

CITY COUNCIL

7:00 p.m., Tuesday, April 28, 2009

The regular meeting of the City Council was held at 7:00 p.m., Tuesday, April 28, 2009 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Present for the meeting were Council members Bettelli, Buckhannon, Duffy, Loftus, Piening and Rice, City Administrator Tucker, Assistant Administrator Dziuban, Assistant City Attorney Halversen and City Clerk Copeland. Councilman Taylor's absence was excused. There was a quorum present to conduct business

1. Mayor Cronin called the meeting to order and acknowledged that the press and the public had been duly notified of the meeting in accordance with the Freedom of Information Act.

Mayor Cronin offered the invocation that was followed by the Pledge of Allegiance; the City Clerk called the roll.

2. Approval of Previous Meeting's Minutes

MOTION: Councilman Loftus moved to approve the minutes of the regular meeting of March 24, 2009 as submitted; Councilman Buckhannon seconded and the motion PASSED UNANIMOUSLY.

3. Citizens' Comments

Kai Dilling stated that he was attending the meeting requesting to be allowed to teach surfing at the Isle of Palms. He apologized for past conflicts he had with the City and went on to explain his passion for surfing and review his personal history. He stated his knowledge of ordinances on the island to prevent businesses from operating on the beach; he, therefore, requested establishing a franchise agreement with the City that would allow him to teach surfing on the beach to small classes of one to four (1-4) persons. He stated his opinion that it was "a little irresponsible, perhaps, that kids . . . are not allowed to learn surfing here on this beach." He provided the Mayor with an example of a survey he had distributed in the spring, as well as a testimonial.

Mayor Cronin stated that no decision would be made on his request at this meeting, and he commented to Mr. Dilling that he was not giving him any encouragement.

Barbara Bergwerf announced that turtle season starts on May 1, noted that the Turtle Team was concerned about beach-front lighting and hope that the ordinance would be enforced. She invited everyone to attend the release of a three hundred thirty pound (330 lb.) female loggerhead at the County Park at 10:00 a.m. on Saturday, May 2, 2009.

Mayor Cronin then introduced Ruth Metzger who was present to make a special presentation. Ms. Metzger, Chairman of the Board of the Girl Scouts of Eastern South Carolina, stated that she was joined by her third Vice Chair, Lisa Safford, to honor Carol Rice for her service to the City of Isle of Palms and the community at-large. She reported that two (2) weeks ago, the Girl Scouts of Eastern South Carolina honored a group of women from all over the jurisdiction, including twenty-one (21) counties and ten thousand (10,000) girls; the women were honored as role models for girls. Ms. Metzger noted that Carol Rice was a unique role model for girls in that

“she is one of a very few women in political life in the state of South Carolina.” Lisa Safford then presented Ms. Rice with a beautiful bouquet of flowers and a gift.

Councilwoman Rice was obviously touched by the honor and the compliments paid to her by Ms. Metzger. She stated, “I am so honored and I so believe in the Girl Scouts’ cause.” She noted also that South Carolina ranks fiftieth (50th) in the nation in women in politics.

Mayor Cronin remarked that Councilwoman Rice’s parents, husband and daughters were present.

Mayor Cronin asked for a motion to reorder the agenda to cover Miscellaneous Business at this time in the meeting.

MOTION: Councilman Bettelli moved to reorder the agenda to discuss Miscellaneous Business before hearing the Committee reports; Councilman Loftus seconded and the motion PASSED UNANIMOUSLY.

10. Miscellaneous Business

Mayor Cronin made the following announcements:

- The City has applied to MASC to win another Achievement Award – this one for the City’s e-newsletter;
- The City has supported the Department of Natural Resources (DNR) request for a grant proposal; they asked for support from the various beach communities as DNR is seeking funds from NOAA in their Coastal Marina Habitat Restoration Project Grant under the American Recovery and Reinvestment Act.
- There have been some incidents over the last couple of weekends where large parties have been disruptive to the community. The Police were called and acted in a responsible way and made numerous arrests. Mayor Cronin reported that the property management companies responsible for renting the homes involved will also be cited.
- The City has received a request from Keller-Williams Real Estate to perform community service on May 14, 2009; they would provide fifteen to twenty-five (15-25) days of services to the Isle of Palms. Some of the ideas put forth include a beach sweep, beach access paths, yard work for seniors, et.al.; Directors Page and Pitts have been asked to take the proposal under advisement.
- SCE&G will be putting power lines underground in many areas on the island, beginning with Forest Trail – at no cost to the City.
- Mayor Cronin encouraged everyone to attend the 10th anniversary celebration at the marina from 2 p.m. until 6 p.m. on Sunday, May 3; the Mayor will be a target in a dunking booth where the proceeds will go to the MUSC Childrens Hospital.

4. Reports from Standing Committees

A. Ways and Means Committee

Mayor Cronin reported on the meeting in Councilman Taylor's absence. He noted that the bulk of the meeting was spent in a budget workshop to fine tune the FY 2009-2010 capital and operating budgets. Major changes involved deferring several items for FY 2010 dredging of the marina and contributions to the ballpark and beach reserves; other changes include a reduction to fuel costs by \$0.25, a reduction in the County Accommodations Taxes revenue and an increase to costs in the Public Works Department anticipating the closure of the incinerator in January, 2010.

1. Award of contract to Nuvox for City-wide phone service in the amount of \$32,149.20.

MOTION: Mayor Cronin moved to award the contract to Nuvox for city-wide phone service in the amount of \$32,149.29; Councilman Buckhannon seconded.

Mayor Cronin repeated that the service would be city-wide and reported that it would be a cost savings to the City.

Call for the Question: The motion PASSED UNANIMOUSLY.

2. Award of contract to Home for telephones and auxiliary equipment for the Public Safety Building in the amount of \$23,082.15.

MOTION: Mayor Cronin moved to award the contract to Home for telephones and auxiliary equipment for the Public Safety Building in the amount of \$23,082.15; Councilman Buckhannon seconded and the motion PASSED UNANIMOUSLY.

3. Award of contract to Home for telephones and auxiliary equipment for City Hall in the amount of \$5,054.41.

MOTION: Mayor Cronin moved to award contract to Home for telephones and auxiliary equipment for City Hall in the amount of \$5,054.41; Councilwoman Rice seconded.

Mayor Cronin stated that a phone system for City Hall was in the FY 10 budget; if the Council approves this motion, the amount can be stricken from the FY 10 budget and execute this year.

Call for the Question: The motion PASSED UNANIMOUSLY.

4. Award of contract to Technology Solutions for networking services for the Public Safety Building in the amount of \$22,263.03.

This contract allows the telephones within the building to communicate with each other and networks the systems to City Hall, the Building Department and Public Works.

Being aware that City Hall would be replacing its telephone system when the renovations were executed, Chief Buckhannon built the phone system at the Public Safety Building in such a way that City Hall could be tied into it. In addition, the MPLS type of service from Nuvox allows facilities to be tied together, thereby eliminating the need for a telephone system for City Hall and providing for a contiguous network between the two (2) fire stations, City Hall, and Public Works. The cost for telephones for City Hall would be approximately five thousand dollars (\$5,000).

Chief Buckhannon explained that the service contract was for a block of hours rather than a year and for certain equipment, such as servers, routers, etc.; he anticipated that it would take approximately fifty (50) hours for the initial setup with the balance to be used as needed. Councilman Buckhannon related that Chief Buckhannon has been providing routine computer service for the City and that City Council will need to find another provider once Chief Buckhannon retires.

Councilman Loftus asked if the installations would be done in phases with City Hall at some point in time after the renovations have been completed. Chief Buckhannon explained that, when the Public Safety Building telephone system goes "live," the entire system would be activated simultaneously due to the type of service that the City will have.

Chief Buckhannon affirmed that he had spoken with both the IT and Police Departments in Mount Pleasant about the type of service he is recommending for the City, as well as the vendor Technology Solutions. He reported that Mount Pleasant was pleased with Technology Solution's work and with the new MPLS service; the Chief noted that he has used Technology Solutions on other projects in the City and had success each time.

MOTION: Councilman Buckhannon moved to award the contract to Nuvox for citywide phone service in the amount of \$32,149.20; to award the contract to Home for telephones and auxiliary equipment for the Public Safety Building in the amount of \$23,082.15; and to award the contract to Technology Solutions for networking services at the Public Safety Building in the amount of \$22,263.03; Councilman Loftus seconded and the motion PASSED UNANIMOUSLY.

5. \$7,500 for Isle of Palms Connector Walk and Run

Assistant Dziuban related that the request of \$7,500 for the Connector Walk and Run was from the Accommodations Tax Advisory Committee; it is a request that has been made for several years and the amount is the same as it was in 2008. She reminded Council that ten percent (10%) of the race proceeds are returned to the Recreation Department to be used for child-related activities.

MOTION: Councilman Bettelli moved to approve \$7,500 for the Isle of Palms Connector Walk and Run; Councilwoman Rice seconded and the motion PASSED UNANIMOUSLY.

6. \$3,000 to Marina Joint Ventures for Celebration of 10th Anniversary of the City's ownership of the marina

Assistant Dziuban stated that the celebration was also an opportunity to showcase the new bulkhead; it is scheduled for Sunday, May 3. This request also comes from the Accommodations Tax Advisory Committee.

MOTION: Councilwoman Rice moved to approve \$3,000 to Marina Joint Ventures for the 10th anniversary celebration at the marina; Councilman Loftus seconded.

Councilman Piening asked how the money would be used; Councilwoman Rice stated that she had asked the same question of Marina Manager Berrigan and been told that there would be a band, jump castles, other activities for kids, etc. Carla Pope of Morgan Creek Grill stated that all of the marina businesses would be contributing to make the event a success.

Call for the Question: The motion PASSED UNANIMOUSLY.

7. Award to TidalWave in an amount not to exceed \$3,000 for repairs to the Tidal Wave dock from the FY 2008-2009 budget.

Having heard a presentation by TidalWave Water Sports, the Real Property Committee has recommended approval of three thousand dollars (\$3,000) for dock repairs.

MOTION: Councilwoman Rice moved to approve an amount not to exceed \$3,000 to TidalWave Water Sports for dock repairs; Councilman Bettelli seconded and the motion PASSED UNANIMOUSLY.

8. Approval of one-time adjustment for firefighters in the amount of \$11,250 for FY 2009-2010.

Assistant Dziuban explained that, for reasons of timing and budgetary constraints, the firefighter classification of employees was not considered for a wage adjustment in 2008; the proposed one-time adjustment would bring the hourly wage for firefighters to \$9.37, which would keep the Isle of Palms competitive with its neighboring municipalities.

MOTION: Councilman Buckhannon moved to approve a one-time salary adjustment for firefighters in the amount of \$11,250 for the FY 2009-2010 budget; Councilman Bettelli seconded and the motion PASSED UNANIMOUSLY.

9. Award of contract to Fitness Resource for gym equipment in the amount of \$22,497.02 for the Public Safety Building.

MOTION: Councilman Loftus moved to award the contract to Fitness Resource for gym equipment in the amount of \$22,497.02 for the Public Safety Building; Councilman Bettelli seconded and the motion PASSED UNANIMOUSLY.

10. Award of contract to Mobile Communications, a state contract vendor, for sound amplifying system for radio equipment in an amount not to exceed \$19,164.42 for the Public Safety Building.

MOTION: Councilman Bettelli moved to award a contract to Mobile Communications, a state contract vendor, for sound amplifying system for radio equipment in an amount not to exceed \$19,164.42 for the Public Safety Building; Councilman Buckhannon seconded and the motion PASSED UNANIMOUSLY.

11. Award of contract for repairs or replacement of the roof of the Public Restrooms.

Mayor Cronin reported that, in the Real Property Committee meeting immediately prior to this meeting, the Committee recommended spending up to ten thousand dollars (\$10,000) to repair the roof, adding a slight pitch and gutters.

MOTION: Councilwoman Rice moved to award a contract to Cahill Construction and to Built to Order to repair the roof of the public restrooms in an amount not to exceed \$10,000 from General Contingency in the FY 2009 budget; Councilman Duffy seconded and the motion PASSED UNANIMOUSLY.

12. Award of contract to Motorola for a repeater in the amount of \$10,861.91 from the FY 2009 budget.

MOTION: Councilman Buckhannon moved to award a contract to Motorola for a repeater in the amount of \$10,861.91 from the FY 2009 budget; Councilman Bettelli seconded and the motion PASSED UNANIMOUSLY.

B. Public Safety Committee

Councilman Buckhannon reported that members of the Turtle Team had attended this meeting to express their appreciation to the City for its plan for removal of debris from the beach and offered their assistance as needed. He briefly covered the progress that has been made on the Public Safety Building, and Administrator Tucker announced that a mid-June completion date is planned, but the departments will be happy if they are moved into the building by July 4. She also stated that the materials are being removed from the parking lot. Councilman Buckhannon noted that the City's request for two (2) hour parking on 25th Avenue has been approved by SC DOT.

C. Public Works Committee

Councilman Bettelli stated that the Turtle Team had visited the Public Works meeting, as well, to express their satisfaction with the plan to enforce the City's ordinance on beach debris; he noted that the plan had been a collaborative effort between the Police Chief and the directors of Public Works and the Building Department. Councilman Bettelli expressed his thanks to the Garden Club for their assistance in painting the palm trees on the yellow trash barrels. He reported that the contract had been executed with Civil Site Environmental. There were four (4) bids that arrived after the bid opening for the RFP on Debris Removal; a decision on whether the City should accept them will be made at the May meeting. He also stated that the Household Hazardous Material collection had not been as productive as the one held in the fall; therefore, the City will have the collection annually in the future. Councilman Bettelli concluded with the announcement that twice a week garbage collection begins Monday, May 4.

D. Recreation Committee

Committee Vice-Chair Duffy gave the report and stated that there had been a lengthy discussion on the middle school dances during which the Committee agreed to hold three or four (3-4) theme-based dances next year. The Egg Hunt had been a tremendous success. Camp Summershine was filling up quickly, but there were still openings in the sports camps.

E. Personnel Committee

Councilman Piening reported that the meeting had been dedicated to the FY 2009-2010 budget and that no significant changes were made.

F. Real Property Committee

Mayor Cronin stated that the Committee had received a financial report on payments made by the marina tenants to the City. They had discussed the Marina 10th Anniversary Party with Marina Manager Berrigan and Carla Pope of Morgan Creek Grill. The location of the kayak hut had been a hot topic for the month, and two (2) subsequent meetings were held to study the issues. The Mayor reported that Marina Manager Berrigan had obtained the necessary insurance and was going to test valet service for boat launching and trailer parking; he believes that it will provide more efficient use of the boat ramp. On the subject of beach restoration, indications are that there will not be a need for tilling the beach this summer. Mayor Cronin announced that the decision had been made to delay dredging, but to proceed with the engineering required for acquisition of a new permit. The City was very pleased with the rate of 4.39% it got for the bond financing the bulkhead replacement; the bond is through Bank of America and runs for seven (7) years.

The Real Property Committee met again on April 15 and April 28 to discuss re-locating the kayak hut. At the April 15 meeting the Building Director was present to explain his recommendations with the Committee and Chris Crolley, the operator of Coastal Expeditions, was charged to present an operating plan to the Committee at the meeting of April 28. At that meeting, Chris Crolley of Coastal Expeditions informed the Committee that he needed the City to apply for a critical area permit in order for him to place the Jet-T docks. There remain several

unresolved issues; therefore, Coastal Expeditions will continue to operate from the area near the store until the permit is issued.

Also discussed at this meeting were bids received for the repair or replacement of the public restroom's roof; it was agreed to repair the roof. There was also discussion relative to the marina management RFP.

5. Reports from City Officers, Boards and Commissions

A. Board of Zoning Appeals – minutes attached

Mayor Cronin recalled that former Mayor Clay Cable had attended the February 2009 City Council meeting where he had questioned time-sharing and multiple ownerships of residences in the City, and he referenced a decision made in the City of Charleston. Mayor Cronin noted that he had researched the Charleston case and had learned that the situation there was a club that had purchased a residence that was used by individual members on a rotating schedule. In the case, the City of Charleston prevailed with a ruling that temporary occupancy was not allowed.

B. Planning Commission – minutes attached

6. Reports from Special or Joint Committees

Accommodations Tax Advisory Committee – minutes attached

Administrator Tucker commented that the ATAX Committee had called a Special Meeting for 11:00 a.m., Wednesday, May 6, 2009 to discuss the FY 2009-2010 State Accommodations Tax budget.

7. Petitions Received, Referred or Disposed of - None

8. Bills Already in Possession of Council

Second Reading of Ordinance 2009-06– An Ordinance Amending Title 1, Chapter 4, Officers and Departments, Article D, City Attorney, Section 1-4-31, of the City of Isle of Palms Code of Ordinances to Provide for the Appointment of Assistant City Attorneys.

MOTION: Mayor Cronin moved to waive the reading and to approve Second Reading of Ordinance 2009-06 stated above; Councilwoman Rice seconded and the motion PASSED UNANIMOUSLY.

9. Introduction of New Bills, Resolutions and Proclamations

A. First Reading, by title only, Ordinance 2009-07 – An Ordinance to Raise Revenue and Adopt a Budget for the City of Isle of Palms, South Carolina, for the Fiscal Year Beginning July 1, 2009 and Ending June 30, 2010.

MOTION: Councilman Bettelli moved to approve First Reading, by title only, of Ordinance 2009-07 adopting the FT 2009-2010 budget; Councilman Buckhannon seconded.

Mayor Cronin stated that, over two (2) years, the revenues received by the City – 2007-2008 versus 2008-2009 – were down one million two hundred thousand dollars (\$1,200,000). He noted that the City would be requesting an increase in the millage that would produce one hundred fifty-five thousand dollars (\$155,000) in property tax revenues; the increase would be twenty-four dollars (\$24.00) on a home valued at seven hundred fifty thousand dollars (\$750,000). Over the past two (2) years, the City has sought a millage increase of 2.7%.

Mayor Cronin announced that there would be a Public Hearing at 6:45 p.m. on Tuesday, May 19, 2009 for public comments/questions related to the FY 2009-2010 budget.

Call for the Question: The motion PASSED UNANIMOUSLY.

B. First Reading, by title only, Ordinance 2009-08 – SERIES 2009 Bond Ordinance Authorizing the Issuance of not Exceeding \$6,000,000 Water and Sewer System Revenue Refunding Bonds, Series 2009, of the City of Isle of Palms, South Carolina; to Provide for the Use of the Proceeds; to Provide for the Terms and Conditions upon Which the Series 2009 Bonds will be issued; to Provide for the Repayment Thereof and Security Therefor; and to Provide for Other Matters in Connection Therewith.

MOTION: Mayor Cronin moved to approve for First Reading of Ordinance 2009-08, by title only, for the Isle of Palms Water and Sewer Commission bond re-financing; Councilman Bettelli seconded and the motion PASSED UNANIMOUSLY.

Assuming the Commission approves their ordinance, the Water and Sewer Commission will save approximately three hundred thousand dollars (\$300,000) over the term of the refinance, which is intended to eliminate or reduce future rate increases.

C. First Reading, by title only, Ordinance 2009-09 – An Ordinance Amending Ordinance 2008-09 to Provide for a Savings Provision in the Adoption and Enactment of the new City Code for the City of Isle of Palms.

MOTION: Mayor Cronin moved to approve for First Reading of Ordinance 2009-09, by title only, to Provide for a Savings Provision in the Adoption and Enactment of the new City Code for the City of Isle of Palms; Councilman Bettelli seconded and the motion PASSED UNANIMOUSLY.

D. Proclamation in Support of National Beach Safety Week.

Administrator Tucker read the proclamation aloud into the record; an executed copy is attached to the City's permanent record of this meeting.

All members of Council were in favor of the proclamation.

10. **Miscellaneous Business** – earlier in the meeting
11. **Executive Session** - None
12. **Conclusion/Adjourn**

MOTION: Councilman Buckhannon moved to adjourn the meeting at 7:59 p.m.;
Councilman Bettelli seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk