

REAL PROPERTY COMMITTEE
SPECIAL MEETING
5:00 p.m., Wednesday, April 15, 2009

The Real Property Committee held a Special Meeting at 5:00 p.m. on Wednesday, April 15, 2009 in Council Chambers of City Hall located at 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Chairman Cronin, Councilman Rice, Councilman Taylor, City Administrator Tucker, Assistant to the Administrator Dziuban, and City Clerk Copeland.

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.

2. Discussion of Proposal for Shack – Chris Crolley, Coastal Expeditions

Chris Crolley of Coastal Expeditions was invited to come forward to present his situation and proposed resolution to the Committee. Mr. Crolley referred to the email he had sent to the Committee via Administrator Tucker presenting his case for relocating the kayak shack. Mayor Cronin noted that Director Kerr had visited the marina and staked off the twenty-foot (20 ft.) marsh setback and marked the edge. Mr. Crolley's suggestion was to put the shack on wheels so it would not be in a fixed location. Since Director Kerr was present, he was asked to describe the best location to meet all City requirements. Director Kerr stated that there would be no issue if the shack had originally been made to be movable, and Marina Manager Berrigan assured the Director that the movable shack would, indeed, be moved frequently, not just for the "off" season. Director Kerr stated that the problem would occur when the shack did not get moved and became a permanent fixture in that location; at that time, there would be violations to the flood and the marsh setback regulations. The Director noted that, if the kayak shack were truly a trailer, the ordinances would not apply; however, Councilman Taylor remarked that electricity or sewer could be run to the shack. Mr. Crolley said all he needed was access to water, and there was water access within twenty (20) feet.

Mayor Cronin reminded the Committee that at some level of storm event, all movable structures must be removed from the island; Mr. Crolley withdrew his moveable option because the shack would not withstand being moved off and back onto the island.

At this point several options and locations were discussed with input from Mark Fiem of TidalWave Watersports and Morgan Creek Grill. Two (2) issues were key to any decision, i.e. safety of the employees and guests and parking, which is limited at its best. In the end, Director Kerr and Public Works Director Pitts were charged with visiting the marina, to assess the options that had been discussed and to make a recommendation to the Committee.

Councilwoman Rice expressed again her concern over the City's liability with Coastal Expeditions since the City did not have a contractual relationship with them. Mr. Crolley countered that, in the fifteen (15) years he has been operating at the marina, he has not filed an accident report. Mayor Cronin added that a contract should be in place between the City and Coastal Expeditions before any actions were taken. When Councilwoman Rice asked about the City Attorney's involvement, Administrator Tucker said he was aware of the situation, but he done nothing since there had been no clear direction up until this meeting. The Administrator stated that Coastal Expeditions would become another tenant at the marina with a new lease agreement.

In the course of the discussion, it was reported that Marina Manager Berrigan intends to contact the Department of Natural Resources requesting that the oyster shell recycling container be removed from the marina site.

Assuming that a decision is made to move the shack to the other side of the marina nearer to the TidalWave dock, Mr. Crolley expressed the desire to launch kayaks from the City docks. Councilman Taylor questioned that the kayaks could be stored on the docks, as well as other logistics.

Mr. Crolley stated that he would be willing to purchase a couple of 6'x8' floating docks that would become the safe launching spot. They would provide a safe place for the novice kayakers to become acclimated, as well as provide unobstructed views of the waterway for safe launching.

Mayor Cronin summarized the decisions reached thus far as the following:

- The shack will remain in its present location until Directors Kerr and Pitts present options to the Committee for placement.
- The Real Property Committee will meet again to discuss the recommendations.
- Mayor Cronin charged Mr. Crolley with compiling a proposal outlining how he will operate off the City's docks, permitting information, an operating plan so the Committee will understand how he will operate from the shack between client and personnel, to the launching point and the requirement for parking for employees, etc.

Administrator Tucker asked that the other marina tenants who were present to voice their opinions at this time in order to be heard. She also informed Mr. Crolley that the City would not expend any funds to relocate the kayak shack. Mr. Crolley responded that he would bear the financial burden for relocating the hut when a satisfactory location was agreed upon.

Mayor Cronin commented that Mr. Crolley might find it more financially feasible to purchase a storage building from Lowe's than to move the shack; Director Kerr stated

that a storage building would have the same requirements that would be imposed on the shack, i.e. it must be anchored to the ground and vented to allow flood water to drain.

Mayor Cronin asked Mr. Crolley to have the information ready for the Committee's review prior to the City Council meeting at 6 p.m. on April 28 at another Special Meeting.

Administrator Tucker referenced the second issue Mr. Crolley addressed in his email and said that it was not an issue for the City to be concerned with; it was an issue between Mr. Crolley and another party that the City would not referee. Mr. Crolley commented that he thought it might be an issue with the City's lease agreement with the third party; to which Administrator Tucker responded that, if that were the case, it would be a matter between the City and the third party, not involving Mr. Crolley.

3. Discussion of Repairs to Public Restrooms

The Administrator stated that Director Kerr was having difficulty getting quotes on repairs to the roof of the public restrooms on Front Beach; as a result, she asked the Committee to authorize her to spend up to the budgeted amount of seven thousand dollars (\$7,000) to have the roof repaired. She added that, in the FY 10 budget, there is thirty thousand dollars (\$30,000) to replace the roof, but something must be done as quickly as possible to prevent further damage to the building. She explained that contractors are looking at the roof, but appear to be apprehensive about the job to be done.

The Committee questioned repairing the roof now, then turning around in a few months to replace it. Director Kerr stated that he was reasonably certain that he could get quotes by the April 28 meeting; the Committee agreed to add repair/replacement of the restroom roof to the Council agenda as a miscellaneous item.

4. Adjourn

MOTION: Councilman Taylor moved to adjourn at 5:40 p.m., Councilwoman Rice seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk