

## CITY COUNCIL

7:00 p.m., Tuesday, February 25, 2014

The regular City Council meeting was held at 7:00 p.m. on Tuesday, February 25, 2014 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bergwerf, Bettelli, Buckhannon, Carroll, Ferencz, Harrington, Loftus and Ward, Mayor Cronin, Administrator Tucker, City Attorney Halversen, Assistant to the Administrator Dziuban and City Clerk Copeland. A quorum was present to conduct business.

1. Mayor Cronin called the meeting to order and acknowledged that the press and public had been duly notified of the meeting in accordance with the Freedom of Information Act. Clerk Copeland called the roll after a brief invocation and the Pledge of Allegiance to the Flag.

### 2. Reading of the Journals of Previous Meetings

**MOTION:** Councilmember Bettelli moved to approve the minutes of the regular meeting of January 30, 2014 and the Special Meeting of February 18, 2014 as submitted; Councilmember Carroll seconded and the motion PASSED UNANIMOUSLY.

3. Citizens' Comments – None

### 4. Reports from Standing Committees

#### A Ways and Means Committee

Reporting on the meeting of February 18<sup>th</sup>, Mayor Cronin noted that Jim Raih had spoken in *Citizens' Comments* about an item on the agenda, "Consideration of Increasing Parking Meter per Hour Rate."

The target number for revenues and expenditures was fifty-eight percent (58%) through January 31, 2014; for the General Fund, revenues collected were at fifty percent (50%) of budget and expenditures were at fifty-three percent (53%) of budget. Local Option Sales Tax revenue is running twenty-percent (20%) ahead of the previous year which is good news for citizens since the City passes a portion back to citizens in the form of a credit on property taxes. On the tourism funds, Municipal Accommodations Taxes are eight percent (8%) higher than in FY13, and the first of two (2) payments from the Charleston County Accommodations Tax Pass-through was one hundred ninety-seven thousand four hundred dollars (\$197,400), which is ten percent (10%) higher than in FY13. Continuing the trend, Hospitality Taxes are eight percent (8%) greater than in FY13. The month of January produced nothing of note for the projects currently in progress. The Mayor and City Administrator reported on a meeting with personnel from the South Carolina Department of Revenue where they explained changes underway in the administrative processes of reporting, collecting and distributing State Accommodations Taxes. One (1) result of these changes is the addition of approximately nine hundred (900) new payers. The City is considering holding a forum for the property management businesses on the island to help them understand how the reporting should go.

**1. Approval of \$11,765 in Municipal ATAX, Front Beach Professional Services to Liollo Architects for Phase 1 for the public restrooms.**

The City received three (3) proposals from architectural firms for the Front Beach restrooms and the City went into negotiations with Liollo Architects.

**MOTION: Mayor Cronin moved to hire Liollo Architects for \$11,764 for Phase One for the public restrooms to be paid from Municipal ATAX, Front Beach Professional Services; Councilmember Loftus seconded and the motion PASSED UNANIMOUSLY.**

According to the Mayor, the hope is to recuperate these funds from Charleston County since it is their citizens who will benefit from the City's improving its public restroom facilities.

**2. Award of a contract to Salmons Dredging in the amount of \$62,800 for the rehabilitation of the watersports dock with the aluminum gangway.**

Mayor Cronin stated that this project had been bid and that Salmons had been the successful bidder.

**MOTION: Mayor Cronin moved to award a contract to Salmons Dredging in the amount of \$62,800 for the rehabilitation of the watersports dock with an aluminum gangway; Councilmember Carroll seconded and the motion PASSED UNANIMOUSLY.**

**3. Approval to hire three (3) additional firefighters for Station 2 with an FY14 expense of approximately \$44,400 to be funded with higher than expected Municipal ATAX revenue.**

**MOTION: Mayor Cronin moved to hire three (3) additional firefighters for Station 2 as stated above; Councilmember Bergwerf seconded.**

The Mayor noted that this has been a long process and the Fire Department has been well-represented in recent months as they made detailed presentations to various Committees of Council as well as City Council to explain the need for additional personnel. The Mayor thanked the Fire Department and the other members of the team for the professional work they have done in response to Council's questions.

**VOTE: The motion PASSED UNANIMOUSLY.**

**4. Approval of \$14,000 to purchase seven (7) traffic counters at the request of the Planning Commission and to be funded from Municipal ATAX, Non-capital Tools and Equipment; Councilmember Bettelli seconded.**

Mayor Cronin asked whether the Police Department had selected a vendor, and the Administrator reported that a vendor has not yet been selected.

**VOTE: The motion PASSED UNANIMOUSLY.**

**5. Review of Revenue Projections and Options for Increasing Revenues**

The Committee reviewed the revenue projections for FY15 and decided not to increase the parking meter hourly rate at this time. If a decision is made to increase it later in the year, the City will bear the additional programming fees associated with the change. Staff had other ways that the City could increase revenues should the need be identified. In the month of March, committees will study the projected capital and operating budgets for FY15.

Councilmember Ward asked if the City had additional information relative to his call the prior week regarding an article in *The Post and Courier* about a proposed bill before the state House of Representatives that would not allow local governments to charge customers the credit/debit card processing fees. Administrator Tucker reported that the City made an immediate appeal to elected officials in an effort to do something about the bill; in so doing, the City provided a graphic illustrating that the City is not making money or charging a fee that it keeps for the convenience of people using credit/debit cards, but only collecting the fee that is charged to the City. The point was also made that, if this bill is allowed to pass, the credit/debit card fee would be passed to the City's taxpayers. This communication generated a visit to City Hall by Representative Sottile who reviewed his advocacy for this bill because the Department of Revenue does not charge for using credit/debit cards. Administrator Tucker had a follow-up communication with Bill Bloom at the Department of Revenue who substantiated that they do not charge, because it benefits them from the standpoint of their getting revenue more quickly from the taxpayers so the expense is offset by not having to handle the transaction as they do for check or cash payments. The City was encouraged to contact Senators Merrill and Stavrinakos expressing displeasure with the proposed legislation; the City also contacted the Municipal Association, seeking their advocacy for local governments in the state who are attempting to recuperate the costs.

Mayor Cronin noted that, although the bill has passed the House, it can still be stopped in the Senate. The Mayor thanked Councilmember Ward for bringing the newspaper article to the City's attention.

Councilmember Buckhannon described the actions of the State House of Representatives as "the epitome of hypocrisy" in that these are same representatives who complain about the federal government trying to dictate what can be done on the state level who are, in turn, telling the municipal governments what they can and cannot do.

The next Ways and Means Committee meeting will be at 5:45 p.m. on Tuesday, March 18<sup>th</sup>.

**B. Public Safety Committee**

From the meeting of February 10<sup>th</sup>, Councilmember Bettelli reported that the Committee had again discussed the need for additional firefighters at Fire Station 2 and voted to recommend approval to the Ways and Means Committee. The Committee received an update on Stantec's work on wayfinding signs and beach access parking. At this point, Stantec has measured all of the roads on the island to determine the width, and the next step is to superimpose the map of

obstructions in the rights-of-way over the map of the width of rights-of-way. Contracts for Phases 3 and 4 of the island-wide wayfinding signs program have been awarded, and Stantec has indicated that they will have a proposal for the City in the near future. The Committee discussed Ordinances 2014-01 and 2014-02 which relate to signage and parking; the Planning Commission's original recommendation was a rather broad loosening of the law for the Commercial District while continuing to restrict vehicle signage in the residential districts. Both the Planning Commission and the Public Safety Committee agree that, if an ordinance change occurs, there should be text added to the change clarifying that an existing, long-standing sign would be grandfathered and that, if that signs were to be replaced or the vehicle went away, new signage would need to conform to the City Code. The Chair suggested that Director Kerr and Chief Buckhannon discuss the proposed ordinance and its enforcement with an eye toward unintended consequences and that the first version of the amendment be reconsidered by the Planning Commission for the Committee to discuss in the future. Bobby Ross requested approval for a third year of a beach volleyball league for girls between the ages of twelve and eighteen (12-18) sponsored by *The Windjammer*; the spring league will run from April 1 through May 28<sup>th</sup> and a summer league will run from June 4<sup>th</sup> through July 30<sup>th</sup>. Mr. Ross assured the Committee that all liability would be covered by insurance purchased by each participant for a fee of fifteen dollars (\$15.00).

**MOTION: Councilmember Bettelli moved to approve a girls' beach volleyball league sponsored by *The Windjammer* as described above; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.**

The Committee unanimously supported the purchase of seven (7) traffic counters that was approved earlier in this meeting. The Committee was informed that the Municipal Association of South Carolina routinely send out notices of available grants; as items are identified for which the City is eligible and can use, the Departments do attempt to win the grants. The Committee Chair suggested that information on grants be included in the monthly reports from the Fire and Police Departments. This Committee also reviewed the FY15 revenue budget and options available to increase revenue should the need arise to do so. Councilmember Bettelli stated that Captain Usry and Chief Buckhannon had recommended Pfc. Storen, Pfc. Maloney and Sgt. Thompson as employees of the month for their professionalism and dedication to duty upon discovering a burglary in process, capturing the suspect and recovering all of the stolen items in November 2013. Judge Molony penned a letter to the City expressing his appreciation to Battalion Chief Smith and his crew for their work at a fire at his home; he stated:

“ . . .their swift action prevented more significant damage to our house.  
I am also thankful that Battalion Chief Smith followed up with me regarding the fire and took the time to offer some assistance [the day after the fire].

From the Fire Department report for the month of January, it was noted that personnel responded to sixty-eight (68) calls in the month and thirty (30) were EMS calls. Personnel also responded to three (3) structure fires. IOP Fire Department personnel will participate in the Carolina Children's Charities on a Saturday in March yet to be determined.”

In the month of January, police officers issued six (6) “You could have been the victim of a crime” notices and seven (7) businesses were found to have open doors or windows. In the

area of community service, two (2) officers attended the training seminar for the Coffee with a Cop Program that will be initiated soon. In January, dispatchers responded to four thousand six hundred ninety-nine (4,699) calls; of that number, three thousand two hundred forty-one (3,241) were for the Police Department. Officers made two hundred ninety-four (294) traffic stops that yielded sixty-five (65) tickets. There was only one (1) noise complaint in the month. Chief Buckhannon announced that the Police Department is fully staffed and that the Department is advertising for Beach Services Officers.

Streets to be re-surfaced in 2014 with CTC funds are as follows:

53 <sup>rd</sup> Avenue	57th Avenue
55 <sup>th</sup> Avenue	Lauden Street
56 <sup>th</sup> Avenue	Palm Boulevard between 41 <sup>st</sup> and 52 <sup>nd</sup> Avenues

Yet another letter of appreciation, the neighbor of a family who experienced a house fire stated:

“Their quick actions certainly helped to avoid a major house fire. I watched the firemen team work very hard and professionally on an extremely cold winter night keeping the fire from spreading. The residents of the Isle of Palms should be very pleased knowing that we have a great fire department protecting our community.”

The next Public Safety Committee meeting will be at 9:00 a.m. on Monday, March 2<sup>nd</sup> in the Conference Room.

**C. Public Works Committee – no meeting in January**

Mayor Cronin asked whether the City would be having the hazardous waste removal/shred day in the spring; according to Director Pitts, the event will take place, but a date has not yet been set.

**D. Recreation Committee**

Councilmember Carroll reported on the meeting of February 10<sup>th</sup> where Director Page noted that adult and youth winter sports are winding down as spring sports registrations are on-going. The IOP Recreation Department will host a district tournament for youths between the ages of nine and fourteen (9-14); the IOP Recreation Department will field an all-star team. Between one hundred seventy and one hundred eighty (170-180) participants have registered for baseball thus far. Anticipating warmer weather, boater education classes will be held both in March and April and will be conducted by the Department of Natural Resources. The Middle School Dance held on January 10<sup>th</sup> attracted three hundred eleven (311) students; the next dance is scheduled for Friday, March 21<sup>st</sup>. Although the weather was less than perfect, Doggie Day at the Rec was again a very successful event with eighty-four (84) dogs vying for a win in any of twelve (12) areas of competition. Replacing the Blues Bash is Island Gras that will be held from noon to 4:00 p.m. on March 1 on Front Beach; there will be fun and entertainment for all ages. Upcoming events include St. Patty’s Craft on Thursday, March 13<sup>th</sup>, the Egg-cellent Craft on April 17<sup>th</sup> and the annual Easter Egg Hunt on Saturday, April 19<sup>th</sup>. Holly Norton returned from maternity leave to assume her role of Community Specialist just in time for Laura

Togami to fill-in for Karrie Ferrell whose baby was born on February 16<sup>th</sup>. Based on an article in *The Island Eye*, Councilmember Carroll asked for a brief discussion related to vandalism at the Rec Center; Director Page explained that it is the nature of the facility and the nature of kids for this type of thing, i.e. graffiti, to happen. In addition to reviewing the proposed FY15 revenue budget and options for increasing revenue, the Committee discussed increasing revenues at the Rec Center by increasing fees for program participation. In the end, the Committee agreed that the Recreation Center is not a money-making proposition but a benefit for island residents.

The next meeting of the Recreation Committee will be at 5:00 p.m. on Monday, March 3<sup>rd</sup> in the City Hall Conference Room.

#### **E. Personnel Committee**

Councilmember Ferencz reported on the Personnel Committee meeting of February 11<sup>th</sup> where the first order of business was the approval of the City Administrator's Performance Goals and process of evaluation.

**MOTION: Councilmember Ferencz moved to approve the City Administrator's 2014 Performance Goals as presented, to keep the percentages as they were in 2013 and to evaluate the financial goals based on 3% under the FY14 budget as originally approved; Councilmember Bettelli seconded.**

Councilmember Ward asked whether the Personnel Committee was planning to review the process and percentages for the Administrator's evaluation in the coming year, and Committee Chair Ferencz responded in the affirmative and added that the Committee would be researching new evaluation forms for all City employees and the evaluation process itself.

Councilmember Ward commented that the Administrator's evaluation score is weighted in favor of something that Council has no way to measure.

Councilmember Harrington repeated his suggestion that, based on Councilmembers' conversations with residents, the Personnel Committee would provide input for developing the annual performance goals.

Responding to Councilmember Loftus' question, Administrator Tucker stated that her personal goal for 2013 had been the narratives for the budget in an effort to make the budget more user friendly; she stated that she would like to continue with the process in 2014 and to refine the process more.

Councilmember Loftus indicated that he would prefer to see the Administrator's goals more geared toward community outreach, for example, regularly reviewing the noise complaints that come into the Police Department. He cited the fact that the City received one hundred ninety-two (192) complaints, but only twelve (12) citations had been issued.

Councilmember Ferencz said that similar discussions had occurred at the Personnel Committee meeting, but, since two (2) months of the calendar year are gone, the Committee agreed that it would be unfair to the Administrator to delay approving her goals.

Councilmember Carroll voiced his opinion that the Personnel Committee should reach out to other local governments to learn how they evaluate the performance of their City manager/administrator.

Councilmember Buckhannon stated that there is fine line between managing the City and doing the City's work; he noted that the Administrator has a "great team" of department heads on whom she can rely to report back to her. He indicated that he does not want to see Council ask the City Administrator to micro-manage the department heads.

**VOTE: The motion PASSED UNANIMOUSLY.**

Continuing with the meeting report, Councilmember Ferencz remarked that the Personnel Committee also had a preliminary discussion about the City having a mechanic on staff versus contracting for those services. The dialogue will continue with the additional information regarding the value of the City's fleet of vehicles, island-wide mechanical needs and the possible return on investment. A discussion about City-wide wage ranges by position also occurred; the Committee agrees that the City must remain competitive in the local market. Like other committees, this Committee reviewed the FY15 projected revenues and the options presented for increasing revenues should the need arise. The Committee was pleased to name Russell Roper as Employee of the Month for his assistance of an elderly woman who became disoriented while walking on the island; Mr. Roper not only gave the woman directions but also followed slowly behind her to ensure that she arrived home safely. Councilmembers Ferencz and Harrington reviewed the insights they gained when attending the MASC winter meeting and Elected Officials Institute.

Safety Sweepstakes winners for January were Rhonda Gibbons of the Building Department, Chad King of the Police Department, Willie Powell from the Public Works Department and David Mello of the Fire Department.

Councilmember Ferencz stated that the Police Department is in the process of hiring six (6) Beach Services Officers for the 2014 tourist season; all departments of the City are fully staffed with the exception of the Fire Department that has one (1) vacancy has was approved earlier in this meeting to hire three (3) additional firefighters for Station 2.

Councilmember Carroll asked whether the Fire Department had a pool of applicants for the firefighter positions; Assistant Dziuban stated that the City did advertise for several weeks for the one (1) opening and received a number of applicants. An advertisement has not been placed for the additional positions approved tonight.

The next meeting of the Personnel Committee will be at 10:00 a.m. on Thursday, March 6 in the Conference Room.

Councilmember Ferencz remarked that she and the Mayor had been interviewed in July of 2012 for a free-lance writer for *Coastal Living* magazine; the article appears in the March 2014 edition. In the article, the City is described as "a dream town."

Councilmember Buckhannon noted that the Police Department has new employees, and he asked when they would be sworn-in as employees of the City. Clerk Copeland reported that the City typically waits until the new officers have successfully completed the Police Academy; therefore, a couple will be sworn next month.

#### **F. Real Property Committee**

From the meeting of February 4<sup>th</sup>, Councilmember Loftus reported that Jay Clarke of Morgan Creek Grill asked that the City hire engineers to generate preliminary plans for parking lot improvements and entrance enhancements. The City Administrator was to review the information and report at the next meeting. Administrator Tucker reported that she has reached out to the Sea Cabins to determine if there is any interest on their part to sell the pier. John Shaffer of Ocean and Coastal Consultants reviewed the sketch of the electrical plan for the Tidal Wave dock that involves a replacement pole and transformer for the one in the ditch near the Phillip Smith property accompanied by an underground conduit to the pole at the concrete pad. After a brief discussion of the architects who responded to the public restrooms request for proposal, the Committee unanimously voted for the City to enter into negotiations with Liollio; their cost estimates for Phase I was approved earlier in this meeting. Like other committees of the City, the Real Property Committee reviewed the FY15 revenue projections and briefly discussed the options presented for increasing revenues should the need arise. Administrator Tucker reported that all tenants were current with their monthly rent and one (1) tenant still owes twenty thousand dollars (\$20,000) in additional rent, which they intend to pay by April.

The Real Property Committee will hold its next meeting at 5:30 p.m., Wednesday, March 5<sup>th</sup> in the City Hall Conference Room.

On the topic of the Sea Cabins pier, Councilmember Carroll pointed that there is little to no real estate involved, no parking available and dock maintenance is very expensive; he questioned why the City would be considering this action.

Councilmember Loftus explained that Councilmember Ward had requested that the subject be discussed; the Mayor stated that the concerns voiced by Councilmember Carroll would have to be satisfied before the City would proceed.

Councilmember Ward stated that he had communicated with Tom O'Rourke of the Charleston County Parks and Recreation Committee about the piers at Folly Beach and Sea Cabins; he stated that thought the Sea Cabins pier would be more successful than the one at Folly Beach which generated four hundred thousand dollars (\$400,000) in revenue after expenses for the County. Mr. O'Rourke explained that there are salt water worms that bore into the pilings, and that Charleston County spends thirty thousand dollars (\$30,000) each year to have the Folly Beach pier inspected. Mr. O'Rourke stated that thirty-eight (38) pilings were replaced last year at a cost of approximately four hundred thousand dollars (\$400,000). Mr. O'Rourke stated that he would not want to walk on the Sea Cabins pier because he believes that it has never been inspected. Councilmember Ward indicated that he would like the Real Property Committee to look into the inspections of the Sea Cabins pier since the City uses the pier every year as a staging area for the July 4<sup>th</sup> fireworks display.



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

- A. Accommodations Tax Advisory Board** – no meeting in February
- B. Board of Zoning Appeals** – minutes attached
- C. Planning Commission** – minutes will be distributed when completed

**6. Reports from Special or Joint Committees – None**

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

**8. Bills Already in Possession of Council**

**9. Introduction of New Bills, Resolutions and Proclamations**

**10. Miscellaneous Business**

Mayor Cronin announced that the MS Challenge Walk will hold its annual event February 28<sup>th</sup> through March 2<sup>nd</sup>; this is the third year that they have come to the Isle of Palms, and they come and leave with very little disturbance.

Next Meeting Date: 7:00 p.m., Tuesday, March 25<sup>th</sup>, 2014

**11. Executive Session**

**MOTION: Councilmember Loftus moved to go into Executive Session at 8:00 p.m. to receive legal advice related to potential claim related to the Public Safety Building; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.**

Council returned to regular session at 8:27 p.m., and Mayor Cronin announced that no action and no vote were taken in Executive Session.

**12. Adjournment**

**MOTION: Councilmember Bettelli moved to adjourn the meeting at 8:28 p.m.; Councilmember Carroll seconded and the motion PASSED UNANIMOUSLY.**

Respectfully submitted,

Marie Copeland  
City Clerk