

REAL PROPERTY COMMITTEE
8:30 a.m., Thursday, January 6, 2011

The regular meeting of the Real Property Committee was held at 8:30 a.m. on Thursday, January 6, 2011 in Council Chambers of City Hall, 1207 Palm Boulevard, Isle of Palms, South Carolina. Attending the meeting were Councilmember Loftus and Stone, Mayor Cronin, City Administrator Tucker, Marina Manager Berrigan, Morgan Creek Grill Operations Manager Carla Pope and City Clerk Copeland. A quorum was present to conduct business.

1. Past Chair Loftus 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.

2. Election of Chair and Vice-Chair

Mayor Cronin nominated Councilmember Loftus for the position of Chair; Councilmember Stone seconded and the vote was unanimous in support of Councilmember Loftus. Mayor Cronin nominated Councilmember Stone as Vice-Chair; Chair Loftus seconded and the vote was unanimous in support of Councilmember Stone.

3. Approval of Previous Meeting's Minutes

MOTION: Mayor Cronin moved to approve the minutes of the regular meeting of November 11, 2010 as submitted; Councilmember Stone seconded and the motion PASSED UNANIMOUSLY.

4. Citizens' Comments

Ray Dennis of the Morgan Creek Harbor Association was unable to attend the meeting.

5. Marina Manager's Report

Manager Berrigan reported that the marina had had a good year, but that things were quiet now; he indicated that the snows along the east coast had been detrimental to business. Transient business was down considerably, and he expressed confidence in his decision to lease the dock space to long-term renters. The laundry facility has been completed, is fully operational and is receiving heavy usage. Contrary to what Manager Berrigan had announced at the November meeting, the store will be closed from January 17 through January 20 for general maintenance. Mr. Berrigan reported that he has contracted with a company to install the gate on the boat ramp that will be four feet (4 ft.) tall; if that height does not present the necessary deterrent to the act of vandalism experienced at the marina, an additional two feet (2 ft.) can be added. He concluded his comments by stating that the docks have become "a maintenance nightmare;" he stated that he was looking forward to hearing the progress on the marina dredging project.

Mayor Cronin related that he and Administrator Tucker had met with David Coe who has written several letters to *The Post and Courier* about boats in the area that he believes do not pay property taxes; during the meeting, the Mayor and Administrator agreed to contact the marina manager who would alert marina tenants that taxes are due if they are docked for six (6) months or more. The Mayor explained that the responsibility for billing and collecting taxes falls to the County Tax Assessor's Office, not the City of Isle of Palms.

Administrator Tucker added that Mr. Coe wants the City to gain him entry into the Morgan Creek area to photograph the boats docked there and then to compare them to what is shown on the tax rolls for ownership and payment of taxes. The Administrator's response to this request is to provide Mr. Coe with the names and contact information of the regime overseeing the Morgan Creek area; since this is private property, the City cannot authorize access.

Mayor Cronin noted that, if a slip is rented and the boat is not licensed in the State of South Carolina, he cannot determine whether the appropriate taxes are being paid; only the assessor's office can make that determination.

Administrator Tucker reported that she had spoken with the assessor's office relative to Mr. Coe's claims and was told that Mr. Coe "is not familiar with all of the nuances of the law."

Chair Loftus remarked that the issue was between Mr. Coe and the assessor's office and that the City should spend its resources on a County issue.

Chair Loftus asked if Mr. Berrigan wanted to make his presentation of the Marina Master Plan to City Council at the February meeting; Mr. Berrigan responded that he was anxious to make everyone aware of it.

Administrator Tucker recounted that she and Manager Berrigan had discussed that one-on-one discussions with the newer members of City Council could be beneficial; the Administrator noted that not all Councilmembers knew that the City had always planned a marina enhancement plan that would involve "gutting" the land side and starting over. The Administrator expressed the opinion that, for the Councilmembers who have not been involved from the beginning, Mr. Berrigan's plan might appear to be quite dramatic.

Chair Loftus thought Mr. Berrigan could accomplish those one-on-one meetings in the coming weeks and be prepared for the presentation at the February City Council meeting.

Administrator Tucker related to Mr. Berrigan that she had read very complimentary comments on-line about the IOP marina the previous evening. The item had been written by a gentleman who was sailing from New England for the first time, had met his wife at the IOP marina over the holidays and spent time in Charleston; he wrote "a fabulous review of the experience," according to the Administrator.

Administrator Tucker also complimented Morgan Creek Grill for being named the Number One restaurant on the island.

6. Morgan Creek Grill Report

Carla Pope, Operations Manager for Morgan Creek Grill, stated that business had been very slow for the fourth quarter of 2010. She acknowledged that the restaurant is behind on its rent, but plans to catch up in February. Since business is slow, the restaurant will be closing on Sunday evenings beginning this week in addition to being closed on Mondays. Ms. Pope announced that Wintertide 2 will run for the next three (3) Fridays featuring regional musicians on the Upper Deck.

Responding to Mr. Berrigan's query, Ms. Pope stated that the oyster roasts had been a huge success for Morgan Creek Grill.

7. Old Business

A. Update on Beach Restoration

Administrator Tucker noted that the thirty-day (30-day) public comment period ended on January 1, 2011, and the City has not been informed that there were negative comments that would warrant a public hearing. The City is in receipt of both the biological assessment, a requirement imposed by the permitting agency, and the official fish habitat documents; both the Administrator and Chris Jones, the City's consultant, will review the documents before they are submitted to the permitting agencies. Administrator Tucker explained that these documents report that the City has assessed the project area and identified the biological elements, the impact on the fish and the area(s) and species to which the project could be detrimental, and these are the actions that can be taken to mitigate those impacts. The Administrator expressed that the project was moving forward on a good schedule.

B. Consideration of Parking Lot Lease Amendment

Administrator Tucker commented that, as the City extended other leases that fall under the purview of the Real Property Committee, Bill Schupp of Schupp Enterprises asked that his lease to manage the City parking lots be extended to run in parallel with the lease to remove trash from Front Beach and the beach and to fill holes on the beach.

The Administrator explained that the item had been added to the Committee's agenda based on comments made at the November City Council meeting where concern was expressed that the present contract was not as favorable to the City as it possibly could be; therefore, included in meeting packets were copies of the current lease for the parking lots and the proposed amendment for review.

Chair Loftus said that he thought the opportunity existed for the City to get additional revenue at the end of the present contract and he was hesitant to extend this contract when the Planning Commission is in the midst of a comprehensive parking plan for the island that could significantly impact the parking lots. He, therefore, was inclined to let this contract run its course; he added that Mr. Schupp provides valuable services for the City and does a wonderful job.

Mayor Cronin commented that he sees no compelling reason to extend this contract, and Councilmember Stone agreed.

MOTION: Mayor Cronin moved to decline the extension of the parking lot lease; Chair Loftus seconded and the motion PASSED UNANIMOUSLY.

C. Status of Request for Proposals for Engineering Design and Permitting for Marina Dredging

Administrator Tucker reported that the City had received three (3) responses to the RFP issued for design and permitting for dredging of the marina as is budgeted for FY11; the Administrator explained that the RFP had been drafted in a manner that would allow other entities, such as the Morgan Creek Harbor Association, to join the project thereby expanding the scope. The companies that submitted bids are the following:

- Coastal Science and Engineering who would be partnering with Tidewater Environmental Services, locally, and with whom the City has contracted for beach monitoring;
- Applied Technology and Management, with whom the City has worked in the past on other projects related to water access; and
- GEL Engineering, who was the oversight engineer for the previous dredging project.

The Administrator is in the process of analyzing and evaluating the bids to make a recommendation to the Committee at the February meeting.

Administrator Tucker related that Ray Dennis planned to meet with the Morgan Creek Harbor Association (MCHA) Board to explain to them the options for their partnering, or not, with the City on a dredging project. Based on a conversation with Laurie Scheuler, the staff liaison for the MCHA, the board did not give Mr. Dennis enough direction to make a statement to this Committee on their decision. The Administrator stated that she had gotten the impression from her meeting with Mr. Dennis that the Association wants to join with the City for the project; however, that project must work as the City has proposed or the project will not be a joint effort.

Chair Loftus asked the status of participation from Dewees Island; Administrator Tucker recalled that Dewees was planning for a fifteen-year (15 yr.) dredging cycle, and the City is ahead of their schedule. In addition, their piece of the project is quite small so that they would likely participate.

When Mayor Cronin asked whether the issue with Dewees was fiscal or physical, Mr. Berrigan responded that the issue was a fiscal one. Despite their contention that Dewees does not need the dredging at this time, Mr. Berrigan stated that he had done some soundings there and found depths of two and three (2 and 3) feet at their bulkhead, which, if left, effects the docks.

8. New Business

Discussion of Electric Car Charging Stations

Chair Loftus stated that he had asked that this item be added to the agenda because he believes it would be good business for the island.

Mayor Cronin distributed an article he found on the internet about Coulomb Technologies, a company that provides charging stations with a collection capabilities. They have installed charging stations in areas of South Carolina.

The Mayor explained that any line installed by SCE&G must be metered, but SCE&G will not serve as the collection agency. Therefore, if the City were to drop an electrical line specifically for changing stations, the City would be the owner of record and responsible for all fees related to that line. With this company, they do the collections.

After brief discussion, the Committee agreed to invite representatives of this company to attend a future meeting and explain their program.

9. Miscellaneous Business

Marina Rents Report

Administrator Tucker stated that the Morgan Creek Grill was the only lessee of the City that was not current with its lease payments.

Chair Loftus followed-up on his query from the November meeting regarding the sale of bricks on the Front Beach; he was interested in knowing whether more had been sold this past holiday season than in previous years; the City Administrator reported that the holidays always bring a flurry of sales.

The Chair suggested that the City advertise in *The Island Eye* and *The Moultrie News* "the opportunity to own a piece of the island" the first week of December in 2011. In addition, he suggested that a flyer be developed and distributed to the City's rental companies for inclusion in rental packets throughout the year.

Administrator Tucker informed the Committee that the first meeting of the Farmers Market Ad Hoc Committee has been scheduled for 6 p.m. on Monday, January 31, 2011 here in Council Chambers, and Councilmember Piening has agreed to attend that meeting to explain the Committee its duties. Since the subject was initiated in the Real Property Committee, the Farmers' Market Committee would be reporting its progress to this Committee; the Committee report will be added to the March agenda.

Next Meeting Date: 8:30 a.m., Thursday, February 3, 2011.

10. Adjourn

MOTION: Chair Loftus moved to adjourn the meeting at 9:27 p.m.; Mayor Cronin seconded and the motion PASSED UNANIMOUSLY.

Respectfully submitted:

Marie Copeland
City Clerk