

CITY COUNCIL

7 p.m., Tuesday, August 24, 2010

The regular meeting of City Council was held at 7 p.m., Tuesday, August 24, 2010 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmembers Bergwerf, Bettelli, Buckhannon, Duffy, Loftus, Piening, and Thomas, Mayor Cronin, City Administrator Tucker, City Attorney Halversen, Assistant City Attorney McCullough, Assistant to the Administrator Dziuban and City Clerk Copeland. Councilmember Stone's absence was excused; 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. City Clerk Copeland called the roll after the invocation and Pledge of Allegiance.

2. **Appointment and Administration of Oath to New Employees**

Mayor Cronin welcomed and administered the employee oath to the following new employees:

Jeff Anderson, Fire Inspector
Jeff McElheny, Recreation Supervisor
Elizabeth McMullen, Telecommunicator
Jeff Swain, Patrol Officer

Marguerite DeCicco will be sworn in at a future meeting; she was unable to attend this meeting.

3. **Reading of the Journal of Previous Meetings:**

MOTION: Councilmember Buckhannon moved to approve the minutes of the Joint Planning Commission and City Council special Meeting of July 20, 2010 and the regular Council Meeting of July 27, 2010 as submitted; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

4. **Citizens' Comments**

Special Announcement – "Proudly We Hail" Award

Mayor Cronin was pleased to acknowledge that the City had been presented with the first "Proudly We Hail" award by the Exchange Club; the inscription on the award reads as follows:

The Isle of Palms Exchange Club
Presents the
"Proudly We Hail" Award
To
The City of Isle of Palms
For Flying the American Flag

Mayor Cronin thanked the Fire Department for the time and effort spent to keep the flag flying on the Connector.

Jim Raih, 3904 Cameron Boulevard, stated that he is a twenty-five year (25 yr) resident of the island and a real estate developer. He recounted that he had spoken to the Ways and Means Committee regarding the digital radio communication issues which the City continues to contend. In Mr. Raih's opinion, "one of the key problems . . . is to keep the commercial income-generating component away from the public needs communication from the safety perspective. . . it is time for the City to step up and demand or insist to take the lead in the project and to solve our problems for the community in general." Mr. Raih again expressed his desire to facilitate a solution in his professional capacity as a developer.

Before proceeding, Mayor Cronin reminded those present about the community-wide Wellness Fair to be held at the Recreation Center from 7 a.m. until noon on Thursday, September 16. The Mayor encouraged all to attend to receive information and insights into maintaining a healthy lifestyle.

5. Reports from Standing Committees

A. Ways and Means Committee

Mayor Cronin noted that Mr. Raih had addressed the Committee during *Citizens' Comments* expressing his desire to assist the City in resolving the radio issues. Treasurer Suggs presented her report of the first month into the new fiscal year noting that the City's General Fund expenditures had been one and three tenths percent (1.3%) less than the projected eight and three tenths percent (8.3%) and revenues were beginning to decline as they do each year at this time. Some of the final FY10 tourism revenues have been received, and the year ended one and three tenths percent (1.3%) more than FY09 for State Accommodations Taxes, and Municipal Accommodations Fees were up four percent (4%) for FY10 over FY09.

Treasurer Suggs provided the Committee with an updated Fund Balance Schedule that displayed the historical trends and forecasted FY11 ending balance for each City fund. She emphasized the value that this schedule can be to the members as financial decisions are made throughout the year and in budget preparation.

Little activity was reported on the special projects, i.e. the Beach Restoration and Public Safety Building. On the subject of the 52nd to 57th Avenue Drainage Project, Mayor Cronin reported that he had attended a Charleston County Transportation Committee meeting the previous evening where he had made an appeal for funding for the drainage project and been awarded an additional one hundred thousand dollars (\$100,000).

MOTION: Mayor Cronin moved to award a sole source contract to T2 Systems in the amount of \$18,180.40 for four (4) Casio IT-3100 handhelds and printers for the Police Department traffic ticketing that was included in the FY11 State ATAX budget; Councilmember Bettelli seconded and the motion PASSED UNANIMOUSLY.

B. Public Safety Committee

Councilmember Bettelli reported that the meeting opened with an update on the proposed digital radio tower for the island; Chief Graham reported on a conversation she had with the Motorola engineer Greg Malcolm. Mr. Malcolm has conceded that a one hundred eighty-foot (180 ft) tower on the grounds of the Recreation Center would resolve many, but not all, of the island's public safety communication issues; in the past, Motorola has been firm in the need for a two hundred thirty-foot (230 ft) tower located in the general vicinity of the water tower, or the heart of the business district. Councilmember Bettelli noted that the key element to the island's communications problem is interference coming onto the island from the ocean. A member of the City's Planning Commission has offered his consulting services to the City, at no charge; the company he is affiliated with works in communications and radio towers. Councilmember Bettelli commented that issues continue with the HVAC in the Public Safety Building, but that slow progress is being made. The Committee discussed the possibility of awarding a Signal 30 Award; a decision was delayed until additional information could be gathered. Councilmember Bettelli took the opportunity on congratulating Chief Graham who celebrated her twenty-fifth (25th) anniversary with the City in July. Councilmember Bettelli commended both the employees and outside volunteers who gave their time to ensure the safety and success of the July 4th fireworks display. In conclusion, Councilmember Bettelli announced that a charity bike ride would traverse the island in the early morning hours of Saturday, September 11.

C. Public Works Committee

Councilmember Duffy reported that, according the Public Works Director's records, garbage tonnage was at a five-year (5 yr) low in July. The Committee reviewed a set of preliminary drawings for the 52nd to 57th Avenue Drainage Project; Councilmember Duffy commented that permits and approvals were expected to arrive by mid-October and bidding would follow quickly. The bids for the Street Sweeping Contract were reviewed, but the Committee chose to get additional information from bidders before making a final decision on their recommendation to the Ways and Means Committee. The Committee approved the transfer of a four-wheeler retired by the Fire Department because it could no longer meet emergency needs to the Public Works; Director Pitts is of the opinion that the four-wheeler will increase the efficiency of cleaning the beach paths in the fall and spring.

Responding to Mayor Cronin's question, Administrator Tucker stated that garbage collection would go back to one (1) pickup per week on the Monday following the week of Labor Day – Monday, September 13.

D. Recreation Committee

Councilmember Buckhannon announced that auditions for the December production of "Miracle on 34th Street" would be held at 6:30 p.m., Wednesday, October 19; rehearsals will continue through October and November to opening night. Twenty-two (22) young people and adults took part in the first Theatre Camp offered by the Recreation Department. Councilmember Buckhannon repeated the Mayor's comments regarding the community-wide Wellness Fair to be held from 7 a.m. to noon on Thursday, September 16. Twenty-eight (28) teams participated in the annual Half Rubber Tournament held Saturday, August 21st, and two hundred thirty-three

(233) people took part in the IOP Beach Run on Saturday, July 18th. Over four hundred (400) campers enjoyed Camp Summershine and Wee Camp. Councilmember Buckhannon commended the Recreation Department for the success and the variety of new programs offered over the summer months. The first Middle School Dance of the new school year will be held on Friday, September 10 beginning at 7 p.m. Two (2) big upcoming events are the IOP Connector Run on Saturday, October 2 and the Halloween Carnival on Saturday, October 30.

E. Personnel Committee

The Personnel Committee did not meet in August. Councilmember Piening announced the July Safety Sweepstakes Winners as Emily Dziuban from General Government, Jason Smith from the Fire Department, Joseph Washington from Public Works and Diane Tarr from the Police Department.

F. Real Property – Did not meet in August

6. Reports from City Officers, Boards and Commissions

- A. Accommodations Tax Advisory Committee** – did not meet
- B. Board of Zoning Appeals** – did not meet
- C. Planning Commission** – minutes attached

7. Reports from Special or Joint Committees – none

8. Petitions Received, Referred or Disposed of – none

9. Bills Already in Possession of Council

Second Reading of Ordinance 2010-11 – An Ordinance Authorizing the Leasing of One (1) Mack Garbage Truck GU713

MOTION: Mayor Cronin moved to suspend the reading and to approve Ordinance 2010-11 for Second Reading; Councilmember Duffy seconded.

Councilmember Buckhannon repeated his objections to the City's continuing to go into debt to finance equipment; he expressed his preference that the City save its money to purchase equipment.

VOTE: The motion PASSED on a vote of 8 to 1 with Councilmember Buckhannon casting the negative vote.

10. Introduction of New Bills, Resolutions and Proclamations

First Reading, by title only, of Ordinance 2010-12 – An Ordinance Amending Title 7, Licensing and Regulation, Chapter 3, Beach and Marine Recreation Regulations, Article A, General Provisions, Section 7-3-20, Commercial Activities Restricted, of the City of Isle of Palms Code of Ordinances to Allow Commercial Photographers to Take Photographs on the Beach Under Certain Conditions.

MOTION: Councilmember Bettelli moved to approve Ordinance 2010-12 for First Reading by title only; Councilmember Loftus seconded.

Mayor Cronin read the amended paragraphs into the minutes as follows:

“No person shall sell or rent, or offer to sell or rent any goods, merchandise, or services, or solicit any trade or business, on the beach, beach accesses, public parking lots, or the Breach Inlet Bridge, except pursuant to a franchise granted by the City Council, or pursuant to a City-sponsored activity or event.

However, nothing in this section shall be deemed to prohibit a commercial photographer, who is not soliciting on the beach, beach accesses, public parking lots, or the Breach Inlet Bridge, from implementing a prior contract to take still photographs on the beach for a fee. The use of the beach to take photographs for a fee shall be limited to no more than one (1) hour on the beach per day for this activity.”

Councilmember Bergwerf asked for clarification of the term “under certain conditions;” she was told that this language did not represent a change from the original language of the ordinance. Responding to Councilmember Thomas’ question, Mayor Cronin stated that a photographer would need a business license, but would not need any special permission to take still photographs on a particular day.

Mayor Cronin confirmed that any future requests for any type of professional filming on the beach would need to be classified as a “City-sponsored event” before it could be allowed to take place.

VOTE: The motion PASSED UNANIMOUSLY.

This ordinance will not require a public hearing prior to Second Reading.

11. Miscellaneous Business

Mayor Cronin wished Councilmember Piening good luck as he undertakes his first “Iron Man Competition” over the coming weekend.

Administrator Tucker and Mayor Cronin thanked Attorney McCullough for his work and assistance while City Attorney Halversen was on maternity leave; she commended them both on the seamless transition. She noted that he has a couple of legal matters that he will be wrapping up on behalf of the City and that he would be available in the future for assistance as needed.

12. **Executive Session** – not needed

13. **Conclusion/Adjournment**

MOTION: Councilmember Loftus moved to adjourn the meeting at 7:36 p.m.;
Councilmember Bettelli seconded and the motion **PASSED UNANIMOUSLY.**

Respectfully submitted:

Marie Copeland