

Public Works Committee
Isle of Palms, South Carolina
September 13, 2007

The regular meeting of the Public Works Committee was held at 4:00 p.m. on Thursday, September 13, 2007 at the Public Works Building, 1303 Palm Boulevard, Isle of Palms, South Carolina. Present were Chairman Bettelli, Councilwoman Hanbury, Councilman Cronin, Public Works Director Pitts, City Administrator Tucker, Assistant Administrator Dziuban and City Clerk Copeland.

1. **Call to Order.** Councilman Bettelli called the meeting to order and stated that the press and the public had been duly notified of the meeting in accordance with the Freedom of Information Act.

2. **Approval of Previous Meeting's Minutes.**

Councilwoman Hanbury's written changes and corrections are attached.

MOTION: Councilman Cronin moved for the approval of the minutes of the meeting of August 6, 2007 as corrected; Councilwoman Hanbury seconded and the motion PASSED UNANIMOUSLY.

3. **Citizens' Comments.** None.

4. **Monthly Report for August 2007 – Director Pitts**

In addition to the written report, Director Pitts informed the Committee that Eadies is still working to remove the vegetation portion of the third year of the Five (5) Year Plan. Once this is complete, they will begin to re-structure the ditches that are called for in the 3rd year. The second item of import was an increase in the number of sweeps of the beach for large debris; there were six (6) sweeps in August.

Director Pitts reported that the contractor's equipment had been down, so one of the Public Works employees had emptied the yellow barrels by hand – it took him twelve (12) hours. He commented that, if the Public Works employees were going to continue to empty the yellow barrels through the winter, it will take two (2) employees eight (8) hours each. Last winter, the Committee had approved for Mr. Schupp to empty the barrels once a week for \$100.

In answer to Councilman Cronin's question, Director Pitts reported that a Public Works crew sweeps the beach from 3rd Avenue as far as it can go, about Dunescrest. Councilwoman Hanbury reported that, for Beach Sweep on Saturday, Wild Dunes has a crew of employees who has requested a special job, and they have been assigned to remove furnishings debris from the whole beach. She assured the Committee that they will be properly equipped to handle the assignment.

Administrator Tucker remarked that the Committee, by way of a motion, needed to recommend to the Ways and Means Committee to do a sole source contract with Eadies for the third year of their work.

MOTION: Councilman Bettelli moved that the Public Works Committee recommend to the Ways and Means Committee that the City enter into a sole source contract with Eadies, Inc. for the third year of their work; Councilman Cronin seconded and the motion PASSED UNANIMOUSLY.

Councilwoman Hanbury asked if Eadies could change the time of year that they clear the ditches since the seasons when there is the greatest growth are spring and summer and since the cleaning is only done once per year. Director Pitts agreed that the proper timing for the job is the fall, but he admitted that the work begins after July 1. As of this date the work has not been completed; still remaining to be cleared are 41st Avenue from Waterway to the marina where they will have to put a boat in the water to clear it. In addition, there are three (3) or four (4) ditches that Director Pitts is not satisfied with the job that has been done. Director Pitts related that OCRM had inspected all of the ditches on the island, and only one (1) had required a permit, i.e. the ditch at 34th Avenue and Waterway Boulevard. He added that the factor, which determined if a permit was required, was the type of vegetation that grows in the ditch.

The Director returned to the information in the monthly report stating that the vehicle maintenance had been in line with the budget. He pointed out that the Household Tonnage Report now contains three (3) years of comparison data. Councilman Cronin was fascinated with the downtrend that appears each August on the chart, and discussion followed on the possible reasons why it has happened.

Before moving on to **Old Business**, Councilman Bettelli asked Administrator Tucker to share the meeting she had with Mac Burdette, Mount Pleasant Administrator, and Andy Benke, Sullivan's Island Administrator, on a waste transfer station. She related that Burdette does not believe that there will be assistance from Charleston County because the County does not feel it is their problem. Charleston County currently has the Bees Ferry location and plans for Adams Run in the future and Foster Wheeler. Burdette has shared this understanding with Mount Pleasant Councilman Kruger Smith, who is spearheading the initiative. There was general agreement that the need for a waste transfer station is not an urgent one, but Foster Wheeler will likely close in one (1) to two (2) years and everything will go to Bees Ferry, then to Adams Run when Bees Ferry "maxes out." Mount Pleasant is considering hiring a firm by the name of HDR around the first of the year to do a cost-benefit analysis to determine when it will become cost effective for there to be a Mount Pleasant transfer station versus buying more equipment, hiring more crews and making more runs. The reason he had asked

to meet with the Administrators from Isle of Palms and Sullivan's Island was to determine if the two (2) municipalities wanted to be a part of the study. Administrator Tucker stated that she was relatively certain that Isle of Palms would be interested in participating since the City is beginning to look into the need for additional Public Works vehicles and crews and, at the same time, dealing with limited space and delicate neighborly relations. Should the City Council agree to be involved, there will also be cost sharing, but it will be a step in the direction that the City wants to follow. Burdette said there was a possibility that, if it is needed in the future, the City's Public Works vehicles could use some of Mount Pleasant's property – the possible site for the waste transfer station – to park vehicles.

5. Old Business

A. RFP for Pre-Disaster/Post Disaster Debris Removal – Update

Administrator Tucker reported that she is continuing to make progress in reading the RFP. Director Pitts reported that he had attended a meeting earlier in the week for FEMA District 4. According to the District 4 Field Representative's opinion, a Post Disaster Debris Removal Plan will be required to be in place by 2010. The workshop Director Pitts attended was on the pilot program; the answers to approximately fifteen (15) questions will run seventy (70) pages and involve Administration, Legal, ordinance or resolution, OSHA and Fire and Public Works departments, then training. There is a model program, which has come from Alabama which is close to meeting FEMA's requirements. Councilman Cronin expressed his opinion that the contract that the Administrator is currently working on will be a requirement of the FEMA program. There was agreement that it will be impossible to issue an RFP, get feedback and sign a contract before the end of the current hurricane season. Councilwoman Hanbury was assured that, should there be a storm this year, Director Pitts had the contacts to ensure that the island would be served for debris removal.

B. Continued Discussion of Public Works Flyer

Councilman Bettelli noted that he had heard via the Public Safety Committee that the Livability Officer was in the process of preparing some recommendations on ordinance changes that Councilman Bettelli thought should be considered as the flyer is being prepared. Councilwoman Hanbury said that one (1) issue she had heard presents a problem for residents was that rollout carts are not to be put on the street before 7 p.m. the night before pickup; many feel that 7 p.m. is too late since it will be dark at 5:00 to 5:15 p.m. once we return to standard time. Director Pitts noted that he had heard complaints on this subject from garbage services, property managers and maintenance people; their primary concern is for personal safety when approaching a residence after dark to take the carts to the road. Director Pitts recommended that the ordinance be

changed to allow rollout carts on the street one-half (½) hour before sunset. Councilman Bettelli asked if the change was to be for the winter months only or for the entire year.

Councilwoman Hanbury stated that the entire ordinance needs to be reviewed and amended as necessary; she suggested that this become a project for the Committee over the winter months. The Director was instructed to contact the Livability Officer to get his suggested revisions, and Councilman Bettelli proposed a joint meeting with the Public Safety Committee. In anticipation of amending the existing ordinance and of completing the amendment process prior to the beginning of the 2008 tourist season, it was agreed that the joint meeting with Public Safety take place in November.

C. Various Requests to DOT – Update

Administrator Tucker informed the Committee that on September 4 she had sent a letter to Robert Clark of SCDOT on the following issues:

- 1) 25th Avenue and Intercoastal Waterway - loading and unloading and parking in that area;
- 2) 41st Avenue roundabout – enough right-of-way for smaller roundabout;
- 3) a legal opinion on rights-of-way encroachments; and
- 4) reduction of speed limits.

As of this date, there has been no response.

Councilman Bettelli informed the Committee that he had driven by Mrs. Dillings' residence earlier in regards to her request to the Committee to remove pilings in the right-of-way that she believes pose a danger to her home in the event of a hurricane. He said that it appeared to him that the pilings are on private property, not the right-of-way. Councilman Bettelli recalled that DOT had indicated last year that they would send letters to each address on the island who had structures in the right of way; the Administrator added that she believes that DOT had legal concerns that stopped them from going forward with that plan. She related the fact that there are two (2) separate legal documents depending on when the road was admitted to the state system, so, in order to give the City its answer to rights-of-way issues, DOT must go road-by-road applying the appropriate legal document. Councilwoman Hanbury then asked for confirmation that that Mrs. Dilling has no recourse with the City; the Administrator did confirm, but added that Mrs. Dilling will continue to complain about the situation despite being fully aware of the City's limitations. Administrator Tucker assured the Committee that she is responsive to Mrs. Dilling and to maintain documentation to that effect.

D. Beach Sweep/River Sweep – Saturday, September 15

Councilwoman Hanbury stated that the Beach Sweep will begin at 8:30 a.m. at the Exchange Club on Palm Boulevard, and she expects at least two hundred fifty (250) people to come onto the island to help - approximately one hundred (100) of whom have been given very specific tasks. Director Pitts confirmed that he has staging areas and drop zones covered. Councilman Cronin asked if a "Rain Day" had been set; Councilwoman Hanbury replied that, if there should be a storm with lightning and thunder, there will be no Beach Sweep in 2007.

D. Rollout Carts

Councilwoman Hanbury had only one (1) piece of information to add to what had already been discussed on this subject. She reported that Island Realty had gotten approval for, designed and printed a sticker to put on the carts on every property they manage in an effort to prevent the renters from putting the carts on the street too early.

Administrator Tucker remarked that, when ordinance changes take place or information is disseminated, the City should consider that renters may be reading, as well as residents, therefore, should include a statement that, if one is staying in a rental property, the property manager may be contracting with a service to meet the requirements.

E. Beach Debris

Councilman Bettelli stated that he had perused the City's ordinances and had found that in Title 3 Public Works, Article A General Provisions, §3-1-1 Obstruction Generally; consent required. the following is stated:

It shall be unlawful for any person to obstruct, or cause to be obstructed, or permit the obstruction by any means or in any manner and to any extent, any public sidewalk, footway, bicycle path, public street or highway, public square, alley or other public place or grounds within the city for any purpose without the consent of the city.

Continuing in Article B Excavations, §3-1-22 Protection by barricades, lights.

Every ditch, excavation, hole or opening in any street, sidewalk or public place, no matter for what purpose made, shall be securely and safely covered over with boards or other suitable material, or enclosed in a secure way as to prevent accidents to persons, animals and vehicles, both during the night and day, when
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the workmen are not engaged thereon; and during the night lanterns shall be kept burning at these places as a signal of danger to all pedestrians and drivers.

Although these ordinances do not directly speak to holes like the ones being dug at the beach, they do address - very broadly - the fact that the holes are illegal. The Committee members were in agreement that a new ordinance needed to be drafted specific to beaches; the members also agreed to bring their suggestions on such an ordinance to the next meeting.

Reference was made to an article from Myrtle Beach on-line documenting that several beaches in North Carolina are experiencing the same problem and the articles explain how they are dealing with it.

6. New Business

A. Sun Dial Circle Ditch

Administrator Tucker wanted the Committee to be aware that this ditch that goes through to Wildwood is a ditch that the City has maintained; currently the area is being developed. The developers are piping the ditch, but the City does not know to what engineering standard the work is being done or if the developer expects the City to maintain once the development is complete. The ditches at Wildwood subdivision, 44th, 45th and 43rd Avenues and Cedar Drive are all part of the City's stormwater system according to the Public Works Director. The Administrator's concern is that, when the City reviewed this development, it became so caught up in the number of individual home sites to be developed that the City did not pay attention to issues surrounding the ditch the City has been maintaining. Additional questions are what is the capacity of the pipe? Is it sufficient for the flow? Is the slope that is required to move the water sufficient? etc. In Director Pitts' opinion, the pipes have been haphazardly put together; the pipes have not been wrapped so they will become silted which will reduce the capacity and increase the maintenance. Administrator Tucker said that legal research was necessary to determine if the ditch was, indeed, the developer's to do with as he chooses. If it turns out that the ditch belongs to the City, action must be taken. Councilman Cronin suggested that Dave Kynoski of Wild Dunes, who is very knowledgeable about stormwater, become involved on the possibility that the outfall flows into the Wild Dunes' lagoon.

B. Beach Monitoring Results

The Administrator reported that results were good for July and that she has just received the August results, which were also good.

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7. Miscellaneous

Councilman Cronin stated that it is time to think of trimming the palm trees since the center portion of the island from 21st to 41st Avenues was done last year. Based on the information gathered September 2006, there are 225 palms between Breach Inlet and 21st Avenue and 214 palms between 41st and 57th Avenues. Councilman Cronin suggested paying for this work from the Tree Fund and trimming both sections this year and taking next year off. The cost per tree is the same as last year, which was \$18 per tree. Councilwoman Hanbury was adamant that the trimming be done after hurricane season. On the question of trimming the palms on front beach, Director Pitts indicated that the front beach landscaper prefers to trim "his" trees and will do so for fifteen dollars (\$15) per tree.

MOTION: Councilman Bettelli moved that the Public Works Committee recommend to the Ways and Means Committee to trim the palm trees on both ends of the island for a price not to exceed eight thousand dollars (\$8,000) to be paid from the Tree Fund; Councilman Cronin seconded and the motion PASSED UNANIMOUSLY.

Administrator Tucker informed the Committee that an RFP for street sweeping is being prepared and that this year it will contain a renewal provision.

The next meeting was scheduled for **4:00 p.m. on Wednesday, October 10, 2007.**

Councilman Cronin noted that 353 pool permits had been issued over the past seven (7) years, and he asked if owners emptied them each year. Director Pitts said that the pools are emptied and that, typically, the water is allowed to flow into the stormwater system - which is in violation of NPDES regulations. According to NPDES regulations, the water should be treated before it is allowed to flow into the stormwater, which means that the owners must hire a company like the ones that pump out sewers to empty them or pump into public sewers and be charged for the impact on the City system. Councilman Bettelli noted that the City has passed the NPDES ordinances and now it is a matter of educating the public about the contents.

MOTION: Councilman Cronin moved to adjourn the meeting at 5:44 p.m.; Councilwoman Hanbury seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted,

Marty Bettelli, Chairman