSLY,

- C. Second Reading – Ordinance 2007-21**, An Ordinance Authorizing the Issuance and Sale of General Obligation Bond, Series 2007, or such other appropriate series designation, of the City of Isle of Palms, South Carolina, in the principal amount of \$8,750,000; Fixing the Form and Details of the Bond; Authorizing the City Administrator, or her Lawfully Authorized Designee, to Determine certain matters relating to the Bond; Providing for the Payment of the Bond and the Disposition of the Proceeds thereof; and other matters relating thereto.

MOTION: Councilman Taylor moved for the adoption and ratification of Ordinance 2007-21; Councilman Marino seconded.

Administrator Tucker commented on the amount of money included in this ordinance; she reminded Council that the figure reflected here is for a “not to exceed amount” and that the City would not close on a loan for any more than is needed for the Public Safety Complex. The actual figure is anticipated to be less than the \$8,750,000, but the amount does include not only the construction of the Public Safety Complex, but also the demolition of the existing building on the site and the Building Department, the associated architectural/engineering fees, relocating the Building Department to City Hall and some renovations to City Hall to accommodate the Building Department in City Hall. She stated that, at each stage of the design of the on the main construction, the numbers are refined as the City gets closer and closer to the final design of the building; therefore, another set of numbers is expected after the first of the year. The Administrator added that there is enough of a “comfort zone” in this figure that there will be no need to come back before Council on funding the Public Safety Complex.

Call for the Question: The motion PASSED UNANIMOUSLY.

9. Introduction of New Bills, Resolutions and Proclamations

- A. First Reading – Ordinance 2007-20**, An Ordinance Amending Title 7, Business Licenses, Section 7-1-15 and 7-1-16, of the City of Isle of Palms Code of Ordinances, regarding Suspension, Revocation and Appeals.

Administrator Tucker commented that, when the City went through the revocation process recently, the need for refinements was seen by the City's attorney and licensing official. She also pointed out a scrivener's error in Section 5 that had been corrected in the new version handed out at the meeting tonight. The corrected version stated "This Ordinance shall take effect and be in full force immediately."

MOTION: Councilman Bettelli moved to approve Ordinance 2007-20 for First Reading by title only; Councilman Marino seconded and the motion PASSED UNANIMOUSLY.

- B. First Reading – Ordinance 2007-22**, An Ordinance Amending Title 5, Article 8, Flood Damage Prevention, Sections 5-4-155 and 5-4-169 to add the Definitions "Recreational Vehicle" and "Violation," and to add Standards for Recreational Vehicles.

The Administrator indicated that this amendment is a change in the zoning code; therefore, the ordinance will go to the Planning Commission and require a Public Hearing before coming back for a second reading. The Ordinance has come before Council as a result of reviews by FEMA and the state agency supporting FEMA of the City's code and practices relative to the flood ordinance; this is their recommendation as a result of their assessment.

MOTION: Councilman Bettelli moved to approve Ordinance 2007-22 for First Reading by title only; Councilman Cronin seconded.

Councilwoman Hanbury noted that there were no restrictions on the number of recreational vehicles that could be on a single lot and no time limitation. Mayor Sottile indicated that, since this was First Reading, there would be more discussion, changes and feedback from the Planning Commission, Public Hearing, Administrator and attorney before Second Reading.

Call for the Question: The motion PASSED UNANIMOUSLY.

10. Executive Session – not necessary

City Council Meeting
November 27, 2007
Page 11 of 11

11. **MOTION: With no further business to come before the City Council, Councilwoman McMackin moved to adjourn at 8:05 p.m.; Councilman Marino seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland
City Clerk