

CITY COUNCIL

6:00 p.m., Tuesday, July 26, 2016

The regular meeting of City Council was called to order at 6:06 p.m., Tuesday, July 26, 2016 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bergwerf, Carroll, Ferencz, Harrington, Kinghorn, Rice and Ward, Mayor Cronin, Administrator Tucker, Attorney Halversen, Assistant Administrator Fragoso and City Clerk Copeland; a quorum was present to conduct business. Councilmember Bettelli was absent.

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 Rice moved to approve the minutes of the regular meeting of June 28, 2016 as submitted; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.

3. Citizens Comments

Mayor Cronin announced that the City had won an annual Achievement Award from MASC in the category for local governments with one thousand to five thousand (1,000 – 5,000) residents “in recognition of its superior performance in innovation programs leading to improved quality of life for its residents” for “Doggie Day at the Rec.” The trophy will remain with the City for a year until the next winner is announced; the Mayor noted that the City’s name appears on the award from 2012, 2009, and 1996.

Administrator Tucker announced that the video that was shown at the award ceremony has been posted to the City’s website and social media accounts.

The Mayor introduced Kirby Marshall of Applied Technology and Management (ATM) to review with Council the most recent iteration of the marina redevelopment plan; a graphic of the plan is attached to the historical record of the meeting.

As various stakeholders studied the Planning Commission version of the plan, Mr. Marshall received feedback from members of Council, marina tenants, neighbors of the marina and the harbor master of the Dewees Marina; the harbor master was very concerned about relocating the boat ramp next to the Dewees property line. His concerns were the potential proximity of the IOP boat ramp to their commercial barge and ferry operation and the safety of novice boaters launching into the creek so close to their commercial traffic.

With that feedback and input from the Real Property Committee and the tenants, ATM offered ways to tweak the version from the Planning Commission to leave the boat ramp in its current location, relieving the concerns of the commercial navigation interests in the area. They then looked at ways to incorporate the positive things from the Planning Commission plan and the other input from the stakeholders and public; all of which has resulted in the plan for this presentation.

One factor that made the Planning Commission Plan favorable was the segregation of trailer traffic from vehicular traffic to other opportunities at the marina; this plan maintains that segregation by having one (1) way for trailer traffic to enter or depart the property. Using the trailer access, driver's access is to the fueling station and on to the boat ramp; once launched the driver is led into the trailer parking area. When the destination is Tidal Wave or Morgan Creek Grill, the access is direct and does not involve trailers or trailer parking. Two-way traffic is provided for access to the store for both customers and delivery trucks.

This plan reduces the number of spaces dedicated to trailer storage by ten (10) after consulting with the marina operator, providing more spaces for vehicular parking; golf cart parking has also been enhanced around the site. The plan also includes a walkway along the water's edge around the site; at the boat ramp, a pedestrian bridge is contemplated that will eliminate the need for pedestrian traffic to interfere with boat ramp activities.

As in the Planning Commission's version, a dedicated City dock assumes the dock previously occupied by Tidal Wave Watersports that will provide a place for residents to fish or crab, launch a kayak or paddleboard or simply sit back and enjoy the water.

Tidal Wave has been moved farther from the marina's closest neighbor with the addition of a small floating dock for their transaction hut. The Morgan Creek Grill docks remain where they were, but the slips would be removed and replaced with side-tie docking. Coastal Expeditions will operate on a dock behind the Morgan Creek Grill dock as they do now.

The long docks on the Morgan Creek side of the marina would replace the existing one and be completely ADA compliant as would staging areas on both sides of the boat ramp. The area behind the marina store would continue to have the fuel dock; the jet docks shown there will provide dockage for in-shore charter guys at the marina. The next dock would serve Barrier Island EcoTours, and the dock nearest to the Dewees boat ramp would be used by transients as needed or by residents to tie-off their boat long enough to take the trailer home and return.

Additional restrooms would be constructed behind the sound site at Morgan Creek Grill.

Benefits to residents from the initial concept are the elimination of the dry stack storage, vastly improved parking and traffic circulation, centralized and compartmentalized trailer parking, more golf cart parking, improved ADA access, a City dock, a public kayak launch, the boardwalk around the site, the safe pedestrian access, public restrooms, and new and improved dockage throughout the site.

Mayor Cronin asked whether there were any plans for the ditch that runs along the property; Mr. Marshall stated that this plan did not include anything other than grading it. He added that ATM has spoken with the Corps of Engineers and OCRM about that ditch and they say that it is feasible from a regulatory perspective to pipe and fill the ditch, but it would be a challenging process. The Mayor noted that Councilmember Kinghorn had suggested building something like a golf course bridge over it rather than piping and filling it.

The Mayor then raised the question of a two or three (2-3) lane boat ramp.

Mr. Marshall noted that this concept has two (2) launch ramps. He explained that there are forty-five feet (45 ft.) from bulkhead to bulkhead, the access docks are eight feet (8 ft.). In discussions with the marina manager, the thought is to keep three (3) lanes and utilize the gangway access out from the existing bulkhead. Mr. Marshall stated that the preference of two or three (2-3) lanes remains with the City.

Responding to Councilmember Ferencz' concerns, Mr. Marshall provided the following statistics:

	<u>Existing</u>	<u>Planned</u>
Current Transient dockage	1,194 linear feet	893 linear feet
Long-term dockage	869 linear feet	831 linear feet
Commercial dockage	523 linear feet	695 linear feet

Parking statistics between today and the proposed plan are as follows:

	<u>Existing</u>	<u>Planned</u>
Vehicles (Ideal)	161	159
Trailers	44	58
Golf carts	10	53
Upland boat storage	31	20

Councilmember Carroll asked what the average number of cars for marina business's employees, and Administrator Tucker replied the number that are parked for the entire day is approximately seventy-five (75).

Councilmember Rice expressed her excitement over the prospect of an enhanced marina and a much safer marina.

When Councilmember Bergwerf asked about a timeline should the City be successful with its Boating Infrastructure Grant (BIG) application, Mr. Marshall stated that the applications will be submitted to US Fish and Wildlife on September 8th, and the award announcement typically is made in March. Assuming that the City is among the recipients, it will then have three (3) years to accept the grant funds and five (5) years from then to complete the project.

Mayor Cronin commented that decisions on phasing would not be made until the City knows the cost of the project. He asked that Mr. Marshall continue to work with the Real Property Committee for further refinements; he said that he would like to hold a forum at the marina in the fall with markers at various locations to get a more realistic feel for what is to come.

The Mayor opined that the City will not know the cost until March when the grants are awarded for the language of the referendum question. He also pointed out that the rents paid by the marina tenants and hospitality taxes have supported the debt and other expenses for the marina; residents have not paid for the marina through their property taxes. The debt for the marina purchase will be satisfied in 2019.

Administrator Tucker pointed out that the pump station that is now in the middle of the marina is not shown on the conceptual drawing; she asked that Mr. Marshall explain how it could be replaced.

The suggestions that came from a discussion between an ATM civil engineer and a representative of the IOP Water and Sewer Commission are as follows:

- 1) Relocation of the pump station, which would be very expensive;
- 2) Possibility of installing a gravity system, which is the ideal situation; or
- 3) Installation of E1 systems, new and innovative.

Elizabeth Campsen, 32 Intracoastal Court, addressed Council about the marina redevelopment, specifically the need for additional parking, the belief that additional golf cart parking would solve the need for more vehicular parking, the number of commercial entities is too high, the possibility of limiting users of the boat ramp to residents only and that the marina does not conform to the City's zoning code. (Ms. Campsen's full comments are attached to the historical record of the meeting.)

Randy Bell, a resident of 41st Avenue, noted that he had sent emails to many Councilmembers about the traffic and congestion on 41st. He encouraged Councilmembers to come and "to witness the delivery trucks in the mornings, probably, averaging fifty miles per hour (50 mph)." He indicated that he has called the police numerous times, and, when they put the signs out, the traffic slows down, but, when removed, the speeding returns. If something is planned for the marina that will increase its use, something serious should be done about a long-term solution for the ingress and egress to it. Mr. Bell voiced serious concern about a tragedy occurring on 41st Avenue involving a child or a pedestrian.

Stuart Colman, 10 Liver Oak Drive, stated that he sees positive steps in the newest iteration of the marina redevelopment plan. Having talked with the residents in his neighborhood (Wildwood Subdivision), he indicated that many of them thought the park space on the Intracoastal Waterway was excessive; the concept of the boardwalk around the property was "excellent;" he would not support developing a lot of park space at the expense of parking spaces. One (1) issue not addressed was the busloads of school children who descend on the marina in the off-season, but he did not see a good way for them to enter, maneuver around or park at the site. His final comment was that he thought the concept of a City dock was "excellent."

Russ Stemke, One Twentieth Avenue, said that he was interested in having his property rezoned from limited commercial zoning, as does the resident across the street at 2 Twentieth Avenue. He was unsure of the process he should follow to accomplish this change; he recalled that he would need a petition signed by fifty percent (50%) of the residents of the street to agree to the zoning change. He commented that he did not think he would get fifty percent (50%) of the people to agree.

The Mayor told Mr. Stemke that staff was researching whether the change could be accomplished while avoiding spot zoning, which the City does not allow.

Phillip Smith, 8 Intracoastal Court, stated that the marina redevelopment plan has come a long way in the past six (6) months and some steps have been made in the right direction. He thanked

Council for their work in moving the jet-ski dock further from his property, but he would not object if it were moved further away. He commented that Waterway Boulevard is a “skinny road that turns quite a bit;” when a vehicle with trailer is parked on Waterway, there is barely room for another vehicle with a trailer to get by. He recalled having to pull over into a resident’s yard to let a vehicle and trailer pass on its way to the marina. He suggested that all trailer parking coming onto the island should be required to park on Palm Boulevard or 41st Avenue which are wider.

Jim Raih, 3904 Cameron, stated that he thought this version of the redevelopment plan was good, but he said that, from a cost standpoint, he questioned how much the bicycle parking, the bridge over the boat ramp and the boardwalk around the site added. He opined that the City would be “spending a lot of money and not gaining much for that amount of money.”

4. Reports from Standing Committees

A. Ways and Means Committee

Mayor Cronin noted that Treasurer Suggs was absent and he had given the report in her stead. The Committee reviewed the preliminary and unaudited financial statement for FY16; revenue was within one percent (1%) of budget at that time, but the City will receive one (1) more month’s Property Tax Revenue, two (2) more months of Local Option Sales Taxes, and Comcast Franchise Fees. Expenditures were at ninety-eight percent (98%) of budget, but the City will have additional expenses come in to include. Before the Treasurer left for vacation, she was confident that the City would end the year with a positive net result of approximately four hundred thousand dollars (\$400,000). Cash in the General Fund was at three point two million dollars (\$3,200,000), which represents thirty-three percent of annual expenditures. Cash from all funds totaled fourteen point four million dollars (\$14,400,000), up one point nine million dollars (\$1,900,000) from FY15.

B. Tourism Funds

Municipal Accommodations Taxes were down from the prior year; occupancy was down uniformly according to island taxpayers. The City has not received the final FY16 payments from the Charleston County Accommodations Pass-through or State Accommodations Taxes. Hospitality Taxes of eighty thousand dollars (\$80,000); this fund, too, was down from the prior year, but FY15 was high due to a delinquent taxpayer becoming current.

C. Parking Projects Schedules

In the City parking lots, profits to-date are one hundred twenty-five thousand four hundred dollars (\$125,400); City revenue for the summer of 2015 was one hundred seventy-seven thousand one hundred dollars (\$177,100).

The budget for the managed beach parking program has a remaining balance of twenty-three thousand fifty-four dollars (\$23,054), but one (1) payroll and fringe benefits expenditures need to be added to the schedule.

For the past two (2) weekends no employees manned the parking lots; if the need arises, personnel can again be scheduled.

1. **Amend the City's contract with Schupp Enterprises to increase the beach garbage removal to 7 days a week at an additional cost of \$1,082 per week**

MOTION: Mayor Cronin moved to amend the Schupp Enterprises contract as detailed above; Councilmember Ward seconded.

The Mayor noted that this expense is paid from the State Accommodations Tax Fund, and Councilmember Ward stated that the service will end in a few more weeks and be resumed in the spring of 2017.

VOTE: The motion PASSED UNANIMOUSLY.

2. **Award a contract in the amount of \$9,000 to Johnson, Mirmiran & Thompson (JMT) for an evaluation of the problem(s) associated with the bulkhead at the marina to include recommendation(s) for remediation**

MOTION: The Mayor moved to award a contract for \$9,000 to JMT for evaluation of the problems associated with marina bulkhead to include recommendations for remediation; Councilmember Bergwerf seconded.

Having read the Request for Proposal, Councilmember Ferencz had noticed that there was no mention of assistance in writing the specifications for the Request for Quotation for the remedial work or serving as quality assurance on the remedial project.

Administrator Tucker recalled that, during the interview, the JMT representatives offered, and it was validated, to put together the bid specifications as part of the nine thousand dollar (\$9,000) contract.

VOTE: The motion PASSED UNANIMOUSLY.

The Committee was told that the State Historic Preservation Office and its underwater archaeologist will not sign-off on the permit modification that includes a federal requirement unless the City changes its offshore borrow site because the proposed borrow site infringes upon the "final resting place" for the Second Stone Fleet. The Mayor explained that the Second Stone Fleet was a group of thirteen (13) old whaling vessels secured by the Union forces and filled with rocks that were sailed into Charleston Harbor and sunk as part of their blockade of the port.

At any rate, the City is now spending money for core samples in an effort to locate an alternate site with beach compatible sand in a sufficient quantity for the project.

The next meeting of the Ways and Means Committee will be at 5:00 p.m., Tuesday, August 16th.

B. Public Safety Committee – no meeting in July

C. Public Works Committee

Reporting on the regular meeting of July 6th, Councilmember Ward stated that, after re-ordering the Agenda, the Committee unanimously approved the additional beach trash pickups by Schupp Enterprises. Additionally, cleaning up the language in reports concerning what constitutes an excused versus unexcused absence for Council and committee members. With the twice a week garbage collections, cleaning the beach, keeping up with debris removal and other additional summer work, Director Pitts sought assistance for Public Works personnel to mow the City's rights-of-way; after getting two (2) bids, the Director has hired HDR to mow weekly unless the island gets no rain and a week can be skipped. As was foreshadowed, vehicle maintenance ended the fiscal year over budget by approximately twenty-nine hundred dollars (\$2,900). In June, yard debris was up by thirty tons (30 T.) from the same month last year; for garbage collection, the island has almost reached pre-single stream recycling levels. The complaint from Charleston Boulevard was discussed, and the Committee was updated on Phase II drainage, the public restrooms and the golf cart path to be constructed between 18th Avenue and the shopping center. The Committee had a lengthy discussion on the Boating Infrastructure Grant application and the conceptual drawing that accompanied it.

The Public Works Committee will hold its next meeting at 4:30 p.m., Monday, August 1st in the Conference Room.

D. Recreation Committee – no meeting in July

Despite the fact that the Committee did not meet, Councilmember Carroll had brief reports on the happenings at the Recreation Center. Camp Summershine comes to an end this week; lacrosse camp is being held this week and volleyball camp will be held next week for ages ten to sixteen (10-16). Registration of the islands' youth for soccer leagues started on Monday as did adult registration for 3-on-3 basketball, softball, table tennis and 6-on-6 soccer. Approximately three hundred fifty (350) people participated in the IOP Beach Run on Saturday, July 16th; participants came from twenty-one (21) states as well as two (2) foreign countries, Serbia and the Netherlands. The Recreation Department's "Doggie Day at the Rec" received an annual achievement award from the Municipal Association of South Carolina in the category of towns/cities with a population of one thousand to five thousand (1,000-5,000).

The Recreation Committee will hold its next meeting on Tuesday, August 2nd in the Conference Room.

E. Personnel Committee – no meeting in July

Councilmember Harrington reported that the City has one (1) opening, and it is for a Payroll and Human Resources Officer.

June Safety Sweepstakes winners were Cathy Kennedy from the Building Department, Kenneth Carroll from the Fire Department, Pfc. Louise Hardy from the Police Department and Russell Roper from the Public Works Department.

The next Personnel Committee meeting will be at 11:00 a.m., Wednesday, September 7th in the Conference Room.

F. Real Property Committee

From the meeting of July 7th, Councilmember Bergwerf related that Jay Clarke of Morgan Creek Grill reported that the restaurant is going to experiment with having employees to park at the Recreation Center on 27th Avenue and trolley them to the restaurant. He continued to advocate for filling in the ditch along 41st Avenue on the marina property for employees to park. In Councilmember Rice's opinion, using the Recreation Center for marina employee parking was simply moving the parking problem from one (1) location to another; she suggested that the employees get annual parking passes to park in the municipal lot and be shuttled to the marina from there. In addition, Operations Manager at Morgan Creek Grill Carla Pope reported that the restaurant had received a warning for its music recently, but, according to all of their equipment readings, the noise level was well within limits. The caller had not identified himself or given an address or neighborhood from which he was calling so that the restaurant could know where to look for the problem to take corrective measures. Ms. Pope opined that a complainant should be required to provide his location on the island so that an officer can determine the validity of the call. In this instance, the officer, personally, did not think a noise violation was occurring, but he had to issue the warning. On the subject of handicap accessibility to the beach, Director Kerr stated that the plan is to improve the beach accesses at the Sea Cabins, 21st Avenue, 31A and 42nd Avenue. OCRM determined that the Mobi-mat on the soft sand at 21st Avenue was not in compliance, and the Administrator asked that it be removed. Director Kerr stated that he had hoped to get the mat to about ten feet (10 ft.) of the hard sand at 21st Avenue. The contract for paving the handicap space at 42nd Avenue has been executed, and the City will be apply again for the grant for a parallel path at that path. Director Kerr also indicated that staff is looking into having the City's landscape contractor include the maintenance of the beach access paths on a regular and routine basis. The Committee also continued discussions with ATM relative to the Marina redevelopment plan and interviewed the four (4) candidates for the marina bulkhead assessment.

The next meeting will be at 9:00 a.m., Wednesday, August 3rd in the Conference Room.

5. Reports from City Officers, Boards and Commissions

- A. Accommodations Tax Advisory Committee** – no meeting in July
- B. Board of Zoning Appeals** – minutes attached
- C. Planning Commission** – no meeting in July

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 or Proclamations

Resolution to Approve and Support the CARTA Budget

MOTION: Mayor Cronin moved to suspend the reading and to approve the resolution; Councilmember Rice seconded and the motion PASSED UNANIMOUSLY.

10. Miscellaneous Business

Councilmember Ferencz asked whether the presence of the trailer at The Boathouse opened the City to grant other Special Exceptions in other areas of the island.

Administrator Tucker responded that was a concern and the ordinance needed to be reviewed which could lead to tightening up the ordinance.

Councilmember Ward referred to his earlier service as a Council member from 1988 to 1991. He recounted that the Council at that time was faced with a dilemma when residents wanted to put small trailers on their property while rebuilding from Hurricane Hugo; that Council decided not to allow any kind of trailer to be moved to the island. He added that the Council also ruled against food trucks. He concluded by saying that he would like to see that philosophy upheld today – even for special events sponsored by the City.

The Mayor voiced skepticism that, in the event of a storm, the trailer would be moved off the island as the City Code requires.

Administrator Tucker announced that the 2016 Regional Advocacy Meeting will be held at 11:00 a.m. to 1:00 p.m. on August 18th in the Moncks Corner Depot; at this meeting, the legislative policies will be set for the MASC advocacy with the legislature.

The City will celebrate the national Night Out from 5:00 p.m. to 7:00 p.m. at the Recreation Center on Tuesday, August 2nd; she hinted that a helicopter might be involved.

11. Adjournment

MOTION: Councilmember Carroll moved to adjourn the meeting at 7:45 p.m.; Councilmember Bergwerf seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk